

Legislature of Ontario Debates

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Monday, June 22, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, JUNE 22, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our guests in the east gallery are students from Stewart Avenue Public School in Galt, and Mildmay Sacred Heart Separate School in Mildmay; in the west gallery, the adult day classes from YMHA in Toronto, and in the Speaker's gallery and the west gallery the Lutheran Church Senior Citizens from Welland. This evening we will have the 22nd Lakeshore Scout Troop from Etobicoke with us.

Statements by the ministry.

Hon. J. Yaremko: (Minister of Social and Family Services): Mr. Speaker, I am pleased to inform the House that we have approved an amendment to the regulations made under The General Welfare Assistance Act which will allow municipalities in Ontario greater flexibility and scope in obtaining counselling services for their residents. Section 17 states that municipalities which hire fulltime or part-time counsellors to advise persons in need may receive a 50 per cent subsidy of the salaries and travelling expenses of these counsellors. The amendment now adds a clause which allows the municipality to receive the 50 per cent subsidy for the purchase of the services of counsellors from private agencies.

The advantage of this amendment is that it provides more scope. It allows a subsidy for a municipality either to employ counsellors on staff or to go to a counselling agency and purchase the service on a contract basis. The municipality has the choice. It can purchase or employ or do both and in each case a subsidy of 50 per cent of the cost is available. This amendment enables the municipalities to have further access to federal funds under the Canada Assistance Plan.

Section 17 of the regulations lists the types of counselling services for which the municipal welfare office can receive subsidy. The services include such things as counselling in respect of family or marital relationships, child care, parent-child relationships, money management, homemaking, nutrition, hygiene and such other services as may be required by a recipient and are approved by the director.

Our complex society makes great demands on our citizens and many people receiving social assistance would welcome help with matters such as I have outlined—household management, child care and the like. This amendment, which is retroactive to May 1, 1970, will enable municipalities to obtain the services of highly skilled professionals such as social workers and family counsellors from private agencies. I know the municipal welfare officers of this province will be pleased with this change in the regulations. I remind the House that the hon. member for Kingston and the Islands (Mr. Apps) touched upon this issue earlier this session.

Mr. Speaker, this is another step by The Department of Social and Family Services to help people to help themselves.

Mr. Speaker: Oral questions.

Mr. R. F. Nixon: (Leader of the Opposition): Mr. Speaker, I wonder if the Premier could inform the House whether or not the government has received an application from Northern Ontario Natural Gas for a rate increase? This would no doubt go to the energy board but I believe the approval would have to be given by the Lieutenant-Governor-in-Council since the rate increase is coupled with an application for a reduction in energy content of the fuel that is delivered to the northern municipalities.

Hon. J. P. Robarts (Prime Minister): Not to my knowledge, Mr. Speaker. I might point out that that does not necessarily mean it has not been made to the energy board, but it has not been drawn to my attention.

Mr. Nixon: I have another question of perhaps somewhat lesser importance. Has the Prime Minister received any complaints regarding the CBC coverage of the Queen's Plate race run last Saturday in that the presentation of the prize by His Honour was not a part of the coverage since the time evidently ran out and—

An hon. member: You could not even tell who was the best horse.

Mr. Nixon: —the complainants felt that for an event of such provincial and national importance they might easily have given fuller coverage including the participation of His Honour?

Hon. Mr. Robarts: Mr. Speaker, I presume that the complainants made their protest to the Leader of the Opposition.

Mr. Nixon: Yes.

Hon. Mr. Robarts: Yes, well they have not made them to me.

Mr. Nixon: I am making it to the Premier.

Hon. A. Grossman (Minister of Correctional Services): They figure the hon. Leader of the Opposition has an ear in the federal government. They evidently figure he can talk to his Liberal colleagues.

Mr. Nixon: As a matter of fact, the Premier should have been there. The Paris horse was a favourite.

Hon. Mr. Robarts: Well, this was a big weekend. We can carry this a little further. I did not watch this event on television, so I am not aware who was omitted or who was included in the roving eye of the camera as it moved around the Queen's Plate—

Mr. Nixon: They did cover the horses. I will have to admit that.

Hon. Mr. Robarts: But nobody has complained to me about it. I can tell you this. I think you take your chances with TV with timing and one thing and another. I think the hon. leader does, I do and everybody does, so I do not know that I would be terribly concerned about his complaint unless it could be interpreted as a deliberate affront to the Lieutenant-Governor, which I very much doubt that it was. Time runs out; they have certain time limits. Perhaps the whole thing was not staged properly. Perhaps the horses took longer to run than the time allowed and so on.

Mr. D. C. MacDonald (York South): They did.

Hon. Mr. Robarts: It could be a result of a whole host of circumstances. I very much doubt if it was done as any deliberate affront to His Honour, whom I know is held in great affection by all the people of this province, including the CBC.

Hon. S. J. Randall (Minister of Trade and Development): My horse did not win, either.

Mr. Nixon: A supplementary question. Does the Premier understand that a part of my question was not to indicate that the CBC had affronted His Honour, but that the coverage of such an important provincial event might have been better planned and more complete.

An hon. member: Another false start.

Hon. Mr. Robarts: That might very well be, but unfortunately we have no control over the activities of the CBC.

Mr. Nixon: What do we have a forum for, then, for expressing our complaints?

Hon. Mr. Robarts: Well, I think I have made it very clear that this might be perfectly justifiable; it might not. I know nothing of the circumstances.

Hon. Mr. Randall: My horse came in behind the sprinkling cart. He did not get in either.

Mr. Speaker: The member for York South.

Mr. MacDonald: A question of the Prime Minister. Further to Northern Ontario Natural Gas, is the government in a position to indicate whether or not any effort is being made either by the federal government or this government to have the company live up to its commitments of twinning the line in northern Ontario in 1970?

Hon. Mr. Robarts: Mr. Speaker, I would have to tell the House that I do not have specific detail—what in fact they have done as matched against their commitment—at my hands to answer in the oral question period. I do not think you could expect me to have this. I will take that question as notice and we will find out just what the situation is.

Mr. MacDonald: In view of the fact that this was raised during the estimates and the minister indicated he would look into the matter, I would appreciate if the Prime Minister would.

I have only one other question in view of the absence of the ministers, and it is of the Minister of Trade and Development. With regard to last week's announcement of another trade mission, this time to the British Packaging Show in London, England, on Ontario-made equipment, would the minister indicate who finances these junkets when they involve such top firms as Allied Chemical Canada Limited? To what extent are they subsidized out of the public purse?

Hon. Mr. Randall: Mr. Speaker, we have been running these missions since 1963 very

successfully, and they are not junkets if you look at the trade—

Mr. MacDonald: That is not my question.

Hon. Mr. Randall: That is the member's question. He said "junkets". Well, I just want to touch on it. They are not junkets at the taxpayers' expense—

Mr. MacDonald: That is right.

Mr. S. Lewis (Scarborough West): It is a junket for Allied Chemical.

Hon. Mr. Randall: —and they have brought back $250 million in orders since 1963. If that is a junket, we should have more of them.

Mr. MacDonald: Would the minister answer my question?

Hon. Mr. Randall: Yes, I will answer the question. On all these trade missions, the economy fare is paid for by the province and all other expenses are paid for those participating in the missions, and we have one going to somewhere in the world every three weeks.

Mr. MacDonald: Well, does the minister feel that it is justified to dip into the public treasury to finance companies like Allied Chemical Canada Limited to expand their sales?

Hon. Mr. Randall: If they are a Canadian corporation and they have something to sell and they wish to go on trade missions, certainly we will be glad to take them as well as anybody else. I said before, if a guy is manufacturing bicycle handles, and if we want to sell bicycle handles, then we can sell bicycle handles and add to Canada's trade balance. That is exactly what we want to do.

Mr. Lewis: A supplementary question, Mr. Speaker. Is this an additional sum beyond the $1 million of the forgivable grant that the minister has given to Allied Chemical already?

Hon. Mr. Randall: It is two different programmes, Mr. Speaker. We have an outgoing mission programme and an incoming mission programme. This is part and parcel of the trade development programme.

Mr. Lewis: So it is in addition.

Hon. Mr. Randall: That is just what I said.

Mr. MacDonald: The minister's generosity to some people is beyond belief.

Hon. Mr. Randall: The member for Scarborough West is not listening very well.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): A supplementary question of the minister. Can the minister assure us that any of the new business created as a result of these overseas trips is not diverted to the U.S. division of that corporation?

Hon. Mr. Randall: Yes. I can assure the member that the business that we get on these overseas missions is produced right here in the province of Ontario.

Mr. Speaker: Does the member for Hamilton East wish to ask that question now on clarification?

Mr. R. Gisborn (Hamilton East): A question of the Minister of Social and Family Services with regard to his recent statement of subsidies to the municipalities if they provide counselling services. Usually they receive 80 per cent. I know 30 per cent is from the federal government. Is this regulation in keeping with the Canada Assistance Plan and would that make them eligible for 30 per cent from the federal government?

Hon. Mr. Yaremko: Mr. Speaker, the municipalities will get a 50 per cent subsidy. All of that 50 per cent comes through the Canada Assistance Plan.

Mr. Speaker: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, a question of the Minister of Highways. Could the minister indicate to the House when the department will be dealing with the supplementary estimates?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, in answer to the hon. member, we are having the first meeting to review those this afternoon. I cannot tell him when the answers will be forthcoming, though.

Mr. Gaunt: A supplementary, Mr. Speaker. Would it be fair to assume that within the next two or three weeks the money will be going out to the municipalities?

Hon. Mr. Gomme: Mr. Speaker, I do not think the money will be going out, but I think probably we will approve that portion of the bylaws which we can afford to approve.

Mr. Speaker: The member for Sandwich-Riverside, a supplementary. The member for Sandwich-Riverside has the floor.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Trade and Development regarding an advertisement appearing in the June 13 newspapers. What was the purpose of this advertisement, nine-tenths of which has to do with pollution?

Hon. Mr. Randall: Mr. Speaker, it is part and parcel of the programme to get people to shop Canadian, so that funds that are earned from shopping Canadian can be put to such uses as cleaning up pollution, providing educational facilities, and so on.

Mr. Burr: Mr. Speaker, a supplementary question. Is this advertisement subsidized by the other provinces, or why does it say, "Shop Canadian"? Why not, "Shop Ontario," if the minister must develop trade and development in this fashion?

Hon. Mr. Randall: I hope those ads will publicize all of Canada. We are not parochial in this province. We say, "Shop Canadian" not just, "Shop Ontario."

Interjections by hon. members.

Mr. Burr: Can the minister give me the cost of this advertisement?

Hon. A. F. Lawrence (Minister of Mines): Are the Liberals complaining about it?

Mr. Nixon: It is a terrible attitude.

Hon. Mr. Randall: Yes, I will be glad to do it, Mr. Speaker. I had it here last week, and they did not ask me for it. It is down in my office.

Mr. Burr: I am sorry I did not ask the minister.

Hon. Mr. Randall: I will be glad to get it for the hon. member.

Mr. M. Shulman (High Park): A supplementary, Mr. Speaker. Can the minister explain to me the portion of the advertisement that praises the efficiencies of the new regional school boards? How does that help trade or development in the province?

Hon. Mr. Randall: The member would be surprised.

Interjections by hon. members.

Mr. Speaker: The member for York Centre.

Mr. Lewis: Does the minister ever vet the copy of these?

Mr. Speaker: Order! The member for York Centre has the floor.

Mr. Lewis: Nothing there about the economic weirdos and they—

Mr. D. M. Deacon (York Centre): Mr. Speaker, a question of the Minister of Highways. Since the Premier indicated on Friday last that the appointment of a select committee to study and recommend on an overall transportation policy for the province is unlikely and that he is of the opinion that current Department of Highways grant policies do not favour the private automobile versus public transportation, will the minister bring in an amendment to the present Act which will enable municipalities to spend grant money from the department on roads or public transportation as they deem fit or more prudent in their own discretion?

Hon. Mr. Gomme: Mr. Speaker, this is a policy matter. I am sure it will be discussed by the government.

Mr. Deacon: Mr. Speaker, a supplementary: In view of the urgent situation that is facing municipalities such as Metropolitan Toronto with regard to the Spadina—

Mr. Speaker: What is your question?

An hon. member: Well, give him a chance to frame it.

Mr. Deacon: Will the minister undertake to clarify this policy so that municipalities know they have complete discretion, as the Premier thinks they have?

Hon. Mr. Robarts: Mr. Speaker, on a point of order. I do not mind this type of questioning—what we call in law, leading questions—but I simply did not make any such statement.

Mr. H. Peacock (Windsor West): Mr. Speaker, a further question of the Minister of Social and Family Services regarding his statement this afternoon. Does his statement indicate that the costs of counselling and preventive services by family service bureaus and other agencies apply to The Child Welfare Act, as intended by legislation enacted in this Legislature last year?

Hon. Mr. Yaremko: I do not get the purport of the hon. member's question. The subsidies to The Child Welfare Act are in a

completely different capacity from what I have related now.

Mr. Peacock: A supplementary question then Mr. Speaker: Has the minister informed his department to discontinue payments for service by family service agencies and other counselling agencies for preventive services, as envisaged by The Child Welfare Act as amended last year?

Hon. Mr. Yaremko: Mr. Speaker, it is a question of what kind of service has been purchased by the children's aid society. If it comes within the scope of The Child Welfare Act of course it is within the scope of the Act. If not, then it is not.

Mr. Speaker: A supplementary?

Mr. W. G. Pitman (Peterborough): I wonder if I could ask a supplementary question to clarify it in my own mind. Would it be possible for a municipality to purchase counselling services from the family counselling service in that municipality even though that counselling service may be receiving, in some way, a provincial grant from some other piece of legislation out of the minister's jurisdiction?

Hon. Mr. Yaremko: Yes, the matter is related to the service which is rendered. If a municipality is purchasing a service, then it will pay for the service and get the subsidy.

Mr. Pitman: I wonder if I might ask a further supplementary, as to whether the municipality can purchase services of a counselling nature from a school board, where for example you have a great many counsellors involved in guidance who could very well be involved in that particular kind of service.

Hon. Mr. Yaremko: I would have to check into that, Mr. Speaker.

Mr. Speaker: A supplementary? If it is a supplementary, yes.

Mr. Pitman: Yes it is, Mr. Speaker. Is there any provision for all the private agencies in the so-called charitable sector, like the family service associations across the province, to receive any subsidy at this point under the proposed change in regulation?

Hon. Mr. Yaremko: The municipalities will now be able to purchase those services from those agencies and receive a 50 per cent subsidy.

Mr. Pitman: By way of supplementary: The agencies themselves will not be in receipt of direct subsidy from government?

Hon. Mr. Yaremko: No, Mr. Speaker, not at the present time.

Mr. Speaker: The member for Huron-Bruce.

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Will Hydro consider changing its policy with respect to paying a grant in lieu of taxes prior to the completion of construction of a particular project, and I refer particularly to the Douglas Point project because it extends over a long period of time?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, the hon. member would have to clarify that a little further. I am not quite sure of how a grant in lieu of taxes for Hydro can be applied to the cost of Hydro!

Mr. Gaunt: No, no.

Hon. Mr. Kerr: I am sorry.

Mr. Gaunt: This is property tax. Hydro will not pay taxes until the project is completed and what I am asking is will they change their policy so that they can pay at least a grant prior to the completion of the project, to enable the municipality that would have to provide the services for those people coming in, to alleviate the financial crunch which they are experiencing at the present time.

Hon. Mr. Kerr: I will look into that, Mr. Speaker, and report to the hon. member.

Mr. Speaker: The member for York South.

Mr. MacDonald: A supplementary question, Mr. Speaker, to this minister: Has he or have any of his colleagues responded to the request from local governments, such as the one in Port Elgin seeking clarification for the grant in lieu of taxes from agencies like Hydro?

Hon. Mr. Kerr: Well Mr. Speaker, I am not aware of the particular request to which the hon. member refers. I know that the grant in lieu of taxes for Hydro users in southern Ontario has been discontinued. This is a programme now only for the rural areas of the northern part of the province. To my knowledge there is no intention to change that policy. However, I will look into the Port Elgin matter to which the hon. member refers.

Mr. MacDonald: I have a further supplementary, but it is to another minister to clarify this point; I will take it now or later, as you wish.

Mr. Speaker: The hon. member has the right to ask a further question now if he wishes.

Mr. MacDonald: Well to the Minister of Municipal Affairs: Has the minister been able to make arrangements to meet with the delegation from Port Elgin to clarify the issue on which they have been seeking information for quite some months, namely a grant in lieu of taxes?

Hon. W. D. McKeough (Minister of Municipal Affairs): I have not traced down the earlier correspondence, but I have since had a letter from Port Elgin council and I am writing to them to say that I think a meeting is a little premature. We have been attempting to unravel this particular knot with The Department of Energy and Resources Management, Ontario Hydro, The Department of Education and ourselves, and I am told that a solution perhaps is imminent but it is not yet ready to see the light of day. It will probably be three or four more weeks before it works its way through the system.

I think the member would appreciate that to solve the particular problem will create a precedent which heretofore has never been created—that of paying taxes, whether they are grants in lieu of taxes or simply taxes, during the time of construction. Normally an apartment building or a building, or a factory for that matter, causes some strain during construction if there is an imported work force. Of course, this particular piece of construction is going to drag on, I suppose, for five or 10 years, I guess—something in that neighbourhood.

Mr. Gaunt: Ten to 14.

Hon. Mr. McKeough: Ten to 14 years, the member says. But I am told that an answer to their problem is in the mill and hopefully within two or three weeks I will be ready to meet with them.

Mr. Gaunt: A supplementary, Mr. Speaker. May I ask the minister if this change will require new legislation, or can it be done without bringing in new legislation?

Hon. Mr. McKeough: I am afraid I cannot answer that.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Have officials of his department been in touch with the commercial cleaning establishments concerning their use of either low-phosphate content cleaning solutions or phosphate-free cleaning compounds? And if they have, can the minister assure the House that the commercial cleaning establishments throughout the province of Ontario are co-operating completely in the attempt to eliminate phosphate pollution?

Hon. Mr. Kerr: There is not any directive nor has there been any legislation of course, as the hon. member knows, that would enable us to give a directive to commercial cleaning establishments in the province to use low-phosphate detergent. Information and requests and a programme whereby all provincial institutions will do this has been undertaken. I have had replies from the responsible ministers and they are all co-operating. But until we have some form of legislation which, as the hon. member knows, we hope will be in effect this summer on a national basis, we have not really directed the private organizations.

Mr. B. Newman: A supplementary to the minister. Is the minister aware that the city of Windsor has approached the various commercial cleaning establishments and has received 100 per cent co-operation, and a scheme such as they have used could be applicable to other parts of the province?

Hon. Mr. Grossman: Great city, Windsor.

Hon. Mr. Kerr: Yes.

Mr. Speaker: The member for High Park.

Mr. Shulman: Yes, I have a question of the Minister of Energy and Resources Management. Has his department completed the investigation into the cause of the death of the fish in the Moira River? In view of the findings of the mercury and arsenic content in the bank of the Moira River below Deloro, is the minister considering putting a ban on swimming and fishing in that area?

Hon. Mr. Kerr: Mr. Speaker, I am not exactly sure what particular fish the hon. member is referring to when he says "death of fish in the Moira River." There have been some fish found, of course. Some of these fish, as in other rivers, are ending their normal life cycle. We have not attributed it to any particular reason. At this point, as far as banning fishing and swimming is concerned, as the hon. member knows, we have recom-

mended against swimming in certain areas, certain parts, of the Moira River, but we have not banned swimming in Moira Lake, nor have we banned fishing entirely on the whole Moira system.

Mr. Shulman: Mr. Speaker, a supplementary, in reference to the article in the Belleville newspaper last week which said that the minister's department was doing an investigation into the sudden increase in deaths of fish in the area. Has the investigation been completed?

Hon. Mr. Kerr: Not to my knowledge, Mr. Speaker. As I say, we do not exactly know the cause and we are not sure whether it is arsenic or some other cause.

Mr. Speaker: Any further supplementaries? If not, the member for York Centre.

Mr. Deacon: A question of the Minister of Energy and Resources Management. Has Ontario Hydro stopped acquiring rights of way through King and Whitchurch townships for the Nanticoke transmission line around Toronto, pending study of the use of the 407 parkway belt in co-operation with The Department of Highways?

Hon. Mr. Kerr: Mr. Speaker, the acquiring of this transmission right of way from Nanticoke to Pickering is something that will take many months. Negotiations are going along the whole line from one end to the other at this time and have been for some months.

In reference to the King-Whitchurch area, of course, the Hydro is aware of this and this is being considered in the negotiations with the landowners and any final decision they make as to the location of that particular transmission line.

Mr. Deacon: Mr. Speaker, a supplementary: I want to clarify if the Hydro is choosing now because of the parkway belt concept—

Mr. Speaker: The hon. member will ask a question; he is making a statement.

Mr. Deacon: Is the Hydro contemplating or considering now abandoning the King-Whitchurch line and using the parkway belt which design developers stated will look after Hydro transmission lines?

Hon. Mr. Kerr: Mr. Speaker, no decision has been made. As the hon. member knows, in acquiring property along some few hundreds of miles from one end of this proposed line to another, if you move a few miles off the section, this affects the whole line. We have not abandoned our present plans for the King-Whitchurch area, but the alternative plans for the parkway are being looked into and studied.

Mr. Speaker: The member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the Minister of Justice. Does the Minister of Justice approve the actions of the Brantford police department who on Saturday secretly tried to tape the remarks of the speaker at a public meeting?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I was not aware of this matter, not being here on Saturday and having only returned this morning. I would be glad to check it and then perhaps I will answer the member.

Mr. Makarchuk: A supplementary: Would the minister issue instructions that in the future the police in Ontario do not carry out practices that infringe on the rights of free speech of individuals?

Hon. Mr. Wishart: Mr. Speaker, as I said, I will look into the matter and then perhaps I will answer the member.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid (Scarborough East): I have a question of the Minister of Trade and Development. Would the minister look into a reported statement that one of the buildings of the Ontario Housing Corporation on the northeast corner of Markham Road and Ellesmere Road is at least half vacant at the present time, even though the building apparently is completed?

Hon. Mr. Randall: I will look into it and get the information for the hon. member, Mr. Speaker.

Mr. Speaker: The member for Wentworth.

Mr. I. Deans (Wentworth): A question of the Minister of Energy and Resources Management. Has the minister been able to determine whether the recent oil leak in Lake Ontario resulted in the great numbers of dead fish being washed up on the shore at Lakeland beach? If so, what action has been taken to clean it up, as he indicated there might be? Is there any responsibility on that department for cleaning up all the flies that congregated there as a result of the dead fish?

Hon. Mr. Kerr: Any responsibility for what?

Mr. Deans: Is there any responsibility on the department to clean up the flies that have congregated there as a result of the dead fish?

Hon. Mr. Kerr: Mr. Speaker, I might answer the last question first, and say no; maybe this is a municipal matter. As far as the oil leak is concerned my information is that this was not responsible for the dead fish. The dead fish were all along this Lake Ontario shore and, as the hon. member probably knows, it is apparently the end of a life span of that certain species of fish that happens at this time of year. There is no connection between the oil leak and the great quantities of dead fish that have, unfortunately, cluttered up that shore.

Mr. Speaker: The member for Middlesex South.

Mr. K. C. Bolton (Middlesex South): A question of the Minister of Correctional Services, Mr. Speaker. Can the minister report on the nature of the injuries sustained by a ward of Glendale School in Simcoe, Raymond Terry Harviensien, during the course of properly assigned activities?

Hon. Mr. Grossman: Mr. Speaker, I am not aware of this. I will look into it and advise the hon. member.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Justice. Is the minister considering setting up central dispatch services in counties throughout Ontario so that there would be only one radio transmitter call rather than a whole series of radio stations in a given county?

Hon. Mr. Wishart: Mr. Speaker, we have a fairly complete and thorough Telex service for our police forces. I do not know just what the member is referring to or what we might do to add to this. If there is some more feasible means, I would be glad to take it into account, but I have not heard of a suggestion of this kind.

Mr. R. F. Ruston (Essex-Kent): A supplementary. Has the minister's department given any consideration to setting up central dispatching through the radio system for all municipal police forces?

Hon. Mr. Wishart: I would have to take that under consideration, Mr. Speaker. "For all municipal police forces" goes a little beyond our present thinking, I think, but I will consider it and discuss it with my people.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: A question of the Minister of Labour, Mr. Speaker. Has the minister yet acted on a complaint to his employment standards branch emanating from one of the Ontario Hospitals in the province about equal pay for equal work?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I am not sure which hospital the member may be referring to. There was a case before the employment standards branch involving the Green Acres hospital or home at Newmarket. In that case, we made a determination and it was then taken to the supreme court where the determination was reversed. That matter was appealed by The Department of Labour to the court of appeal and the court of appeal gave a unanimous decision reversing the high court and restoring the determination as made by The Department of Labour.

Mr. Lewis: A supplementary, Mr. Speaker. I meant a complaint registered from one of the psychiatric hospitals, one of the Ontario Hospitals which The Department of Health runs, where a group of female ward attendants protested on the basis of equal pay for equal work.

Hon. Mr. Bales: If the hon. member could identify the hospital; there were two of them particularly that we dealt with last summer, or in recent months.

Mr. Lewis: The Toronto Ontario Hospital; the Toronto Psychiatric Hospital, I think it is now called.

Hon. Mr. Bales: I believe that that one has been resolved but I would have to check further. They were working on two of them.

Mr. Lewis: One final question, Mr. Speaker. Would the minister take his colleague to court? Would the Minister of Labour take the Minister of Health (Mr. Wells) to court if he found that the equal pay for equal work provisions were not being adhered to, in the same manner that he took Green Acres to court?

Mr. Speaker: Of course, I do not think that that is the kind of question envisaged by this question period.

Mr. Lewis: May I rephrase the supplementary then? Would the Minister of Labour

accept the legitimate complaints from workers in his colleague's system and prosecute as he did in the case of the Green Acres situation?

Hon. Mr. Bales: Mr. Speaker, I think the main purpose is to resolve the problems and that is what we endeavoured to do with the cases that came before us.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid: A question of the Minister of Trade and Development. Does the minister care to comment on recent statistics from the Dominion Bureau of Statistics that various industries within the manufacturing sector in Canada, and in particular in Ontario, are increasingly being dominated by American investors in terms of ownership and decision-making control?

Hon. Mr. Randall: Mr. Speaker, if I got started on this topic, I would be going all afternoon. I would suggest that the member read Mr. Watkins' book. I understand he takes one third of it and uses all my speeches, so I think that perhaps if the member reads that book, he will understand how I feel about foreign investment in this province and in this country.

My feeling is that there are steps being taken, not only federally, but I would hope provincially, in some way to help guide foreign control in this province, and not change the rules in midstream when people have their money in and suddenly we decide we are going to change the rules. As far as I am concerned, as long as they behave like good corporate citizens, and they are doing that to date, unless the federal authorities bring down other legislation they will be able to operate a year from now the way they operated yesterday and the day before.

My feeling is, Mr. Speaker, that they are good corporate citizens and I see no reason to change the rules at the present time.

Mr. T. Reid: Supplementary question. Am I to understand then that the minister has not changed his policies, or the minister does not have a policy of encouraging American investment in forms other than those which result in decision-making control?

Hon. Mr. Randall: I would not say so. I think there are many decisions made here by foreign investment in this country. All the decisions are not made offshore. There may be some but I think the majority of them are made here.

I think one thing we should be looking at is the fact we are moving into multi-national companies, and those decisions are not going to be made here any more than perhaps some of the decisions made by Canadian multi-national companies are made abroad; some are going to be made in the States or in Europe. As the world is shrinking, we are getting more multi-national companies, and I think the decisions are going to be made by these multi-national companies wherever their headquarters are or happen to be located.

I do not think in Canada here we are going to suffer any more than any other jurisdiction with reference to some of those decisions, and as far as I am concerned, as I said earlier, in my estimation the decisions today will not hurt the investment in this province. They have not hurt the people who are working for those people who have an investment here, and as long as they behave like good corporate citizens, I see no immediate reason to change the rules. But if the federal authorities say they are going to change the rule for 10 provinces, then we will abide by that regulation.

Mr. T. Reid: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Scarborough Centre. We have pursued this far enough I think. The member for Scarborough Centre has the floor.

Mrs. M. Renwick (Scarborough Centre): Question, Mr. Speaker, of the Prime Minister. Has there been placed before cabinet the possibility or feasibility, or would the Prime Minister consider placing before cabinet the possibility, of a guaranteed annual income pilot project somewhere in the province of Ontario similar to the U.S. project in Passaic, New Jersey?

Hon. Mr. Robarts: Mr. Speaker, I think everybody realizes that it is not what goes into cabinet but what comes out that is made public and I could not possibly answer that question.

Mr. T. Reid: I have a question of the Minister of Labour. Is the minister aware of the recent study by the federal government which shows that the amount of research funds by American corporations in Canada is dwindling as a percentage of sales, and is the minister aware that many PhD students, particularly in fields such as

biochemistry, cannot get jobs with American subsidiaries in Canada because increasingly their research is being done in the U.S.?

Hon. Mr. Bales: No, Mr. Speaker, I was not aware of all of that except that there was a story in the paper recently that those with PhD standings were finding some difficulty. But I understand that jobs were available, but perhaps not of the nature they had hoped they would get.

Mr. T. Reid: Does the minister consider it part of his ministerial duties to inquire into the reasons why increasingly graduates from Ontario universities with PhDs and post-doctoral fellowships cannot get jobs in the private sector, particularly those that are owned and controlled by American parent corporations?

Hon. Mr. Bales: If there was a matter of discrimination involved, yes, but otherwise I think the individual should be free to seek employment where he wishes to, hopefully in Canada.

Mr. Speaker: The member for York South.

Mr. MacDonald: To the Minister of Labour.

1. With reference to the trucks of A.B.C. Cartage Company which are going through the picket line in the Dominion Tape strike situation in Cornwall, would the minister indicate whether or not these trucks are owned by A.B.C. Cartage or by Dominion Tape?

2. Is A.B.C. Cartage a subsidiary of Dominion Tape and will the government investigate the allegation that employees of A.B.C. cartage are in contravention of The Industrial Safety Act through working of excessive hours?

3. Who is registered as the employer for these truck drivers for such items as compensation board, income tax and HIRB?

Hon. Mr. Bales: Mr. Speaker, that is the kind of question one would have to take as notice. But if I may say so, there are about 3,000, at least—probably 4,000 last year—collective agreements within the province. I am sure that the hon. member does not expect me to keep track of all the individual items in reference to strike situations. These are normal situations that do develop; we provide the laws to try to control and provide for equitable and reasonable conduct on both sides. Since I cannot keep track of all those kinds of details, I will be glad to take parts of that question, at least, as notice—the industrial safety problems. Other matters, I think, are not necessarily my responsibility, but I will take the question as notice and answer those parts that I deem I can.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid: A question of the Minister of Mines. In view of the minister's statements in the House and elsewhere that he wishes to encourage the further processing of ores and other raw materials in Ontario, at least in Canada, is the minister also considering the creation of research jobs by such companies for Canadians with PhDs in such fields as metallurgy?

Hon. A. F. Lawrence: I think this would logically flow, Mr. Speaker. If more processing is done in Canada, obviously there would be a greater demand for metallurgical experts and technicians as well as those with higher degrees in that science.

Mr. T. Reid: Is the minister conducting any studies, either with his colleagues or with his federal counterparts, to look into the question of the creation of additional jobs for such Canadians with PhDs in such fields?

Hon. A. F. Lawrence: Is the hon. member contemplating that we should retain PhDs to find why PhDs do not get jobs?

Mr. Speaker: The member for—

Mr. T. Reid: Perhaps I should rephrase my supplementary, Mr. Speaker. If the minister is concerned with the implications of his policy of attempting to increase the processing of raw materials in Canada, and particularly Ontario, is he looking into the incidental creation, if you like, of research opportunities and whether or not those opportunities will continue to dwindle since the research is being done in the United States?

Mr. Speaker: In my opinion this is a mere repetition of the question which the minister answered. The member for Sandwich-Riverside has the floor.

Mr. T. Reid: I wonder what the minister thinks?

Hon. A. F. Lawrence: I think the Speaker is right.

Mr. Burr: Mr. Speaker, a question of the Minister of Energy and Resources Manage-

ment regarding Chrysler's abandoned Walker metal foundry in Windsor. Is it true that a permit has been issued for the reopening of this building as a foundry?

Hon. Mr. Kerr: Mr. Speaker, the last I heard about this building, just a few weeks ago, was that it had been purchased by a new source from Chrysler and that it would be reopened again, I would assume, as a foundry. It is quite possible that a permit has been issued.

The only thing I can do is reassure the hon. member that if a permit is issued by the municipality—and I understand there is some question because it was a non-conforming use—that plant or that foundry will have to meet our air pollution control provisions just as any other new plant opening at this time.

Mr. Peacock: A supplementary, Mr. Speaker. Does the Minister of Energy and Resources Management have authority under The Air Management Act to deny the municipality the right to issue the permit?

Hon. Mr. Kerr: Not that I am aware of, no.

Mr. Peacock: Would the minister look and see?

Mr. Burr: As a supplementary: Is the minister of the opinion that extensive renovations will be necessary before this factory can be acceptable to the residential neighbourhood in which it is located?

Hon. Mr. Kerr: Yes, Mr. Speaker. The previous owner, as a result of ministerial orders, had started some installation of abatement equipment, a plume and things like this, and then of course it was closed down. We were aware it was going to close down some three months or so before it actually did. But it will have to install the type of equipment that will meet standards that are required from a new plant, for example.

Mr. MacDonald: A question of the Attorney General. Is the Attorney General aware of the fact that some landlords in the province are charging as high as $150 so-called "inconvenience fee," in addition to the $50 charged for subletting, when a tenant wishes to sublet?

Hon. Mr. Wishart: No, I was not aware of this, Mr. Speaker.

Mr. MacDonald: Would such a charge be in violation of The Landlord and Tenant Act?

Hon. Mr. Wishart: I cannot say offhand, but it certainly does not seem in line with our policy as we tried to frame it in the Act.

Mr. MacDonald: If I provide the Attorney General with specific details in one case, would he pursue it?

Hon. Mr. Wishart: I surely will, Mr. Speaker.

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Kerr: Mr. Speaker, for the information of the hon. members, I would like to table a publication prepared by my department in conjunction with The Department of Agriculture and Food entitled, "A Suggested Code of Practice for the Establishment of New Livestock Buildings, Renovation or Expansion of Existing Buildings and Disposal of Animal Waste."

I have another report, "The Environmental Management of Recreational Waters." This report was prepared by the advisory committee on pollution control, which co-ordinates the government's pollution abatement programmes. Deterioration of quality has been reported in some of Ontario's recreational waters and in many instances this is attributed to inadequate sewage disposal facilities at cottages and other shoreline premises. The advisory committee requested early this year that examination be made of the problem and is to prepare recommendations for a control programme.

Mr. Speaker: Motions.

Introduction of bills.

THE LABOUR RELATIONS ACT

Hon. Mr. Bales moves first reading of bill intituled, An Act to amend The Labour Relations Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, I shall endeavour to be as concise as I can in my statement to the members of the House but I believe it important that they should be apprised of the provisions of this Act.

Mr. Speaker, as you and the hon. members know, my senior officials and I have been conducting for some months a thorough review of

Ontario's industrial relations policies. Our studies have now been completed. They have resulted in the legislation which I have introduced today. What we are providing, Mr. Speaker, is the means to improve the ways to industrial peace, and at the same time to provide additional rights and freedoms for individual workers.

As you know we had the assistance of three major investigations of industrial relations in Canada. The Ontario royal commission into labour disputes, chaired by the late Mr. Justice Ivan C. Rand, the federal government's task force on labour relations, directed by Dean H. D. Woods of McGill University, and the report prepared for the Canadian Construction Association, by Mr. H. Carl Goldenberg of Montreal and Dr. John Crispo of the University of Toronto's centre for industrial relations.

A conclusion reached early in our deliberations was that the basic structure of our collective bargaining system was fundamentally sound, as were the principles upon which this system was based, namely, the freedom to associate and bargain collectively.

To underscore this belief we have proposed that a preamble indicating a positive commitment to collective bargaining be added to The Labour Relations Act.

While the system was fundamentally sound, we felt that there was a need for important improvements and we devoted our efforts to examining ways this could be brought about. As a result there are proposed amendments to virtually every major part of the Act.

For the purpose of understanding the nature of the proposed changes the amendments can be grouped under five broad categories defined by their basic intent or purpose.

First, there are reforms and extensions to the system of determining bargaining rights. Second, there are changes directed toward the difficult problem of reducing industrial conflict. Third, another set of amendments is aimed at granting further protection to the rights of individual workers. Fourth, other changes are intended to improve the enforcement of the Act and collective agreements. And, finally, there is a significant list of "housekeeping" amendments.

With regard to bargaining rights, a major innovation is the provision for the establishment of an employer association accreditation plan for the construction industry. This programme is intended to help correct an economic imbalance of power. It grants exclusive collective bargaining rights to an employer association which is able to demonstrate the required degree of support among a group of employers whose employees are members of a union.

This means that an accredited association will be entitled to negotiate a collective agreement that would be binding on all the covered employers and that individual employers will be prevented from entering into separate agreements with a trade union.

We are confident this will bring stability to the construction industry and enable it to solve some of the problems it has faced in recent years.

Three basic features of the accreditation plan require comment:

First, accreditation will only directly affect unionized employers. Second, an association will be accredited only if this is consistent with the wishes of a majority of employers that would be directly affected. Third, the scope of accreditation orders will be confined to groups of employers having basically common industrial relations interests.

Initially, such an order would be limited to all of the unionized employers in a given geographic area doing work in a particular phase of the construction industry and having a collective agreement with a particular trade union.

For example, an accreditation order might cover all of the employers in the area doing industrial, commercial, or institutional construction work and having a collective agreement with the plumbers' union. However, the scheme also permits wide accreditation orders if the appropriate employer support for such an order can be demonstrated.

In the long run, the plan should help encourage the growth of multi-trade, multi-sector and multi-area bargaining.

Another major change we are proposing is in the area of union membership requirements in certification applications. The requirement for a certification (or termination) vote will be decreased from the current 45 per cent to 35 per cent of the membership support in the appropriate bargaining unit. The requirement for certification without a vote will be increased from the current 55 per cent to 65 per cent of membership support. The objectives of these changes are to make certification votes more readily available and also to ensure that the certification procedure accurately reflects the true wishes of the employees concerned.

Three other changes will facilitate trade union organizing attempts. Where employees

reside on the employer's property, trade union officials will be granted, upon approval of the Ontario Labour Relations Board, a right of access to company property for organizing purposes.

Also, the board will be granted the power to consider two or more related corporations or persons as a single employer where in the opinion of the board the ownership control or direction are so intermingled that for labour relations purposes only one employer really exists. The third change will prevent employers from altering working conditions during a period when an application for certification is pending.

The flexibility of the board in determining appropriate bargaining units also will be increased by permitting it to recognize mixed crews composed of a number of established crafts in the construction industry. This change is required because in certain situations strict adherence to the craft unit principle may serve to discourage the use of efficient operating methods by unduly segmenting the employer's work force.

Mr. Speaker, the second group of amendments is designed to reduce industrial conflict:

Workers involved in legal strikes will be guaranteed the right to return to their job at any time for a period of up to six months following the beginning of a strike. This right to return to employment will operate if the job is in existence and work is available. The terms under which the employee returns will be established through individual negotiations, subject to the general restriction that employers will not be able to discriminate against such striking employees. This change should serve to alleviate the fear of permanent job loss, which frequently plays a major role in the tension and violence associated with picket line confrontations.

Mr. Lewis: Now you can smile.

Hon. Mr. Bales: It is proposed that the minister will be granted the authority to establish industrial inquiry commissions on an *ad hoc* basis to investigate labour disputes, particularly those in which the public interest is clearly involved. The terms of reference for these commissions will be established by the minister in each individual case. The general purpose of these investigations will be to present an authoritative statement of the issues involved, which should serve to inform and focus public opinion and any recommendations that could serve as a basis for settlement.

To encourage early bargaining, the Act will be amended to enable either party to give notice of a desire to bargain up to three months before the termination date of the agreement. This change will enable either party to be in a legal position to strike or lockout by the termination date of the contract, if they initiate the compulsory initial conciliation procedure in the early stage of negotiation. This provision presently exists for the construction industry and to date, it has proved to be useful.

In order to increase the stability of bargaining relations, the Act will be amended to provide that collective agreements remain in force when a business is sold or merges with another.

The scope of the jurisdiction dispute procedure under the Act will be expanded in order to encompass a wider range of work assignment disputes. The board will be empowered to deal with work assignment disputes, where one of the trade unions involved does not represent employees of the employer directly affected.

A new procedure under the Act will be established in order to encourage the private settlement of jurisdictional disputes. The procedure, which was worked out in consultation with both management and labour, will require designated representatives of the parties to meet shortly after a work assignment dispute develops and would also make unanimous decisions arrived at in these meetings binding on the parties.

To threaten an unlawful strike or lockout will be made an unfair labour practice and thereby prohibited.

Mr. Speaker, four major changes will serve to protect the interests of individual workers.

1. Employees will be protected against discharge under the terms of a union security provision when the reason for loss or denial of union membership involved legitimate forms of internal union dissent, a discriminatory application of membership rules or unreasonable initiation fees, dues or assessments.

2. The board will be granted the power to exempt individuals from paying dues to unions on religious grounds, provided that equivalent payments are made to an approved charity. This exemption will not be applicable to any employee hired when a union security clause is in effect.

3. A duty of fair representation will be established. This obligation will prevent a trade union from acting in any manner that is arbitrary, discriminatory or in bad faith

in the representation of any of the employees in the bargaining unit, whether members of the trade union or not, and such cases will be heard and decided by the labour relations board.

4. All ratification votes, as well as strike votes which may be taken, will be required to be by secret ballot and conducted at a time and place that ensures maximum possible access by those eligible to vote.

In the area of enforcement, four major changes are proposed. First, the bill ensures that in the event of an illegal strike or lockout, damages will be available to the injured party. This is to be accomplished by establishing a private arbitration procedure that would operate when no action is possible under the arbitration procedure of a collective agreement. As a result, an effective remedy is made available in such cases without resort to the courts.

Second, the maximum fines payable for violation of the Act will be increased from $100 to $1,000 for an individual and from $1,000 to $10,000 for a corporation or a trade union.

Third, arbitrators will be granted the right to modify penalties imposed by management in discipline and discharge cases except when the penalties associated with particular offences are set out in detail in the collective agreement.

Finally, the labour relations board will be granted the power to issue directions and compliance orders in the construction industry when there has been a threatened or actual illegal strike or lockout.

Mr. Speaker, I spoke earlier of so-called housekeeping amendments. There are several that are designed to meet specific problems which have arisen in the recent times. For example, there have been problems when a union and an employer have a collective agreement covering most items involved in their relationship and a separate agreement for some specific subject like pensions. We are providing that all matters must be in only one collective agreement in order to ensure stability.

In an attempt to promote multi-trade bargaining in the construction industry, provision was made several years ago for the certification of councils of trade unions. Few unions have used this provision, largely because the withdrawal of one union from the council during a subsequent "open period" resulted in the whole council and the other constituent unions losing their bargaining rights. We are proposing to rectify this by ensuring that the council retains bargaining rights for the remaining unions after withdrawal of one or more unions.

There is a provision that will facilitate voluntary recognition and another that will make it clear that persons who appear before the labour relations board, whether they are management or employees, are protected against intimidation or coercion.

In certification votes, occasionally more than one union has the requisite support to be included on the ballot. This means that the ballot offers the employees a choice between union A or union B. Occasionally neither of the two unions obtains an absolute majority of votes and the consequence is that no union is certified. We shall provide for a third choice—a "no union" choice, and we shall provide for a runoff vote so that the true wishes of the employees can be ascertained.

It also is necessary to make it clear that in the event that the presiding officer of a labour relations board panel is unable to agree with either the employer representative or the employee representative the decision of the presiding officer will govern.

An amendment will also clarify the definition of the construction industry so that persons who work both on-site and off-site preparing materials for on-site installation will be included in the construction industry bargaining unit.

Mr. Speaker, these recommended changes should be considered in their entirety and in our view their application will preserve what is good and sound in our existing system and at the same time introduce improvements that will provide significant additional protection for individuals and bring about substantial improvements in Ontario's industrial relations.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, may I ask on a point of order—

Mr. Speaker: If it is a point of order, yes. If it is merely a question with respect to the minister's statement, the answer is no. What is the point of order?

Mr. De Monte: I would ask the minister—

Mr. Speaker: The hon. member will state his point of order.

Mr. De Monte: My point of order is that the hon. minister has introduced this bill on Monday on the last week of this sitting. Does the minister intend to bring on this bill this week?

Mr. Speaker: The hon. member may not ask that question. Since the change in the

rules the bill may be introduced at any time without notice. It has been introduced and I presume will follow the normal course of bills in this House.

Mr. Lewis: What about bargaining in good faith? Does the bill deal with that?

Mr. Speaker: Order.

NORTHERN ONTARIO DEVELOPMENT CORPORATION

Hon. Mr. Randall moves first reading of bill intituled, An Act to incorporate the Northern Ontario Development Corporation.

Motion agreed to; first reading of the bill.

Hon. Mr. Randall: Mr. Speaker, on April 23, 1970, the hon. Prime Minister announced that an autonomous corporation similar to the Ontario Development Corporation would be created to assist and encourage the development of northern Ontario. The proposed bill establishes such an independent corporation with power to make all types of loans and recommend policy tailored to the needs of northern Ontario. Initially it is intended to have offices at Thunder Bay and in northeastern Ontario where board meetings will be held and consulting staffs located. It should be emphasized again that the northern Ontario development corporation will have the power to make loans in northern Ontario, but to avoid duplication of legal and administrative services these will be performed by the Ontario Development Corporation on its behalf.

CITY OF HAMILTON

Hon. Mr. McKeough moves first reading of bill intituled, An Act respecting the city of Hamilton.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, perhaps by way of explanation, the mayor and officials of Hamilton and officials of Dominion Foundries and Steel contacted the department through The Department of Energy and Resources Management late last week, requesting this legislation. Dominion Foundries and Steel are about to embark on a $22 million pollution control effort and this particular piece of legislation is required if a structure is to be built over Ottawa Street. Dominion Foundries and Steel own properties on both sides. They want to get on with this and it would appear that legislation is necessary to allow the council of the corporation of Hamilton to pass a bylaw to enter into an agreement with Dominion Foundries and Steel, and this Act will allow them to enter into such an agreement. I might say, Mr. Speaker, there is some urgency about this and we will be proceeding with it this week so that Dofasco can get on with it. There is a model of the proposed works in my office downstairs if any of the members would like to see just what is envisaged.

SENIOR CITIZENS' WEEK

Mr. Carruthers moves first reading of bill intituled, An Act respecting Senior Citizens' Week.

Motion agreed to; first reading of the bill.

Mr. A. Carruthers (Durham): Mr. Speaker, in view of the fact that unofficially the week of June 21 to June 27—that is, this week—is recognized as Senior Citizens' Week, I feel that this is an opportune time to introduce this bill. The bill creates Senior Citizens' Week in honour and recognition of the invaluable contributions which older men and women in every walk of life have made to this province and sets out the objects of its observations, the development of special programmes by and for the aged and the stimulation of general interest in and knowledge of aging and the aged.

Hon. Mr. Grossman: Today that means everybody over 30.

THE SCHOOL CROSSING GUARDS ACT, 1970

Mr. T. Reid moves first reading of bill intituled, The School Crossing Guards Act, 1970.

Motion agreed to; first reading of the bill.

Mr. T. Reid: Mr. Speaker, the basic purpose of my bill is to provide a responsible means of protecting young school children going to and from school, from cars and trucks.

The bill provides school crossing guards with limited legal authority to direct traffic; authority which they do not now possess. The bill enables a municipality to appoint a board of four persons including a parent and a school trustee. The board shall, among other things, establish a training course for the training of school crossing guards.

Mr. Speaker: Orders of the day.

Clerk of the House: The 11th order, Committee of the Whole House; Mr. R. D. Rowe in the chair.

THE WASTE MANAGEMENT ACT

House in committee on Bill 94, The Waste Management Act, 1970.

Mr. Chairman: Bill 94, The Waste Management Act, 1970; we completed up to and including section 8.

Mr. D. M. Deacon (York Centre): I wanted to speak on sections 9 and 10, also section 14. As far as sections 9 and 10 are concerned, I was very interested that the minister had found a formula for this matter of appointments in such a way that people do not stay on boards indefinitely. There is a period after five consecutive years, we know, when there is an opportunity to decide who you want to bring back, maybe after an interval of one year, and that whom you do not want to bring back. I commend the minister for having brought in that stipulation for the first time that I have seen in any legislation so far on these advisory boards.

Mr. Chairman: Does section 9 stand as part of the bill?

Mr. W. G. Pitman (Peterborough): I want to speak for a moment Mr. Chairman, on this section.

Mr. Chairman: The member for Peterborough.

Mr. Pitman: Firstly, will the meetings of the waste management advisory board be open? Will any individuals be able to attend upon the advisory board? Will they be able to make petitions to the advisory board? In general, what I am asking is, is this going to open up this whole area of pollution and waste management, so that citizens can play an active part in the activity going on in this area without feeling that they are carrying out some kind of subversive movement? I would ask if the minutes of the waste management advisory board will be open for scrutiny at any time?

Essentially, what I am suggesting is that environment of our society is basic to every person in the society. I would suggest that, if any group of school children or any group of university students believe that their environment is being affected detrimentally in some way or another, there must be a method by which they can bring this to the attention of the minister or his advisory board in an open and completely above-board manner. So I ask the minister whether those aspects of this advisory board will be acceded to?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Chairman, as the explanatory notes indicate, the main reason for the advisory board is that in the event that it is decided to prohibit the issuance of a certificate of approval, or prohibit the enlargement of an existing site or anything such as that, the owner or the municipality may appear before the waste management advisory board, which will hear the arguments both pro and con as far as any change in the status or size of anything like that of the particular site. Then, of course, it will report its recommendations to the minister. There is nothing that I know of that will prevent this from being made public. If the idea is to hold a hearing, and if there is no reason why it should not be public, then it should be open, I would assume, to as many people as the room holds that can attend such a hearing.

Mr. Pitman: If I might ask the minister, will the only time the board meets be just when it hears appeals or when it hears petitions from individuals who are having dumps enlarged or in some way changed? Is that the only time when the board will meet? Will it be an advisory board to the minister on other aspects of solid waste management as well? It seems to me, quite frankly, Mr. Chairman, that this probably should be a subcommittee of the ecological council. I think that when the NDP achieves government in a year or two this is probably what they will do with this particular committee.

Interjections by hon. members.

Mr. Pitman: I am just suggesting that this should be a part of a total pattern. But if it is just simply hearing petitions, then I do not think it is going to be able to provide the kind of advice which might be more necessary.

Mr. Chairman: Shall section 9 stand as part of the bill?

Mr. Pitman: Well, is it? Is it only to hear petitions or to hear—

Hon. Mr. Kerr: If the hon. member will read the whole Act, the idea is that the advisory board will have hearings as the result of a ministerial decision.

Mr. Pitman: Is that the only time?

Hon. Mr. Kerr: That is the function of this bill. That is right. It is not to listen to rambling statements—

Mr Pitman: Okay. That is all I want to know.

Hon. Mr. Kerr: —about the atmospheric conditions over Peterborough because of a stink from a dump.

Mr. Pitman: I never mentioned Peterborough at all.

Hon. Mr. Kerr: We will leave that to Trent or somebody, but, at this point, all we are doing is the mechanics of closing, enlarging, changing or certifying a dump.

Mr. Pitman: If I might react, Mr. Minister, it may not be very rambling in the way he thinks is rambling. Certainly, section 3 wanders over a very wide area of the land indeed, what I am trying to determine is just exactly what the role of the waste management advisory board is going to be in relation to the wider concepts which the minister himself has in his own bill, under section 3, which, as I suggested, is indeed a concern over the wider ecological problem.

Certainly, it is, I think, to conduct "research in the field of waste management". Good lord! that could mean anything in terms of the role that this bill could have and the effect this bill could have on the province of Ontario.

What I am trying to find out is what the role of the waste management advisory board is. The minister says it will hear only petitions, or it will be dealing only with the mechanics of dumps. That is fine. That is what I want to know that it is going to be open immediately. Fine! That is what I want to know. The minutes are going to be available, Fine! That is what I want to know.

Section 9 agreed to.

Mr. Chairman: The member for York Centre. Was it section 10—

Mr. Deacon: Section 14.

Mr. Chairman: Anything before Section 14?

Mr. Pitman: If I could ask the same kind of questions on the appeal board, will they be open to anyone, to the press, to the wider community, in the same way as the advisory board would be?

Hon. Mr. Kerr: Yes. It has almost the same function, Mr. Chairman, except for different reasons. The same would apply, as far as the public is concerned, or minutes, or anything like that.

Section 10 agreed to.

Mr. Chairman: Anything on 11, 12 or 13? If not, the member for York Centre on section 14.

Mr. Deacon: In section 14, sir, there is a problem that I cannot see we are covering. In the event of a municipality being ordered to carry out some waste management procedure or any waste management system, what happens if the municipality has not the funds or is not in a position to do that? What is the provision here? They may go to the Ontario Municipal Board and the municipal board may say "You cannot put that in; you do not have the money". What is the alternative under 14?

Hon. Mr. Kerr: Mr. Chairman, of course this is possible. We assume that the provisions of this Act do not supersede for example, provisions of The Municipal Act where, for a municipality to incur some form of debt like this, it would still have to appear before the OMB and obtain OMB approval. It is quite possible that this type of facility will end up with the same history that we had with sewage treatment plants.

If the OMB says that it is not possible, that the debt position of that municipality does not make it feasible for it to establish this type of facility, we will have to look at the idea of some form of regional facility. We may require that it is in another municipality. It may be that the province will, in fact, have to get into the position of acquiring and setting up these disposal sites.

Mr. Deacon: Mr. Chairman, does the minister have powers under this section to do this? Is this where he foresees using that as his powers to establish a provincial site and service the municipality on a user fee basis?

Hon. Mr. Kerr: I do not necessarily. There is an implication here, but this section 14 really does not provide for this. We are looking at municipalities here that we feel, of course, will be able to afford the establishment of a proper land-fill site or a garbage facility. These things are not really that expensive. I think the hon. member will agree that most municipalities can, according to their needs, establish a facility like this. If it gets to the position where we, in fact, invoke a right under section 14, and the

OMB, for example, says that it is not possible for the municipality to incur this debt, we will have to look for other methods, but this is not envisaged in this section.

Mr. J. P. Spence (Kent): Mr. Chairman, may I ask the minister if he anticipates great change in garbage disposal sites? Many municipalities have bought pieces of property and sometimes on this property the water line or the water level is very high. A number of municipalities bury their garbage but when the water is quite high, will drainage be necessary? Or will there have to be new sites bought? What anticipated change do you consider?

Hon. Mr. Kerr: Mr. Chairman, of course, in our regulations when they are completed, there will be more details as to actual requirements of the various municipal and private sewage disposal facilities. Certainly, in a situation as referred to by the hon. member, if it gets to the point where there is water and there is run-off, and this is resulting in some form of contamination and the general appearance and operation of that site is dangerous from pollution or a general sanitary point of view, we are empowered under this legislation to step in and correct this. The regulations, as I say, will be in some detail. There will be areas, for example, where we will prohibit open dumps. We will require some form of sanitary land-fill disposal and proper management and proper operation of these sites so that things such as the hon. member suggests can be avoided.

Mr. Pitman: I wonder if I could ask the minister just how he interprets this wording, that:

> The municipality shall forthwith do every possible act and thing in its power to implement the report of the minister within the time specified.

This seems to be a very vague section of this bill and I am wondering just how the minister intends to prove that the municipality has done "everything in its power", in view of the fact that the interpretation of everything in its power might be very different by the municipality and by the minister? Perhaps the minister could give us an example of what a report might state and the exigencies which he would then place upon the municipality and how the municipality could either prove or disprove that it was doing everything in its power.

Hon. Mr. Kerr: I think if the member read the whole section, it indicates that the minister will report in writing to the clerk of the municipality that he is of the opinion that it is necessary in the public interest that waste be collected or a waste management system be established and so on. In other words, as a result of the recommendations from waste management branch of the conditions in a certain municipality, the minister would write in detail to the clerk of the municipality saying that facilities should be established generally, the type of facility and a general time period in which it should be established.

I think I could compare this with a ministerial order, for example, requiring a private industry to install some form of abatement equipment. We know all the information about the municipality that we should know —its debt position, the number of people, some idea as to its future growth and things like that. Then we are in a position to say that we feel that it can establish this facility, it should cost roughly so much money and the municipality should be able to do it within a certain period of time. Of course the municipality may object and then we are back to the position of the advisory board or it may co-operate. But the OMB may, in some way, stop it along the line. As a result of an OMB hearing, there may be some adjustment. In other words, the cost may be reduced in some way. This may satisfy the waste management branch as to the facility for a period of time, but the point that I am trying to make is that the onus will be on the municipality to satisfy the branch that it is complying with the ministerial order or the letter to the clerk. And if that is not done, of course we will have to take steps to see that it is done.

Mr. Pitman: I wonder if the minister could explain what he means by "taking steps to see that it is done." There is nothing in this Act which gives the minister that kind of power.

Hon. Mr. Kerr: Is the member sure of that?

Mr. Pitman: I am not sure. The minister has read the Act. I have and I cannot see, Mr. Chairman, any specific power. I am sure the minister is right that most township councils, particularly with the amount of public furor there has been about both land and water pollution, would find it very difficult to maintain themselves against public opinion and not carry out what seem to be reasonable expectations on the part of the minister and his waste management branch.

The possibility still remains, as there has been in the past, that the Ontario Water Resources Commission was not always met with great cheering and throwing of flowers every time it came to a town and suggested it should have a sewage disposal plant that was going to cost, maybe, a couple of hundred dollars on the taxes of the local citizenry. I am simply asking the minister whether he has the power to really do something about the problem?

Mr. Chairman: Does section 14 stand as part of the bill then?

Mr. E. R. Good (Waterloo North): On 14 I would like to ask, would the powers given here to the minister resolve the problem which exists in my own area and I do not know how many other areas of the province? One area of OWRC, namely the waste management branch, and the other area, the water resources branch, cannot agree on what is and what is not a good site for a land-fill area or a garbage dump. We have had this situation in Woolwich township, and the town of Elmira. We had the site approved by the health authorities and OWRC and waste management branch would not approve it. Waste management branch then selected a site and the health authorities would not approve it because it was too close to the source of the water supply. And then to cap it off, one department said they would gladly do battle with the other department to prove they were right.

Will these problems be resolved by the minister's report—

Mr. R. F. Ruston (Essex-Kent): They are as bad as lawyers.

Mr. Good: —to the municipalities saying what in the final analysis will be the site of the waste disposal area?

Hon. Mr. Kerr: Mr. Chairman, this is a problem. The hon. member is hitting on a very sensitive point right now.

At the present time there are private operators, for example, who want to establish industrial liquid waste sites. In one case we were satisfied that it was a good waste site. However, because of the fact that it was near the underground water tables which could affect the drinking wells and drinking water sources of a township, of course the site was not approved by OWRC. Health sometimes gets involved, not so much from the point of view of water; generally from the sanitation point of view.

But there are these problems and we certainly will have as a result of the passing of this legislation a better method of dealing with various branches that could have some interest in the establishment of the site. We hope to have a general procedure whereby there will be inspection and then there will be reports. If it involves other departments, this could be done on an interdepartmental basis, so that before the owner even applies to the municipality for a permit, or there is any hearing locally, we can save him the problem by telling him whether or not the site is satisfactory from our point of view. Then of course he has the advantage of being able to go to the municipality and any ratepayers who may be objecting and say, "Waste Management has looked at it and OWRC has looked at it and Health has looked at it and they are all satisfied." So that right away could sometimes eliminate some of the opposition.

But there has not been enough liaison—the hon. member is right, there should be more negotiation. We are now, as a result of this Act, setting out a regular procedure where this can be done and there will be no contradiction.

Mr. Chairman: On section 14.

Mr. Deacon: One last point. I am still concerned about the position of the government not being clear in the managing of wastes where the municipality, for one reason or another, is unable to comply with this section. It seems to me necessary for the minister to have a pretty clear-cut action, if the Act is to be complete as to what will happen if he does not or if he cannot get the municipality to act, or for one reason or another the municipality cannot do something.

I think that it is a major error in this clause not to have some specific alternative spelled right out here, that if this is not complied with then the province will put in the service and will charge for the use of it on a user basis. I cannot see how you can leave it out and have the Act effective.

Hon. Mr. Kerr: In An Act to amend The Municipal Act, which was Bill 155 in 1958, at that time, there was an amendment providing for the acquisition of land for garbage disposal. What this amendment said, in effect, was that we could acquire land outside a municipality for a disposal site for an adjoining or neighbouring municipality.

In other words, a municipality could, in fact, acquire land if it was unable to provide

a site within its own boundaries. If we do not get approval from the municipality in which the site is to be located, of course, there could be an OMB hearing, but that authority and power is there.

As far as the situation is concerned when the municipality just cannot afford it, this will be a very rare occasion when the municipality cannot afford to look after its own waste in a manner that is satisfactory to my branch, under this Act. I cannot imagine what municipality has an assessment of so little amount that it cannot comply with this Act. All I am saying is that if, in the event it is turned down because it has not got the wherewithal, this is where we may have to move in and establish that site or have established a regional facility, which of course means that other municipalities are contributing toward the costs or we may have to buy the land and establish the site and, as the hon. member suggests, charge on some form of a user basis. But I do not feel that it is necessary to make that provision in this legislation.

Mr. Deacon: Mr. Chairman, I am sorry to hear the minister talk completely about waste disposal sites. I am hoping that the minister will think much more in terms of waste disposal facilities which might work by chemical neutralization, with much more refined and modernized concepts of incineration, with heat utilization and things of that type. There may be facilities that are more advanced and more costly than the municipalities can afford and yet would be desirable in all circumstances. I can see that happening in areas where the only alternative to a good capital programme in the way of new facilities would be setting up a waste disposal site in some adjoining municipality which would not really take care of the problem properly.

I wish the minister would include here something which says that if, for any reason the municipality cannot comply with the directive, the minister will take on the responsibility, so we do not leave this whole wide-open gap which for many reasons might mean that the problem is not dealt with. There might be a financial reason; it may be an OMB hearing, where for good and just cause the OMB says, "No, you cannot operate a dump in an adjoining municipality."

In any event, I think the province has to take on to itself the responsibility here and say that if it is not operated by a municipality for any reason whatsoever, then the province is going to step in and do the job.

Mr. Pitman: I would like to support the member for York Centre on his suggestion. I think that it is definitely important that there not be any loopholes in this piece of legislation.

When I was speaking previously and I requested the minister to indicate where the final disposition would end up, he referred me in his interjection to section 36, which states that every person or municipality that contravenes any provision of this Act or the regulation risks summary conviction and is liable to a fine of not less than $100 a day and not more than $2,000 for every day.

It seems to me—I am not a lawyer and perhaps the minister might like to be helpful in this case—that there is a direct contradiction in suggesting in one clause, clause 14, that the municipality "shall forthwith do every possible act and thing in its power," and then the municipality can be taken into court. Surely they could use section 14 and simply say, "We have done everything which we think is in our power to carry out what the minister has suggested," and then find that they have invoked against them section 36, which states that they are contravening if they are not doing everything in their power.

The second thing which bothers me greatly about it is that the minister will not use section 36 because I suspect that it would be very unlikely that the minister would want to bring either a person or a municipality into court at the possibility of placing the province of Ontario in the position of putting a debt upon the people of that particular municipality of $2,000 a day. In other words, it is almost like an atomic bomb. It is the kind of weapon you cannot use. One wonders whether that is not just exactly what will be the case, and one cannot help wondering whether—

Hon. Mr. Kerr: We have done it with sewage treatment plants of municipalities. Why would we not do it for dumps?

Mr. Pitman: I am sorry. I did not quite catch the context of the minister's remarks.

Hon. Mr. Kerr: We have done it for treatment plants. We have required municipalities to build or enlarge or extend treatment plants in this province. That is a debt on the municipality, the same as a dump is a debt.

Mr. Pitman: All right. May I ask the minister how many municipalities he has taken into court because they have not carried out their responsibilities to provide facilities? How

many municipalities has he taken into court and placed a fine upon them?

Hon. Mr. Kerr: We just did one within the last 10 days.

Mr. Pitman: I said how many?

Hon. Mr. Kerr: What is the difference? We did one.

Mr. Pitman: Well, we have got one. But I suggest it is a very unlikely procedure. I am simply stating—and I am supporting the member for York Centre in this view—that some other alternative should be provided whereby the province can take power into its own hands and provide the relief of the problem rather than using the courts as the ultimate threat, and as the minister says, in one case the municipality may be brought into court.

I simply say that this is the line the minister would be the most reluctant to follow and that a great many problems would follow upon that particular line of action.

Section 14 agreed to.

Mr. Chairman: On section 15, the member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I wanted to ask of the minister if section 15 would cover the situation of Fighting Island and Wyandotte Chemical disposing of their wastes on the island, if the minister has authority under this at any time to prevent the company from using the site as a site for the disposal of their liquid wastes, and if there are such controls that they cannot change the type of waste disposal that they are going to pipe in from their chemical plant in the city of Wyandotte over on to the island. Today, I understand, it is some type of chloride waste; tomorrow it could be practically anything that could have a very harmful effect on the watercourse.

Hon. Mr. Kerr: I can see section 15, for example, applying to the particular situation the hon. member has mentioned, but I think section 15 is a little more particular in that it provides for a new facility and requires the applicant other than a municipality to deposit money, to furnish a surety or personal sureties.

I do not think that the company to which the hon. member refers probably would have any problem meeting the provisions of section 15. This is a condition precedent, of course, to the issuance of a certificate of approval. However, knowing the point that the hon. member wishes to make, it is quite possible that where this is a private facility, under the provisions of this Act our waste management branch could inspect that site, assuming that it is within Ontario, and if it does not meet the provisions of this Act that the certificate could be denied, assuming that they do not have one now, or it could be revoked.

So the only problem, as the hon. member knows, is that the problem is the possibility of pollution to the Detroit River as a result of mismanagement or seepage from that particular site. This of course involves The Ontario Water Resources Commission Act more than it would this particular legislation, but it is quite possible, just from the point of view of management, that operation of that dump would come within the control provisions of this legislation.

Mr. Chairman: The hon. member for Peterborough.

Mr. Pitman: I would like to ask the minister whether he has any thoughts on the question of giving certificates of approval to an individual operating a dump and charging individuals who arrive to deposit rubbish, garbage and so on in that dump. The problem I am referring to is that of a city which makes an agreement with an individual to provide a dump on the basis that the individual will be able to charge 25 cents or 50 cents for any individual who brings a load of material either in a truck or in a car and dumps it. It is a toll charge, a user's toll charge.

The reason I would like to hear the minister's views on this is that I would hope that the waste management branch would be very reluctant to give certificates of approval, or this board would be very reluctant to give certificates of approval on any basis other than that the dump shall be opened for the free use of any individual who has waste which he wishes to dispose of. I say this, because the problem, as the minister can well imagine and well knows, is that many individuals refuse to pay the 25 cents, or the 50 cents, taking the view that they have already paid for the dump through their taxes to that municipality. Then they simply unload their waste and their junk and their garbage and anything else which they have into the ditches and the fields and virtually over the bridges into the watercourses, or anywhere that happens to be convenient where they cannot be seen, so you have garbage stewn across the entire countryside.

I would ask the minister to consider this as a prerequisite for the granting of any certificate of approval to any garbage dump or waste disposal site in the province of Ontario, that there shall be no user's toll charge under any circumstances, because I think that this affects not only pollution and pollution of water, to say nothing of aesthetic pollution, but also it is very much to the disadvantage of the province to have that kind of development in any municipality in this area.

Hon. Mr. Kerr: Mr. Chairman, I am not quite sure how the hon. member would have a private operator exist, if everything he takes is free.

Mr. Pitman: If I might explain to the minister, this is a dump where the operator has a contract with a municipality and he is being paid by the municipality to operate it. What I am really suggesting is that the municipality should pay the full cost of operating a garbage disposal site and there should not be some form of private enterprise, one might say, as a sort of a gloss, as a further opportunity for profit on top of the contract which the municipality has made with the operator.

Does the minister not agree that this is a problem of waste disposal which can be very inefficient, particularly with the rural area, where people can simply strew garbage all over the place? I think surely he would agree that the principle should be that the municipality makes a contract with an individual to operate a garbage site or a garbage dump and that the municipality pays the full price of doing that. I can very well see the possibility, under the minister's legislation, if municipalities do not agree with that principle, where by they will be able to get very low-cost garbage sites to comply with the OMB and with the minister's legislation, and then charge 50 cents, or 75 cents, or a dollar to any individual who tries to unload his garbage on that particular site.

In many cities the number of garbage pick-ups is very closely restricted. There may only be two or three pieces which may be picked up. Individuals, at certain points, when houses are being cleaned out, or when they are moving, or something of this sort, face a very real problem of getting rid of waste. I just suggest to the minister that that is not a principle, I think, that involves the people who operate garbages sites being able to make a profit. Surely the main problem that we are concerned about, and that surely the minister should be concerned about, is trying to see that waste disposal is carried on in an efficient and effective manner in this province.

Hon. Mr. Kerr: Mr. Chairman, all I want to say is that the hon. member confused me a little bit because he kept using the phrase, "waste disposal".

Mr. Pitman: Site.

Hon. Mr. Kerr: If you are talking about solid waste garbage, a site operated by a private operator with an agreement with the municipality, a private site, in my opinion, there is no reason why that should not be open for the free use of all the citizens.

Mr. Pitman: Good.

Hon. Mr. Kerr: However, industrial waste at an industrial waste disposal site should be paid for.

Mr. Pitman: I agree with that.

Section 15 agreed to.

Mr. Chairman: Any other comments, questions or amendments to any section up to and including section 32? Section 21. Is there anything before section 21?

Hon. Mr. Kerr: There will be another minor amendment to section 26(1)(a).

Mr. Chairman: Is there anything before we come to that?

Hon. Mr. Kerr: Maybe I could give these. Rather than jumping up every time, can I give these minor amendments now? They are within the sections referred to by you and, keeping my eye on them, I might miss them as we go along.

Mr. Chairman: I will call you for 26.

Hon. Mr. Kerr: Pardon?

Mr. Chairman: I will call you for 26.

Hon. Mr. Kerr: All right.

Mr. Chairman: Section 21.

Mr. F. A. Burr (Sandwich-Riverside): I was wondering how the Act will affect the individual who disposes of some waste in a country ditch or some back lane or over a fence, or how it will affect an individual or small industry. There is an account in a recent paper; I think if I just read a paragraph or two, it would show you the cause for the concern. This refers to the Bremner dump in Whitchurch township. As you may recall, the township wants to close this liquid industrial-waste place and the people are concerned about what is going to happen to

that kind of waste when the place is closed. I will read just a paragraph here:

> Leslie Williamson, a department official—

This is for the OWRC.

> —said that the closing of the dump in January produced a critical situation with reports of illegal refuse deposits everywhere. He revealed that the OWRC has the power to prosecute but only if a well, stream or watercourse is contaminated. He admitted that new legislation is now before the House but would not become law until after September 1. A spokesman for the OWRC admitted that the policing of such bootleg practices was difficult. "There is little we can do except clean up the mess."

My question is, how does this legislation deal with this situation?

Hon. Mr. Kerr: Mr. Chairman, I am not aware of some of the things the hon. member said. For example, I do not know where this September 1 date came from. It is our intention that provisions of this Act and its regulations will be in effect by July.

Referring to the Bremner site, I think that the remarks attributed to the gentlemen to which the hon. member referred were mainly from the point of view of whether or not industrial liquid waste should be deposited at that particular site in the first place. In other words, is the Bremner site a proper disposal location for the dumping of industrial liquid waste?

After the passing of this Act and after this Act is given royal assent in line with its recommendations and regulations, I should say we will have the power to say whether or not industrial liquid waste should be deposited on that site. This is before it has been done or during the period it is being done.

The hon. member probably knows that the site in the township of Whitchurch was a private site that was open for the disposal of municipal waste—solid waste and garbage. And during that period, the operator of the site accepted industrial liquid waste.

The OWRC, of course, would continue to have certain responsibility in the event that it is shown there is contamination of streams or water as the result of the dumping of that waste. I cannot do anything until that point. Under this legislation, of course, we can decide early, right from the start, whether or not we will approve the operation and the dumping at this particular site.

Mr. Burr: Mr. Chairman, the point is—about illegal dumping—for example, in Windsor, we have a very handy way of disposing of liquid wastes. We put them in a sewer. Now, how does the Act affect any industry that uses the sewer and the Detroit River for disposing of its waste?

Hon. Mr. Kerr: I think the hon. member is getting a little off the track, Mr. Chairman. All I can say is that under this legislation, if there is any possibility of contamination from the point of view of dumping of industrial liquid waste—if we feel that the lagoon method, for example, of containing industrial liquid waste is not satisfactory for various reasons—we can prohibit that operation, that type of disposal.

Now you talked about the city of Windsor. The city of Windsor is really ahead of a lot of other municipalities because it does tie in with the municipal system. But, you see, the thing is that the OWRC really has no responsibility until it is established that there can be direct contamination of a watercourse, or stream, or something like that.

Under The Waste Management Act, we can say—and really we do not have to give a reason unless it is appealed to the advisory board—we can say, "This is not a good site and we know it will not be for various reasons" and we can prohibit the operation of that site. But, as far as dumping in an underhanded way is concerned—dumping of industrial liquid waste into manholes or into streams or things like this—basically this is something OWRC can deal with under its Act. It can charge somebody for polluting if it sees there is direct contamination.

Section 21 agreed to.

Mr. Chairman: Are there any other amendments, questions or comments on anything before section 24? The member for Peterborough.

Mr. Pitman: I would like to question the minister on the wording of section 24. It states that:

> Where the director reports to the minister that a waste management system or a waste disposal site is not in conformity with this Act to the regulations, the minister may, subject to section 26, order the owner to take such action as he may require . . .

I wonder if the minister could indicate why. In this kind of legislation I can see many areas where "may" rather than "shall" might be used, but I am wondering, in view of this kind of legislation, why he feels that it is not important that the minister should take action when his Act is being defied in some way?

Hon. Mr. Kerr: Mr. Chairman, there are so many factors involved in the operation of a waste management system or a waste disposal site that it is more necessary, I think, that this leeway be left with the minister. As the hon. member points out, it is subject to section 26.

Mr. Pitman: Where does the minister have the leeway where there is all kinds of appeal?

Hon. Mr. Kerr: Well, this is true. But this section 26 is where we intend to make an order and this of course brings into play the advisory board. Really I do not feel that this is necessary. It may be that as a result of negotiations, as a result of direction, as a result of a form of coercion by the waste management branch, by the inspectors of the waste management branch, that the site is not being managed in conformity with this Act. The operator himself, or the muncipality itself, may make the changes and comply with the regulations without a ministerial order actually being issued.

Mr. Pitman: I would just like to continue this for a moment. I do not reject the minister's point of view that there has to be at least some leeway; what I am objecting to really is the point at which the leeway takes place. I cannot help wondering whether it would not be in the public interest that as soon as the director finds a site or some waste management problem, it should be automatic that the order should go out and that the person should appear before the advisory board and that the appeal board operations should come into effect.

Perhaps at that point in time, after the entire incident has been laid open and presumably both the public and the individual, who is in some trouble with the waste management branch, have been heard from, the whole procedure has finished, is it not at that point where the minister's discretion should be used? What I am suggesting is that I can see all kinds of trouble where a dump or a site is quite appropriate, and for some reason, which quite frankly at this point in time I cannot fathom, I notice the minister did not give any particular example which he could think of where he would not take action. In a problem which is as important to people as is the environment, I think this would be very unlikely. But I am just wondering if this is the right time for the minister's discretion to be operative.

In other words, I would prefer to see the minister's discretion operative after it has gone to the advisory board and the appeal boards; then the minister, after this whole process has been gone through and with the advice of his advisory board and with the information which would appear as a result of the appeal board, he might very well be able to make use of his discretionary power at that point in time, rather than before information—I do not know why information is being hidden; the whole process is being driven underground. What I am suggesting to the minister is simply that I think it would be to his advantage that the process be opened up and he can explain his discretion quite openly after it has been appealed before these boards.

Section 24 agreed to.

Section 25 agreed to.

Mr. Chairman: The minister has an amendment to section 26?

Hon. Mr. Kerr: Yes. Very minor, Mr. Chairman. On subsection 1(a) add the words "intends to" in the first line so that it reads, "intends to refuse to issue or renew or intends to suspend or revoke." Just add the words "intends to" act or renew.

Mr. B. Newman: Mr. Chairman, should not "intends to" come in front of the "renew" also? You have to have it in front of all three verbs then.

Mr. Pitman: Four verbs.

Mr. B. Newman: Well, "intends to refuse to issue, intends to refuse to renew, intends to refuse to suspend."

Hon. Mr. Kerr: Mr. Chairman, there is a different situation here. We are talking about a new application, and the minister may intend to refuse to issue or renew or intend to suspend or revoke. Okay, there is a very slight difference.

Motion agreed to.

Section 26, as amended, agreed to.

Mr. Chairman: The minister has an amendment to section 33. Is there any other discussion or amendment or question before section 33? If not, the hon. minister on section 33.

Hon. Mr. Kerr: Yes, Mr. Chairman, I move that subsection 1 of section 33 be amended by striking out "conditional" in the fourth line, and inserting in lieu thereof the word "provisional". That makes it uniform with the other sections in the Act.

Mr. Chairman: Does this motion carry?

Mr. B. Newman: Could we have a word of explanation from the minister on the difference between the two?

Mr. Chairman: Changing the word "conditional" to the word "provisional"; would the minister care to explain?

Hon. Mr. Kerr: As the other sections of the Act indicate, a provisional certificate is for a certain period of time, whereas a conditional certificate would be conditional upon something being done.

Mr. B. Newman: It lays down certain terms.

Hon. Mr. Kerr: Yes. Provisional, I think, is for a stated period of time.

Motion agreed to.

Section 33, as amended, agreed to.

Mr. Chairman: The minister has an amendment to section 37. Is there any question, comment or amendment before section 37? If not, the hon. minister on section 37.

Hon. Mr. Kerr: Yes, Mr. Chairman, section 37, subsection (f)—it is a very minor amendment—in the second line I move that we change the word "securities" to read "sureties". I understand that the word "sureties" is a little broader than the word "securities".

Motion agreed to.

Mr. Chairman: Shall section 37, as amended, stand as part of the bill?

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I have one brief question under section 37. Has the department undertaken to license, either on a provisional basis or on a permanent basis, any of the waste management disposal sites that are now operating in the various townships across the province?

Hon. Mr. Kerr: No, Mr. Speaker, to my knowledge up to this particular point of time, we have not had the power to formally license disposal sites. We have indicated approval of some sites when there has been some question, particularly by the municipality or municipal officials. We have given technical advice to those officials. I think the situation in St. Catharines was a good example of that when there was quite a bit of controversy over the location of a site. We have given our approval, either verbally or by way of letter, for example, but there has been no formal issuance of a certificate of approval as envisaged under the provisions of this Act.

Now any facility or dump at the present time that has the approval or has the licence of a municipality, of course, will have at least six months after proclamation to be brought up to our standards. As we begin our inspection procedures we may be issuing provisional certificates but there will be a time period in which they must be in a position to get a regular whole certificate of approval.

Mr. B. Newman: As a beginner's licence?

Hon. Mr. Kerr: Yes.

Section 37, as amended, agreed to.

Mr. Chairman: Are there any other questions, comments or amendments to section 38 or 39?

Mr. Burr: Mr. Chairman, did the minister not indicate that he wanted this bill to become effective on July 1?

Hon. Mr. Kerr: Apparently we want it to stay as the same date, Mr. Chairman.

Bill 94, as amended, reported.

ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY

House in committee on Bill 43, An Act to establish the Ontario Educational Communications Authority.

Mr. Chairman: Are there any questions, comments or amendments?

The hon. member for Scarborough East; which section?

Mr. T. Reid (Scarborough East): Section 2.

Mr. Chairman: Section 2.

Mr. T. Reid: Mr. Chairman, with relation to section 2, Mr. Chairman, I move that subsections 1, 2, 3 and 4 of section 2 be deleted and the following substituted for subsection 1:

> There is hereby established a corporation without share capital under the name, the Ontario Educational Communications Authority, consisting of not more than 37 members, one of whom shall be the chairman and of the remaining members, five

shall be members of the public service of Ontario.

Subsection 2: The membership of the authority shall be determined as follows: The Lieutenant-Governor-in-Council shall appoint the five members of the authority who are members of the public service of Ontario and of these, one shall be nominated by the Provincial Secretary and one by the Minister of Correctional Services; five members shall be appointed by the Ontario Teachers Federation, two shall be appointed by the Ontario Federation of Community College Faculty Associations; two shall be appointed by the Ontario Confederation of University Faculty Associations; two shall be appointed by a provincial association of secondary school students, representing secondary school student councils of Ontario, or two secondary school students appointed by the minister if such an association has not been constituted; two shall be appointed by a provincial association of college of applied arts and technology students, representing the college student councils of Ontario, or, two college students appointed by the minister if such an association has not been constituted; two shall be appointed by the Ontario Union of University Students; four shall be appointed by the Ontario Federation of Home and School Associations, one shall be appointed by the Ontario Institute for Studies in Education; two shall be appointed by the Canadian Association of Adult Education; between one and six members shall be appointed by the minister to represent other educational and community groups as designated by the minister, such appointments being made upon the recommendation of such designated groups; four persons from outside the public service of Ontario shall be appointed by the Lieutenant-Governor-in-Council after as many as possible of the other members have been appointed and the Lieutenant-Governor-in-Council shall especially take in consideration the need for regional provincial representation on the authority when making these four appointments.

The persons appointed under subsection 2 immediately above shall be appointed for terms not longer than three years and shall not be appointed for more terms than will constitute nine consecutive years of service provided, however, that following a break in the continuous service of at least one year, the same person may be reappointed to the authority.

Subsection 3: The members of the authority shall elect from amongst their numbers a chairman and a vice-chairman and a board of directors consisting of 13 members, two of whom shall be the chairman and vice-chairman of the authority.

Subsection 4: The chairman and vice-chairman of the authority shall be the chairman and vice-chairman of the board respectively.

I further move that subsection 7 be amended, accepting the advice of the hon. member for Peterborough, adding thereto:

> —and all meetings of the authority shall be open to the public—except for matters related to the hiring, promotion, dismissal and remuneration of the staff of the authority—and minutes of all meetings of the authority shall be available for public inspection at the offices of the authority.

Mr. Chairman, I would like to move that amendment to section 2 and I would like to speak to it at some length.

Mr. Chairman: As moved as per the recitation of the amendment he has just read, the hon. member may now speak to the amendment.

Mr. T. Reid: Mr. Speaker, the basic intent of the amendment to this key section in the bill is in effect to oppose bureaucratic centralization of decision-making on educational television in this province in the years ahead.

It is based on a desire to remove decision-making in this area of education from the hands of the unrepresentative few, to remove decision-making in this area, if you like, from an oligarchy. It is based on the need to involve a much wider cross-section of the public in the basic legal decision-making structure of the authority.

I would just like to quote, for example, from the Ontario Teachers' Federation *Reporter* for May, 1970, in which the board of governors of the teachers' federation:

> —were concerned that no mention was made in the bill of appointment of Ontario Teachers' Federation representatives on the authority—

And a resolution was passed to the effect that they would like to have some direct representation on the authority as a matter of right as opposed to a matter of, one might say, delegation from the minister.

Turning specifically to section 2, Mr. Chairman, the bill as it now stands in section 2

spells out a very high degree of ministerial control. Right now the bill states, first of all, that the minister shall appoint all 13 members of the authority and, since the board is coincidental with the authority, that he appoint all 13 members of the board.

Hon. W. G. Davis (Minister of Education): The Lieutenant-Governor-in-Council shall appoint.

Mr. T. Reid: Depending on whether or not one swallows the terminology of Lieutenant-Governor-in-Council.

Secondly, the high degree of ministerial control is further enhanced, because 23 to 32 per cent of the members of the authority and the board are civil servants who, in the first place, were hired by the government. Their pay cheque depends on their being government civil servants. That is a terrific lever, if such power were used. I am not suggesting it would be by the present incumbent. But it could be used.

The chairmen of the authority and of the board are appointed by the minister. The minister, not being satisfied with that, appoints the vice-chairman of the board and can even prescribe his duties, quite independent from the authority. This centralized, unrepresentative, bureaucratic control is, in our opinion in this party, completely contrary to the direction of participation and community involvement in education during the 1970s. Our basic position, underlying our criticisms of the minister's policy in many other areas, is that power should be dispersed and not centralized in the 1970s and 1980s in the field of education.

Turning specifically to the amendment by the Liberal Party, Mr. Chairman, I have tried to incorporate in the amendment not only the positive suggestion of the member from Peterborough, but also to meet the arguments that were made by the minister and perhaps, even more importantly in some respects, by the Conservative members of the standing committee on education when we discussed this bill some time in the last two weeks. I have modified my amendment to meet, I feel, many of their arguments, if not most of their arguments.

First of all, the amendment states that the authority would consist of not more than 37 members, in other words, it builds in an element of flexibility that was asked for by several Conservative members of the standing committee. It does not say there has to be 37; it gives a degree of latitude and flexibility in this. This flexibility, Mr. Chairman, is particularly spelled out in some of the subamendments, if you like, in the main amendment.

For example, the most important one is that the minister is given discretionary power to appoint an additional one to six members, other than the public servants or even those that would be appointed later on to ensure regional representation. He would be given the power to appoint between one and six members designated from other educational groups other than, for example, the Ontario Teachers' Federation, to the authority, thus ensuring that if he thought the school trustees' association should have a representative, he could designate through regulation, Mr. Chairman, that they would be able to appoint one person at least to the authority.

Other flexibility built into this to make sure it would be an operative amendment is that if there does not exist today, for example, a province-wide association of secondary school students, the minister can appoint two students to the authority. The same thing applies to a province-wide student association *vis-à-vis* the colleges of applied arts and technology. If such an association does not exist immediately, the minister is given the discretionary power to appoint people of his own choosing—students—to the authority. So I have tried to meet the argument for flexibility, widening, if you like, the ability of the authority to deal with other areas by increasing the number of community groups or associations with a valid interest in educational television. I have increased the discretion of the minister to make those appointments. I feel that I have now built in the proper degree of flexibility in those regards.

There is also the issue, raised in the standing committee, of public—of accountability. I would point out to the Conservative members of the committee that the minister would still appoint five members of the authority from the civil service. He would appoint an additional four persons from outside the public service on his own and, of course, he could be free to designate other groups in the community and give them powers of appointment as well. The main point is that he appoints five members of the authority clearly from the public service and he appoints an additional four people from outside the public service. That is nine people out of a minimum-sized authority of 37. I think that is an important aspect to it.

One of the main amendments which I thought about since the committte hearing has to do with nomination by the Provincial Secretary (Mr. Welch) and by the Minister

of Correctional Services (Mr. Grossman) of two of the people from the public service appointed by the minister. I would like to dwell on this, Mr. Chairman, for a moment or two. In other words, I have stated that the Lieutenant-Governor-in-Council shall appoint the five members of the authority who are members of the public service of Ontario. Of these, "one shall be nominated by the Provincial Secretary and one by the Minister of Correctional Services".

In that very specific regard, Mr. Chairman, I would like to refer to two speeches made by my colleagues during the current session, both of which had reference to proposed amendments to this legislation whenever the bill should reach its current stage. The proposals relate to the use of English as a second language to reduce the generation culture gap, if you like, among immigrants, and the consequent representation of the Provincial Secretary's department on the educational television authority. And the correction staff's professional involvement in community acceptance programmes would similarly involve The Department of Correctional Services.

Section 2 under the bill as reprinted after the amendment in committee, proposes that no fewer than three, nor more than four, members of the 13-man authority under the minister's proposal, shall be members of the public service of Ontario. It is our intention, then, to press at this time that two of these members appointed by the minister or Lieutenant-Governor-in-Council from the public service shall be representatives of The Department of the Provincial Secretary and The Department of Correctional Services respectively.

These features expounding the reasons for this approach by the member for Dovercourt (Mr. De Monte) and the member for Wellington South (Mr. Haggerty) will be found in *Hansard* on April 28, 1970, pages 2016 through 2020; and on April 29, pages 2077 and 2078. I need not repeat their arguments at great length here. But I would like to say a few words.

A serious cultural gap exists between generations of non-English-speaking immigrants, particularly in Ontario's big cities, and sometimes this can have tragic results. More commonly, the results of different generational attitudes show, not in outright tragedy, but in stress. My colleague from Dovercourt, who understands this problem probably better than anyone else in this House, often makes what he calls his "generation-bridging" speech to various groups in his own community. The last occasion which he did this was at a home and school function only 10 days ago.

I know that the Provincial Secretary, who has received copies of this speech in English and Italian, has commended the member for Dovercourt on what he is trying to do in this area of reducing misunderstanding between generations among the various so-called ethnic groups in the city of Toronto.

My colleague has hit the nail on the head in pointing out that television in the home is a key to attitudinal change. He has made an excellent case for the use of a concerted effort on channel 19 and also on cable to reach the older generations of new immigrants in their own language and to say, "Here are the accepted social values in Canada." While this is being done, the channel could also be used to introduce English as a second language.

The responsibility of the Provincial Secretary in the area of citizenship is such that it needs the tool of educational television in the home, and he needs cable and he needs channel 19.

While a case can be made that the classroom may not need "on-air" broadcasting, there is little doubt that the true educational values of on-air ETV such as that emanating on channel 19 in September, can be exploited best in a community setting. This citizenship course is one of the relatively few community areas left for development following Ontario's acceptance of Ottawa's restrictive definition of educational television.

Mr. Chairman: Is the hon. member quoting from *Hansard*?

Mr. T. Reid: No.

Mr. Chairman: Is he reading from a speech—or document?

Mr. T. Reid: Yes, he is.

Mr. Chairman: I must point out that it is against the rules of the House to read unnecessarily, or at length, from any document.

Mr. T. Reid: Yes, Mr. Chairman.

Interjection by an hon. member.

Mr. Chairman: I will decide.

Mr. T. Reid: If the member for Dovercourt were here he could state this much better than I could, Mr. Chairman. I shall try—

Mr. Chairman: The hon. member was doing very well.

Mr. T. Reid: —I shall try to paraphrase his views.

I think we could be sorry in the years to come if we exclude all possibility of public affairs programming from educational networks for nonconstitutional reasons. In that regard, I am sympathetic with the minister's problems, which seem to be with the federal government. The main area is in this area of English as a second language programme on educational television geared to the parents of the immigrant children in our public school system.

We believe that the Provincial Secretary should have the power to nominate, therefore, his representative to the authority, to ensure that the ends of citizenship, as he is trying to define them in his department, are included or at least have an influence on television programming under the Educational Television Communications Authority. We believe that, therefore, he should nominate a representative as one of those representatives appointed by the minister.

Similarly we are convinced that the Minister of Correctional Services is on the right lines in placing greater emphasis on the involvement of the community in the on-going rehabilitation of the offender. However, prejudice in these areas will not be overcome overnight.

A continuing educational effort is necessary, as evidenced by the advertisement in the *Globe and Mail* of Thursday last, for a senior administrator of community programmes, at a salary reaching almost $21,000 a year. We congratulate the minister on this side of the House on having put this appointment through. We now wish to back up the possibilities of that position to the hilt, by proposing that this man, or a colleague of this man, at a similar level in the minister's department, as nominated by the Minister for Correctional Services, should also sit on the ETV authority.

We further believe that a great deal of this educational effort must come under the heading of in-service professional development, aimed at the corrections officers themselves—again, specifically, with the more senior officers who have been brought up along traditional lines of punishment to the offender. It is here, again, that television must play its key role in changing attitudes toward rehabilitation in the society generally, among the adult population as well as in the school, and even indeed among the minister's own staff people. Since this will take years of continuing effort, the corrections department has a legitimate right to a seat on the ETV authority and has a legitimate right to have a say in the content of programming for such channels as channel 19.

And in this regard, Mr. Chairman, there is the further point that these two appointments will be sufficiently far removed from the "groves of academe," if you like, to help keep the authority's feet firmly on the ground, and prevent the club atmosphere and inbreeding of ideas to which the academic community is unfortunately so prone. It is likely that, out of Citizenship and Correctional Services will emerge meaningful programming, perhaps a weekly hour of original material. Since ETV intends to make extensive use of programme repetition, the contributions of these two appointees, from these two other departments of the government, will be multiplied accordingly.

The thought that three or even four appointments might all be made from The Department of Education and University Affairs fills the spirit with foreboding. The possibility of appointments, albeit only one each, from Education, University Affairs, Citizenship and Correctional Services, affords a far more balanced prospect, which I hope the Minister of Education will recognize and, in this spirit, accept as an amendment.

I wanted to speak on that because we are developing in this party, if you like, a strategy for immigrant education as it relates to the generation gap within those communities.

I would like next, Mr. Chairman, to state why and to state it briefly, we feel that the authority must have student representatives on it. We want two people on the authority appointed by high school students, two from the colleges of applied arts and technology and two from the university student community.

I would like to point out that this does not mean that those appointees to the authority would necessarily be students. For example, I could conceive the high school students of this province, through their representatives, appointing Stanley Burke to the authority. I think what they will want to do is to appoint someone with whom they feel an empathy in the field of education and I trust in their good judgement on whether or not they want those people to be students or whether they want those people to be of the calibre of an outstanding broadcaster such as Stanley Burke.

Another more practical reason, if you like, for having students on the ETV authority is, as the hon. member for Peterborough has often pointed out, that while the ETV branch under the minister's department has done some good programmes with which I concur, the material simply has not reached the students at the high school level to the extent that it might. One can sort out all sorts of reasons, if you like, in the area of educational television in the high school. One can travel this province, as some of us do, and find the ETV equipment collecting dust in various high schools.

Well, I think that if we had, if you like, formalized and effective "feed-in" from the student written into the authority, in addition to any questionnaires or that type of evaluation—that ETV programming would be enhanced in this province and would provide a very good cross-check on ETV from perhaps going off on certain wrong tangents. So for that reason, if you like—a very practical reason, a reason that one could translate easily into dollars and cents arguments—if we are to have educational television spending, for example, in the current year, between $7 million and $8 million, then we must build in crosschecks to prevent biases that would make educational television less useful than it otherwise might be within the school setting.

The reason, of course, for having the teachers groups from the Ontario Teachers' Federation, but also from the colleges of applied arts and technology and from the universities, having their own appointees on the authority rather than appointments by the minister at his discretion, is very similar to the arguments I have outlined for having the students on it.

I think that if the teachers through their professional associations felt and knew that they had an effective voice on the authority—this might only meet four times a year—that they would feel that it was their type of educational television as opposed to this centralized group of non-teachers.

The argument, of course, for having four members appointed by the Ontario Federation of Home and School Associations, is to get some feed-in, if you like, from the parents of the children in the school system, but also to get community representatives on it.

I would see the people appointed by the Ontario Federation of Home and School Associations as having a dual role. They would be there in their capacity as parents, but also as adult members of the community who would be watching educational television programmes on their home television sets.

I just think it is a good idea to have someone appointed by the Ontario Institute for Studies in Education to make sure there is a formal link. I think the Canadian Association of Adult Education is also a group that should be involved.

Mr. Chairman, in summarizing my views on the revised constitution—an enlarged constitution of the authority—I would like to point out the basic difference between our position and the position of the government at the present time. If we assume there are 37 members on the authority, as opposed to 13 members under the minister's legislation, we find that the minister appoints at least nine, and possibly up to 15 members of that 37. But at least he directly appoints 25 per cent of that body. Under his legislation, he appoints everyone—that is, 100 per cent. So there is a significant difference there.

The teacher groups in the province would appoint nine, and that represents a 25 per cent proportion of the authority instead of a zero proportion. The student groups, which of course may not be students, would comprise six members, making up, in terms of a proportion, a 17 per cent ratio instead of the present zero ratio.

And the community at large would appoint six—again 17 per cent. So, in concluding my remarks on the composition of the authority, Mr. Chairman, I say to the minister that I think it is feasible. First of all, I think, in terms of concept, we have spelled out, if you like, an alternative means of getting community feed-in and involvement and participation. We think in principle that is an excellent idea.

In terms of implementation, we do not see that this amendment is an amendment that would be impossible to implement before September. It has built-in flexibility and the minister can make additional appointments. So I do not think it can be argued down on those grounds.

Basically, Mr. Chairman, we feel there is no need to have a small group called the authority, all appointed by the minister with the minister appointing the chairman, all the members, and the vice-chairman—even prescribing the duties of the vice-chairman. We think that is unnecessary.

We have faith in the men whom the minister would appoint and we have faith in the people whom the other groups would appoint to the authority. We feel that they should

make the decisions much more than they have now.

Mr. Chairman, the amended subsection 3, as we would like to have it, states that the members of the authority shall elect from among their number a chairman and a vice-chairman.

We think that the people who would be on that 37-member authority are quite capable of electing their own chairman and their own vice-chairman. We fail to see why the minister wishes to appoint the chairman and the vice-chairman.

Under our amendment, the 37-member authority, or a 31-member authority, would elect a board of directors consisting of 13 members. And this is the 13-member board referred to by the minister in the legislation. We think that those 13 people should come from the authority.

We feel that the members of the authority —if they get there the way we would like to have them get there—are quite capable of working out the political problems of internal representation on the board.

We do not feel that it is necessary to say that on the board—the 13-member board—three shall be teachers or one shall be a student or one shall be this or that. We think that the authority, the people on it, will have enough sense to make sure that they elected a board that represented the other groups. We do not think it is necessary to spell that out in legislation.

I would like to point out to the minister that the people he appoints, as with any other group of teachers or students on that board, have the ultimate veto power of a minority over the majority in the authority. If the minister's appointees as a group of nine say, decide that the decisions of the authority had been wrong, they always have the ultimate power of stating that they will resign from the authority. That is the ultimate power anyone has whether they serve on a hospital board, indeed in this House, if you like, or on such an authority.

The minister has the power that the people he appoints could resign as a bloc if the authority made, in their collective opinion, a fundamentally bad decision.

Mr. Chairman, I would conclude my remarks on our amendment by saying we on this side are quite prepared to consider changing our amendment if anyone else would like to amend it slightly.

I have not discussed subsection 4 which I have amended, or subsection 7 which I have amended, because it is taken from the amendment of the hon. member for Peterborough, the education critic for the New Democratic Party, put forward in the standing committee, but I thought it would be clearer if I attached it to my own remarks. Thank you, Mr. Chairman.

Mr. Chairman: Does the hon. minister wish to reply to these comments at this time? All right, the hon. member for Peterborough.

Mr. Pitman: Mr. Chairman, I want to make very few remarks on this bill. I thought a great deal about this piece of legislation since it appeared before our university affairs and education committee and I think what I am going to say today probably has more to do with the philosophy of television than it has to do with the details of the amendment which the member for Scarborough East has placed before this committee.

First I want to say I understand, and I think I sympathize with, what he is trying to do in attempting to provide a more democratic and a really more representative board to guide the affairs of educational television in the province of Ontario. But I think there are two problems which this brings to my attention.

First, the problem of being truly representative. I did a very quick analysis of some publications that I received and I found—and I am sorry I did not bring that list with me—35 other groups who could not be accommodated under this arrangement. What I hope, possibly, the Minister of Education will do when he rises to speak about this bill is indicate what he can do with the advisory committees to accommodate a very large number of individuals from many areas who will want to have some kind of input into this educational television. That is the first thing.

The second problem that I have is—and this is what worries me about the member for Scarborough East's grouping—the fear that educational television is going to be cornered, it is going to be ghettoized as a part of the formal educational system. My feeling about the formal educational system is that we had better take a very close look at this.

I think one of the things which the ETV branch has done to its greater glory is to get out of the instructional television "kick" into a much more exciting and a much more imaginative kind of educational television which has, I think, placed Ontario well up in the kind of television we are producing.

But I would like to see the educational television branch, and channel 19, and the whole ETV authority, move into the forefront of a development in Ontario education which surely is necessary; a recognition of what can be done outside the formal educational structure to provide an educative society.

I could not help adding up the numbers—I think about 27 of the member for Scarborough East's representatives could be said to be essentially associated with formal education. For that reason I have great concern over that particular area.

At the same time as I say I very deeply sympathize with his view that this educational television authority must be responsive. Whether you get responsiveness by representation or—I was a little afraid as to how the 13 might emerge from that group—how you get responsiveness from representation, I am not sure. I am still a little worried about the fact that the inner grouping might become even more powerful by the large number who would be a part of the board. I am also concerned that possibly the responsiveness would not move all the way to those who were the employees of the authority. But that is not my major concern.

My major concern is the effective expression of the views of those who are outside the formal educational system, and it includes the minister's colleague from Correctional Services.

I had a very moving evening the other night when I spoke to one of his school graduations. And I was amazed at the degree to which those who were involved in that educational process understood—indeed far more clearly than the professional people I have met in the other areas of education—just exactly what education is all about.

Hon. A. Grossman (Minister of Correctional Services): Why could you not have said that during my estimates?

Mr. Pitman: Well, your estimates came up before I visited your school, that is all. I may have something more to say about that some time in the future, but please do not—

Mr. Deacon: Mention it now. Put it in *Hansard* now.

Hon. Mr. Davis: Repeat it again so it is underlined.

Mr. H. Peacock (Windsor West): If you want to say something good about the minister, say it negatively.

Mr. Pitman: Yes, I will admit I was a little bit harsh on the minister in one or two areas of his estimates. But I will carry on next time.

I want to come up to one or two points that I think are very important in regard to this bill.

First, that it have regional representation, because as I have said again and again Ontario does not end at Richmond Hill. I think the minister has indicated that he is prepared to have, and will indeed have, people from other parts of Ontario on the board, and open up the meetings so that we know exactly what is going on and the influences that are at work in educational television and most of all, I suggest, the realization—largely through these advisory committees—that educational television is the creation of an educative society and not simply a handmaiden of a textbook and of the teacher in the formal educational centre.

Those are the matters which concern me deeply about this section of the bill.

Mr. Chairman: The member for Humber.

Mr. G. Ben (Humber): Mr. Chairman, I have listened with interest to the points raised by the previous speakers and I was prompted to rise by what they said.

I know that my colleague, the hon. member for Scarborough East, has battled long and valiantly in committee to have the worst abuse of this bill removed. However, before the government forces this bill through the Legislature, I want to say just a few well-chosen words on what to me is the arrogance with which this proposal has been pursued through the years.

I think it was in 1965, or early 1966, that the extent of the empire building that was to be ETV became evident. At first, two men shared an office in the curriculum division of the minister's department at 44 Eglinton Avenue and their combined salaries and overhead, I think, were about $40,000 a year. This year, ETV will cost the taxpayers of Ontario $8 million in operating expenses alone, and next year the figure will surpass that of the National Film Board of Canada which is supposedly $10 million a year, as I think most hon. members of this House are aware. This is exclusive of the provincial share of capital costs.

Mr. Chairman, I predict all that will happen; that what has happened to the CBC and to the National Film Board will also happen to ETV. There will be an inexorable growth in the amount of money required for administration and overhead and

less and less money available for programming. It is quite clear from an analysis of the staff that the senior 20 positions are not in production at all, but are educators and administrators. The actual day-to-day programme producers and directors are paid far less than the going rate for the job whereas the so-called "content experts" are paid far more than, what in my humble opinion, they are worth.

In this amendment today my colleague from Scarborough East is attempting to secure a public interest. He wants to be assured that the public interest is going to be served and not have ETV served as nothing but a make-work programme. That all aspects of the community are going to be served by this and are going to be served well and get their money's worth. Because, Mr. Chairman, make no mistake, with soaring education costs hitting the property owners as never before, this venture is going to backfire unless they deliver the goods and unless everybody feels that he is getting value for his educational tax dollar on the screen.

We have to control this monster before it devours all our wealth and the only way to control it is giving the control to the public which are going to be footing the bill. I suggest to you that the hon. member for Scarborough East is trying to build into it that control, that it is not going to become something that is just going to be giving jobs to people in the TV industry—and this it would appear, it is giving to date—but will be there as a viable tool for the education of the people of the province of Ontario, be they either young or old.

Under the circumstances, I think we can do nothing at the present time except support the amendment put forward by the hon. member for Scarborough East.

Hon. Mr. Grossman moves the committee rise and report a certain bill with certain amendments and progress on another bill and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker, in the chair.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House reports a certain bill with certain amendments and progress on another bill and asks for leave to sit again.

Report agreed to.

SCHOOLS ADMINISTRATION ACT

Mr. Pitman moves second reading of Bill 29, An Act to amend The Schools Administration Act.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, last year at this time, I presented another bill, An Act to amend The Schools Administration Act, and in that bill was to be found a school board advisory committee as well as the school councils which have been suggested in this particular piece of legislation. I was very pleased that by the end of the session, the Minister of Education (Mr. Davis), saw fit to include school board advisory committees, certainly not in the exact definition and with the exact role as I proposed, but nonetheless, as a means of communication with the larger community.

I think it is true to say that a number of boards have enacted this legislation and there now is a structure whereby the views of the community can be expressed through some structure to the boards of education across this province.

This year, I would like to see another piece of legislation enacted which would indicate a continuation of concern in this matter. There is still the problem of injecting the educational system into the society which supports it. This is more than just an administrative change, just as the school board advisory committee was more than simply an administrative change. We are dealing with a philosophic change here, Mr. Speaker.

There are those who believe that education is schooling and schooling is education, and that the few who are professionally skilled have the right to decide what is taught, how it is taught and virtually to whom it is taught, and in what atmosphere it is taught. There are others who believe that education is a constant process, that indeed, it is a lifetime activity and that formal schooling is only a very small part and indeed it may not be the most relevant part for a person's educational life. In that setting of course the school must be a part of the total fabric; it must influence the community and be influenced by that community. Once this philosophical step is accepted, I think the professionals—that is, the teachers, the principals, all those who are very closely involved with education—no longer have the full right to decide what is being taught and how it is being taught nor, I think, would they wish to have that right, but rather those in the community who are

concerned with education, which surely includes all of us, should participate in the decisions of what should happen to our young in their formal schooling.

In order to do this, once again we need some form of structure involving the legislation of this province. The role of the parent—perhaps this is one role which has been the most de-emphasized. One can read the legislation and discover very quickly what the role of a principal is or what the role of a teacher is and certainly what the role of a trustee is, but one looks in vain to find out what the role of a parent should be, because a parent really has only two roles. One is to produce the child and the other is to make sure that the child gets to school on time and fairly regularly. If he does not do the first, of course the school system disappears; if he does not do the second, of course he finds himself in some trouble with the law.

I think this is the area which demands a degree of legislation. The home and school associations in Ontario have worked extremely hard over many years to find a positive role for parents in the educational system. The dedication of these people, I think, is perhaps thought legendary. They have taken hold of the legislation already proposed and put into effect by the Minister of Education in regard to school board advisory committees. They are now ready, I think, to begin a whole new future for this organization in the development of school councils and through this medium surely the school councils can best have a successful beginning.

I think they have suffered, however, from not having any specific role outlined in the legislation of this province. And I think the development of a school committee which would allow representation of the home and school association in an official way as a part of an advisory committee would be a tremendous step in the right direction. In its first stage, of course, it would be an advisory committee—exactly that, an advisory committee. It would advise the principal of those things which would best create the kind of school both philosophically and administratively that the parents, the teachers and the students would wish.

This committee sets out a role for students. There are those who would say the students should not have a role in this kind of a committee, particularly at the elementary level. I beg to disagree, Mr. Speaker. I think that unless this committee recognizes that there must be a role for students even at the elementary level, and particularly at the secondary school level, then it can never really be the success that it should be.

Finally, of course, the role of teachers is outlined. Teachers are more than employees of the board; they are there for far more than simply to give the lessons day by day. They must be given a participatory role in the development of the whole fabric of the educational system and this, I think, is one area where they can well serve.

What should be the role that this council should play? I suggest in the legislation that it should be able to move back and forth across the whole spectrum, including curriculum and administrative practices. I would say that the one thing that the home and school organization has had at a disadvantage is the fact that, because it has not been specifically set out where its role should be, its role has too often been ghettoized by teachers, by professionals, into a very, very small, insignificant portion of decision-making—too often that of collecting money to put a clock in the gymnasium; too often that of being virtually peripheral in making decisions in the local school area. For that reason I think that these councils should not be restricted in any way in the areas that they should discuss.

There are many who will fear this parent participation, that it will have a restricting reactionary effect. There are many who see in the United States indications that education is no longer as popular, is no longer the god to be worshipped which it has been over the past 10 years. And there are those who see parents moving into areas of decision-making and creating almost a reactionary kind of school setting. Indeed they will try to recreate in the schools of today the very educational system or the very educational experience which they themselves had 20 or 30 years ago, very much to the detriment of the students who are in those classrooms at present.

Mr. Speaker, with your indulgence, I would suggest that can happen without councils and without advisory board committees, because in a very real way we are on the threshold of a taxpayer revolt. I think men and women in every community in this province are concerned about the cost of education. There is a concern which is exhibiting itself in many, many areas with programmes that are not being developed, with new directions which are not being sought out, with experiments which are, if being funded at all, are being funded in a very minimal way.

So I suggest to the House that we can have reaction, and parental reaction, and par-

ticularly we can have it when parents are not involved, when they are not participating, when they do not have an opportunity to know what is going on.

This council, I suggest to you, sir, would be a communication device as well as a decision-making device. But if communication emerges, if it increases understanding, if indeed this is accompanied by programmes of parent education in a community school, it would seem to me that there is nothing which could not take place in that school. The exciting thing about this development, I think, is the possibility of each school becoming self-motivated and experiments being developed within each individual school with the support of parents and the teachers and the students in that school. Instead of, you might say, the dead hand of administration, of bureaucracy, pushing from above, you have rather the welling up from below of a very real desire to see change and liberalization within our educational system.

I think the home and school associations across this province are prepared to participate. There are those who have said that, when offered the chance, parents have not taken advantage of that opportunity. I suggest to you, Mr. Speaker, the reason has been that we as educators—and I include myself in that particular role—have never really encouraged parents to come into the school to see what it is doing, and certainly never to participate in what is going on there. Invariably, what we have done is we have tried to hive off parents into areas of peripheral interest. Or we have tried to bring parents into a one-to-one relationship: "Come and see why Johnny cannot read."

Too often we have "put down" parents, particularly parents of lower-class or low-income groups, and particularly parents who have had an unhappy experience in their own lives in the schools which they attended. They come into the school simply to re-enact the humiliation which perhaps was their entire lot in their own formal education life.

I suggest that we have, on the whole, kept parents in their place. Indeed the legislation in this province makes it impossible legally for a parent even to visit a school whenever he wants, although, thank heaven, there are many teachers and principals—most, indeed, across this province—who now welcome parents into the school setting.

I suggest we are on the way to an educative community, and the only way we can get there is through a community school. The impetus will come from below. The school building in every community is the only public building which can be used for this purpose. It can be used as a community educational centre—I mean education in the fullest sense—the place where the full opportunities for recreation, for continuing education can go on day by day and night by night. That surely should be the hope that this council will simply begin the process of making the community school the centre of activity of all kinds going on, so that education will relate, not to young people from the ages of five to 21, but will relate to the total life style of every person in that community.

Surely the community school will be a point from which we can contact those who at present are certainly turned off by our educational system and, indeed, by our whole society. It can be the place where we can reach out with services, community services, family counselling, employment services, housing services. We can deal with the whole spectrum of needs which are surely a part of the educational problem to begin with, because you cannot really educate a young person without educating his family, without educating the community around him. No school can operate effectively without contacting and influencing that entire society.

In fact, that has been the problem of the Headstart programme and the Bootstrap programme in the United States. Too often they have tried to educate the individual child without recognizing that it is the whole that they must educate. Too often they have tried to wrench the child out of his community without realizing that a reformation of the entire community is at stake.

I think developing these school councils would be the first step in recognizing the province must concern itself with education as the full development of human potential at every age. I think the community school would focus attention on this.

I want to make this very clear to those who are to follow—this bill is exploratory. It is not intended to be a final word on what could be done with school councils in this province. You will notice that it is compulsive; that it is suggested every school should have a school council. Perhaps there are many members who feel that that is not appropriate; that it should be permissive as the school board advisory committees have been permissive.

I think the irony of that legislation has been that many school boards which accepted

the idea of a school board advisory committee found that they were tied to an organization of those school board advisory committees which they did not feel appropriate to their particular community. In many cases, I have felt that it might have been better to make the principle compulsory—that we should have school board advisory committees; or that we should have school councils—that is, give a whole spectrum of choices in relation to the way in which those school councils or those school board advisory committees should be set up.

I think the most important point is that we recognize that a parental role in the educational system of this province is desperately needed and desperately important. I suggest that with this legislation we would make that point evident. I think that The Department of Education might very well play a very significant role by making a grant to those schools which do set up councils. I know this is done in Montreal where there are school councils, and where I understand the budget of the school is not passed until that school council has had an opportunity to examine it and to render some decisions on it.

I think there has to be some realization in the province of Ontario that parents, who are the taxpayers, who provide the raw materials of our schools, have a right to participate in the fullest sense. As long as we are trying to change the society in our schools, we must involve parents. We have no right to change a society through its teachers. We have no right to impose, you might say, a more open, free society. Indeed, it is only through the parents that we can really make these changes.

A terrible effect, I think, of so much of the reform that has taken place in our schools has been to divide parents from their children, to widen the gap by adding an education gap. Parents who in past times were able to help their children with their homework, who understood exactly what was going on in the school, can no longer have that kind of security. Until we reach out through our schools to the parents of our society, we will not be able to make the changes in the schools, which will make them able and competent to create young people who can cope with the problems of the seventies. Nor will we be able to change the kind of society we have about us.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, although I am prepared to support, in principle, the fact that we should provide greater student and community participation in our educational system, I cannot support the measures that are set out in this Bill 29.

Having listened with interest to the hon. member for Peterborough, the sponsor of this bill, I suggest that the concept as embodied in this bill might have been better set forth in the form of a resolution to the hon. members of this House.

We are quite aware of the great changes which have taken place in the attitudes of all bodies and people involved with the educational process. Those who are most visible in this transition are, of course, the students. This is especially true of students in university but it is also becoming increasingly true of students in secondary schools.

It is extremely easy to dismiss the actions and words of those students who participate in demonstrations and protests, but it is my feeling that the vast majority of students wish to have some say in the quality of education they receive. They are, after all, the ones who are most affected by our educational system. We must not allow the actions of a noisy minority to override the true feelings of most students.

Bill 29 envisages an 18-person advisory council in every elementary and secondary school, which would be a cure-all for the so-called ills of our educational system.

Let me say this: I am convinced that a body, committee or council of this size would be awkward and unwieldy, especially in the smaller communities and in the rural areas of our province where it might be difficult to get all the people together for meetings, to say the least.

Secondly, I am not convinced that such a committee would be of any advantage at the elementary school level. We must be realistic. We must admit that six young people from the elementary school level could be totally ineffective at any kind of a meeting where they would certainly feel ill at ease, if only because of the fact that the majority on the council would comprise teachers and parents.

Most important is the fact that Bill 29 makes the establishment of an advisory council mandatory. To foist such a body, all at once, on the entire educational system—that is, in every school in our province—could have catastrophic effects.

If this bill became law, we, in the city of Hamilton, would have 110 such councils in

the public school system alone. What would happen to the role of the teacher? The principal? The superintendent? Or that of the elected school board?

Then, too, is one important body which is not represented on the proposed council and that, sir, is the school board composed of duly elected representatives of the community. I am sure the member for Peterborough would agree that they should be represented.

In any event, I do agree that there should be greater participation by the student body in our educational system, and I refer to the student body at the high school level. After all, we are taking a close look at the possibility of lowering the voting age to 18, thus giving our young people more to say in the governing of our province. It would appear logical to go along with this basic thinking and give them more say in the type of education they are to receive. The only question is how?

I feel that if we sincerely intend to do anything about it, we should at least make a sincere effort. I firmly believe that creating such a council, as is recommended in bill 29, would serve little or no purpose but could easily create a great deal of frustration and resentment.

I urge this Legislature to consider the possibility of perhaps appointing students to the advisory vocational committee, say, of each school board. Such committees, incidentally, are already made up of elected and appointed members. If this proves to be successful over a period of time we could, perhaps, include student participation on the educational management and the property committees, and so on.

In this way, Mr. Speaker, we would have student representation where it would be most effective—on a committee of a board of education. The students would be aware that they could be heard, and not on some sort of unwieldy council that may never have a chance to say anything or to make a report to anyone. As for community participation, Mr. Speaker, I suggest there is already this type of participation through the home and school associations and the like. The trustees, in fact, are members of a community elected to represent the people at large on the school board.

Many schools in my riding now have parent-teacher committees, while almost every school has a teacher-principal committee which is very often divided into subject departments. In turn, perhaps the students could join these.

I do not understand why we would want to appoint or elect any more people. It is a foregone conclusion that too much icing can spoil the cake, and I am convinced that this is what would be happening here. I submit, Mr. Speaker, that rather than pursue the recommendations of Bill 29, we consider the relatively simple and commonsense suggestion that I have made. In this way we can have proper student representation on a committee of the board of education or on a consent basis of the local school. In this way our students will really have a voice in education.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Speaker, we in this party support what we consider to be the underlying purpose or principle of this bill. We look upon this bill by the member for Peterborough as an attempt to, in a sense, remove the oppressiveness of the secondary school particularly over the teacher and the student.

In that regard one does not want to discuss its details, but to discuss the concept that lies behind it, and I would like to say a few words on this myself.

I am not very concerned with the elementary schools of this province. I have toured the province as I am sure other members have, and have visited very many elementary schools. What I find happening in the elementary schools is very hopeful to me.

I find, for example, in St. Malachy Catholic School in West Hill that they are learning French in Grade 1. They have tape recorders and they put on little skits in French—and these are entirely English-speaking students at that school. They are taking family life education in Grade 1 and take their classes with the students from the adjacent public school.

I find the open-classroom concept and an environment of learning and living in very many elementary schools—and not just those schools that have the open-classroom concept.

I find at that level, for whatever reasons—perhaps there has been a quiet revolution of some sort in the attitudes of teachers and the administrators at that level of our formal education system—I find the parents are involved. I find—and perhaps this is just happening to me as my children, one of them at least, starts becoming a learning person—that the parents are very much interested in what is happening to their children in the

elementary school that their children are going to.

I am in despair, however, Mr. Speaker, when I go into our secondary schools in this province. I am in despair when I talk to parents who have students in high school because somehow they feel the education of their teenagers—13 to 17 or 18 years of age—is no longer their business.

I find that for whatever reasons there seems to be a lack of empathy among too many teachers in the secondary school system with the young teenager in the school.

In fact, Mr. Speaker, when I go to secondary school after secondary school, unannounced, which is my right as a member of this Legislature, and visit their classes, either to speak or to participate or just to listen, I find learning is not taking place. I find that when I talked to the principals of many secondary schools, they would describe the secondary school in one way, and they would talk about how systems of communications had been established, of how their secondary school of 2,000 young people and teachers is a community, and how the young people are living and learning in that environment.

Then I talked to the students and then I talked to the teachers and I found an entirely different perspective of what is actually taking place in that particular high school. It is almost like reading Durrell's novels about the same situation from four or five different viewpoints.

In short, Mr. Speaker, we think that the high school as it is now in the province—I do not want to overstate the case, I almost said it is a dead institution—the high school in this province is doing a great deal of harm to a great many people in it, and I include principals when I say that. I think that what we must look at, and we must do research on, basic research, is what has happened in our high schools to make them an institution to too great an extent, which is a dead institution.

You know, Mr. Speaker, one of the things I have become involved in since I put out a book called "Student Power", is that the students are asking me to come and be a weekend teacher. They are asking me—and I am sure they have done this to other members of the Legislature, other politicians—to go up to the Caledon farm of the University of Toronto on a weekend, to meet with them—perhaps 17 high-school students—and to discuss politics. Because in the school they do not learn about politics. They do not learn about parliamentary democracy. They do not learn the guts of politics and the reality of politics in the school. So they create their own school on the weekends.

They are not trouble-makers, they sit in the school during the week from 9 to 5, or 4 if you like, and they listen, they take notes, and row after row after row, they are going to write their exams, they are going to try to go on in their school education because they need to make money to support their own families in the future.

But they go away on the weekend, and they invite a politician up, they invite a person like Stanley Burke up, they invite John Brown up to talk about what is happening in his institution with young people. They have created an underground high-school learning and living process on their own. The students at the—well, let name it, it is the Wilfrid Laurier Collegiate in Scarborough—opting out of their school but being there physically, is an example of a pattern that is repeated in high school after high school in this province and it is a tragedy.

These people are conducting weekend seminars, and they invite a parent or an older person to come up so that they have a supervisor, because teenagers of both sexes are not supposed to go away for the weekend together, I suppose. But I have gone away with them and with my wife and we find them a friendly, warm group; we find they are interested in learning

I feel awfully strongly about this. There are other things I wanted to talk about—I think a concept of having a high-school council, if you want to call it that, which would institutionalize parents back into the education of their teenage children, is a first-class thing to do. I think it is an essential thing to do.

You know, Mr. Speaker, yesterday I listened to René Lévesque up at Glendon College. The hon. member for Peterborough was the chairman of the session. We both heard him say—and I think this explains one of the hon. member's remarks this afternoon—"80 per cent of the teachers of Quebec are separatists, and we are going to win before the year 2000 because the teachers are separatists and they are going to inculcate the values of Quebec independence into their students." I was terrified because I am a parent and I do not want the teachers to inculcate any political values of a partisan sort upon my children.

If parents do not get back into the education of their children, we are in a very bad situation. I just say, to quote the Minister of Education of this province, "We must not have too little faith in the teenagers of this

province, whether they are 13, 14, 15, 16 or 17."

I work with them, I taught them, about drugs, about politics, about their drop-in centres, and I can tell you that we could save a lot of money, being very blunt about it, if we let them into the educational decision-making process a lot more.

This whole discussion about teacher-pupil ratios in the secondary school system is a lot of nonsense. You could have one teacher to 50 students and have a better learning process going on if that teacher was a "social animator" if you like, as opposed to a rote teacher.

So I say, Mr. Speaker, in conclusion, that the parents must become involved in the system of education in this province. The teenagers must have a say because it is their system. That is what it is there for—for them. Not to shut these teenagers off from the labour market, but to create an environment so they can grow up and pass on, if you like, their own values of a democratic society, of non-violent values of society and so forth.

I support the principle, the concept, the desire behind this bill. I have reservations about some of the specifics in it which I will not even bother to mention. So I say that this must be one of the top priority areas for this government. If the Minister of Education does not have the ears to hear, the eyes to see, and the mouth—

An hon. member: Guts?

Mr. T. Reid: —and the guts to have faith in teenagers of this province—and I am sure he would if he were here to listen—then I say our high school system in the seventies will become even more a dead and redundant institution in our society.

Mr. Speaker: The hon. member for Oshawa.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, I rise to support the bill. I am not too sure of everything I am going to say about the bill that my colleague will support it 100 per cent, but nevertheless, I would like to just look at it very briefly, from a layman's point of view as opposed to an educator's, and at this point in time I see that three educators have spoken to the bill.

First of all, my colleague from Peterborough pointed out that this school council was an advisory body. I think that in a sense what he is really calling for is the democratization of the institution and also some say in the decision making process by the teachers and the students, as well as the parents.

When the member for Hamilton Mountain was up, it was typical of the Tories' position that they would not support the bill. They want to perpetuate the Tom Sawyer and Alice in Wonderland era, when in fact we are in the technological and computer age where children and teachers and parents are affected in this period of rapid technological change that is going on in our society. You know, I look back to when we were school children both in the elementary and the secondary levels, and I sense now that that was too authoritarian a period and most of us did things, not because we were consulted, but we did them because we were afraid. I think today maybe we have reached a real permissiveness in our society and I suggest that we ought to come down somewhere in between the old and the new.

Now, the member for Hamilton Mountain also pointed out that children would feel ill at ease. Well, I am not too sure today that they would feel ill at ease with the teacher and the parents; when they could participate. I think if we went back to our era maybe we would have felt a little ill at ease because of our being somewhat afraid of the authoritarian attitudes that went on. But I think that the kids today would sit down in an intelligent way and be able to participate, so I really would not be afraid of children being ill at ease with the teachers and parents.

I really think that this all comes down to a question of communications, as my colleague from Peterborough pointed out, and that we have to have the child, parent and teacher participating and it should be an ongoing process, not just one where there is something that came up of an immediate crisis that we call a group together in a school. I think it should be something that is perpetuated through the statutes of this province, so that there is a guarantee of communications between the teacher, child and parent.

I say that because I really think that schools today, at least this is my assessment, that the schools today are built around uniformity and they turn children out of the schools like machine parts, because the education is not based on the normal progress of each child, I do not know how we have a system where they lay down a curriculum, or what have you, and each must conform to that and if he does not meet that level then he is not really taken care of or the student is not taken care of. So, I think that a school council could, with the parent, talk about this.

Where does the parent go today, to the school trustees? It seems to me that the school

trustees—and I am not criticizing the school trustees, Mr. Speaker—have a pretty important responsibility and they have not the time to look at each individual school. The member for Hamilton Mountain pointed out that in Hamilton there were 110 schools—

An hon. member: Public schools.

Mr. Pilkey: Public schools. But can you imagine the trustees looking at each one of those schools individually? Here is an opportunity, through a school council, to discuss their individual problems with some authority. The trustees could deal with the overall problem of education as opposed to dealing with only immediate small problems that people have. My guess is that if the parents had an opportunity to sit down with the teacher and the students of that school that a lot of these problems could be resolved prior to them ever reaching the trustee level. It is that kind of coming together at the school level that the trustees or the Minister of Education could consider the total responsibility for education in this country; surely, if we have that kind of a unit at the school level a lot of those what might be classified as mundane problems could be resolved. I think it would be beneficial to that specific school, to the parents and to the teachers as well.

And as the member for Peterborough pointed out, this bill would serve a purpose, but I noticed that the member for Hamilton Mountain said that it served little or no purpose. But surely there should be a vehicle for parent participation at the secondary and elementary school levels. And at this point in time I just do not see where the parents, who are obviously vitally interested in the whole educational process, have any vehicle to participate at the educational levels, whether it be elementary or secondary.

So that, Mr. Speaker, I would just want to conclude by saying that too many of the decisions as far as education is concerned are made in the ivory towers of this province and not enough of the decision-making process is made—if I can use the term—at the grass-roots levels and really this is what education should be all about so that its functions are relative to the community in which they are located.

And so, Mr. Speaker, I support the bill and I would urge upon the minister to give Bill 29 and the amendment to The School Administration Act careful consideration in the future.

Mr. Speaker: Are there any other hon. members wishing to participate in this debate? If not, I declare the debate concluded.

Clerk of the House: The 59th order, House in Committee of the Whole; Mr. R. D. Rowe in the chair.

ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY

House in committee on Bill 43, An Act to establish the Ontario Educational Communications Authority.

On section 2:

Hon. W. G. Davis (Minister of Education): Mr. Chairman, just to reply very briefly to the amendment proposed by the member for Scarborough East (Mr. T. Reid). Really we discussed this at some length in the education committee and I think I will just make one or two very brief observations.

Firstly, it is partially, I guess, a matter of taking a somewhat pragmatic approach and yet recognizing the desirability of involving the larger segment of the public, and not to confine it just to the educators in the development of television philosophy in this jurisdiction.

And, of course, one thing that everybody forgets, Mr. Chairman, in this determination of control on who should be involved, and how you develop participation, what is its imposition upon the students and the public generally. One real solution in every case is that if the programme does not really suit the needs or the interests of those viewing it it is a very simple matter to turn off the switch.

This is not available in all areas of educational technology but it does exist for television. It even exists in the private sector and some of us on occasion exercise this judgement and I expect that in the field of educational television this also will be still available to all of us.

I was particularly intrigued really by, not only the size of the authority but also in the amendment the question of what control the so-called board of directors would have if, in fact, the board of directors were to replace the authority as we are suggesting in the bill. Really what purpose do you in effect accomplish?

I am very intrigued about the process whereby they are elected—because you could theoretically have a very large percentage of people appointed by the Lieutenant-Governor-in-Council. This, in fact, would do what the

hon. member for Scarborough East is alleging the present bill does in a negative way. Or you could have it so that there would be no representation from those people appointed by the Lieutenant-Governor-in-Council. The amendment, Mr. Chairman, with respect, really does not set this out too clearly. I question whether or not, from a practical standpoint, this is too effective. I think the main point that has to be restated—I have stated it on many occasions—is the policy of this government to involve through the advisory committees the regional councils. And we, ourselves, Mr. Chairman, as some will recall in committee, changed the wording of the subsection or the section to make it "shall" rather than "may." I think we will get a far more practical and meaningful involvement through the advisory committees whether they are made up of students, teachers, or the general public, who knows—housewives have a contribution to make these days in the field of education, and why not? Why confine it just to the straight academic world no matter what their very real and very valid interest may be?

I think, Mr. Chairman, as I said at the committee, to start enumerating those people, those organizations or even those departments of government who have a very valid interest in this also, is totally erroneous. I think I could make as good a case for two or three other department and I say this with my very good friend and colleague the Minister of Correctional Services (Mr. Grossman) here; I think I could make probably a fairly good case to have representatives from other departments of government as members of the authority.

All I am saying, Mr. Chairman, is let us leave the flexibility. Let us stay away from the designation and recognize that the people who will be appointed have the overall objectives and philosophy of educational television in mind, and that they will in fact carry out what should be a basic policy of this government, that is, to serve the total community to the extent that it is possible within the framework of the conditions laid down by the CRTC and with the licensing arrangements with the CBC. I think, Mr. Chairman, really this is the way it should and will function.

I must say this, Mr. Chairman, this bill was considered by this government, my own department, for many months. It represents really something of a milestone with respect to government legislation at the provincial level. It is a piece of legislation that is being looked at very actively by some other jurisdictions—not necessarily in this country—as to a method and a mechanism whereby we can bring educational television quite actively into the proper framework, as far as the public is concerned.

I do not say, Mr. Chairman, and I have never said this about any legislation, that it necessarily represents perfection. Heaven forbid! We have not achieved that yet. If we had, none of us would be here at this hour. But I do think it marks a very significant and logical step in the development of the use of television and, eventually, perhaps other forms of communication media within the educational system and beyond in the very broad sense of the word.

So, Mr. Chairman, while I recognize the very sincere interest of the member for Scarborough East in educational television—we have debated these matters for some two or three years. I must say that the amendment that he is suggesting will not, in my view, improve the existing bill that is before this House. Quite frankly, I think it will inhibit the logical and intelligent role of educational television in this jurisdiction.

If the member for Humber (Mr. Ben) were here, I would have some observations to make to him with respect to the economic implications that concern him and his reference to the CBC, and so on. With respect. Mr. Chairman, perhaps he will read it in *Hansard*. I do not think those observations were really totally relevant. I also find it very intriguing that the member for Humber concerns himself with the size of the budget as it exists presently and also his concern for the future. We are all concerned. I just wish he would read back and listen to the words of his own leader, who some few years ago recommended to this House that in one subject area alone we spend more than is presently being spent in the total budget of the ETV branch, and perhaps try to reconcile that with the point of view that he expressed here in this House on this occasion.

However, I recognize, Mr. Chairman, it is not always easy to go back in history to see positions taken in earlier days. I share this concern—we all do—that whatever is done within the economic limitations that are imposed in any jurisdiction. Of course, I think there has to be a substantial degree of economic control.

I think we will develop the legislation, Mr. Chairman, in a way that involvement in the development of the programming itself is really far removed from the minister's office,

as the member for Scarborough East has always expressed this concern and the member for Peterborough (Mr. Pitman), too. We really, Mr. Chairman, will not be involved in the determination of the content. And this is as it should be.

So, with respect, Mr. Chairman, I find it very difficult to support the amendment suggested by the member for Scarborough East. I think the reasons, perhaps, at this point, have now become abundantly clear to him. He may even suggest to you, Mr. Chairman, that he will wish to withdraw his amendment. But perhaps that is asking a bit too much.

Mr. T. Reid (Scarborough East): Mr. Chairman, I would just like to make a couple of comments.

The basic point of the amendment is to do two things: one, to state in legislation that teachers and students in the community have a right to make their own appointments to the ultimate decision-making body over educational television in this province, which would be the authority. I state that categorically and need not pursue it any further. We want the teachers on by right and students' representatives, if not students, on by right, and the community on there by right. We do not want the minister to make all the appointments or, as he chooses to call it himself, the Lieutenant-Governor-in-Council in this regard.

An hon. member: He has a point there.

Mr. T. Reid: The other point of our case, Mr. Chairman, is simply one of accountability and crosschecking. We believe, as a principle of government, that governments have an obligation to set up systems of crosschecks over bureaucracies that they create, and I find in the minister's legislation, no such cross-check.

Hon. Mr. Davis: The House, you, me.

Mr. T. Reid: Finally, yes, change the legislation, abolish OISE, abolish ETV authority. Fine. But is is not an effective day-to-day crosscheck on the programme and operational policies on the board. Can I just ask the minister, in all naivety, I suppose, Mr. Chairman, the following four questions: Why does the minister want to appoint all 13 members of the authority on the board? Why does the minister want to appoint the chairman of the authority and the chairman of the board? Why does the minister want to appoint the vice-chairman of the board and prescribe his duties? Why does the minister want to have this type of power over the programming, the decisions, and operational decisions of the board?

You know, I could find it much more easy to accept his point of view, if in the laws that he is proposing to the people of this province, he gave up even some of the legal control. I suppose, to reduce my argument in questioning to its absurd point, could the minister explain, even in five sentences why—

Hon. Mr. Davis: That is impossible.

Mr. T. Reid: I know it is. With all the other control you have over the appointments, Mr. Minister, why do you want to appoint the vice-chairman of the board and prescribe his duties? I cannot understand that. Can you give me just one reason why, with all this other power in appointing everybody—the chairman and so forth—and having people you actually pay on the board, which gives you the ultimate power over them because you can fire them as civil servants to get them off the authority and the board—with all that power over this authority, Mr. Minister, why do you also want to appoint the vice-chairman of the board; not only just to appoint him, but prescribe his duties? I find that so incomprehensible in terms of the objective.

Hon. Mr. Davis: Mr. Chairman, I do not want to prolong this, and I cannot do it in five sentences or less. This would be very difficult. I would hope that during the debates of The Department of Education estimates, maybe we would get into the rather contradictory philosophy of the member for Scarborough East as it relates to centralized control and decentralized control. Because I am at a loss some days to determine whether he is in favour or against. I must say this to him: I sense it will all depend on the political expendiencies of the particular situation in which he is interested.

Mr. T. Reid: But why do you want to appoint the vice-chairman?

Hon. Mr. Davis: Now we will get around to the vice-chairman. It is not a question of power *per se*; it relates to the procedures whereby the government will be appointing the chairman and the vice-chairman. Their prescription of duties is quite relevant. It appears in other statutes with other organizations so that we can determine specifically for vice-chairman those areas of his responsibility to minimize any procedural or administrative difficulties.

I would think that the member for Scarborough East would at least recognize the consistency in this approach to it, and I see nothing really illogical or contradictory in what we are doing. It is not a question of power; it is not a question of control over curriculum or programme content whatsoever. It is basically a question of developing a procedure or structure whereby we can intelligently develop educational television for the total use of this province and we think this is the best way of doing it. It is as simple as that.

I guess as long as we think certain things on this side of the House and the gentlemen opposite think differently, we will have these differences of opinion. This is what makes the process work. But I hope the member for Scarborough East will recognize that perhaps there are occasions when members on this side of the House have as much logic supporting their arguments as he has in supporting his. Some days, more so.

Mr. B. Newman (Windsor-Walkerville): You still did not give him a reason, though.

Hon. Mr. Davis: Well, it was more than five sentences.

Mr. Chairman: All those in favour of Mr. T. Reid's motion will please say "aye"?

Those opposed will please say "nay"?

In my opinion the "nays" have it.

Do you want to stack this vote along with any other that might arise?

Mr. T. Reid: Mr. Chairman, we would like to vote on this particular amendment and then, as far as we are concerned, we will propose other amendments but not insist on standing votes. We would like to vote now.

The committee divided on Mr. T. Reid's amendment, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 15; the "nays" 47.

Mr. Chairman: I declare the motion lost.

Section 2 agreed to.

Will there be any further discussion or amendments on this bill.

Some hon. members: Yes.

It being 6:20 o'clock, p.m., the House took recess.

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Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY

House in committee on Bill 43, An Act to establish the Ontario Educational Communications Authority.

Mr. Chairman: Just before the dinner hour, we carried section 2. Is there any discussion or amendment or question on any other section of the bill, and, if so, which section?

Mr. T. Reid (Scarborough East): Mr. Chairman, I wanted to say a few words on section 3.

Mr. Chairman: Section 3, yes.

Mr. T. Reid: I would like to suggest to the minister that in section 3, subsection (b) he might consider making quite clear that, included in the meaning of the word "research", is systematic evaluation of the educational impact of educational television programmes on the students. I think the minister is well aware that I do not think the way in which he evaluates the effectiveness of even present ETV programmes is very good in terms of a systematic approach to the question. So I was wondering if the minister would enlarge upon his meaning of "research" in this context.

Hon. W. G. Davis (Minister of Education): Mr. Chairman, there is really very little point in my enlarging on the definition of the word, "research", as it appears in a bill. The word, "research", in my view obviously can include many things, including the systematic evaluation of any programme in subsection (a).

I would also point out to the hon. member that under section 3 (c), which is a sort of omnibus clause, there are provisions there that, if there is something that emerges that is not spelled out specifically in (a) and (b), the authority can deal with it. I do not think there is any question that this is a matter of policy of the authority. The word "research" could include it. Clause 3 could include it. I do not think there is any difficulty with it.

Mr. Chairman: The member for Peterborough.

Mr. W. G. Pitman (Peterborough): Perhaps this is not the proper section, Mr. Chairman, but I think the relationship of the advisory council to the board is particularly important. I am wondering if there is enough indication in this section on the objects of the authority on which they will be expected to keep in close contact with those advisory committees. They will be hearing briefs and hearing the views of these advisory committees, who, in turn, will be hearing, I would hope, from the community. I am just wondering whether that is spelled out sufficiently in the legislation as it now stands, in spite of the section which has been added, the omnibus clause which has been added into subsection (c) of section 3.

Hon. Mr. Davis: Mr. Chairman, I do not think there is any doubt that section 3 (c) would include this. I think, once again, the involvement of those wishing to make representation, and so forth, is a matter of policy to be developed by the authority. There is no question that the objects are sufficiently broad enough to include this; none whatsoever.

Section 3 agreed to.

Mr. Chairman: Any other comments on any section of this bill?

Mr. T. Reid: I have some comments on section 6.

Mr. Chairman: Section 6. Anything before section 6? All right, the member for Scarborough East.

Mr. T. Reid: Mr. Chairman, I move that subsection 1 of section 6 be deleted and the following substituted:

> The authority shall appoint the chief executive officer of the authority at such remuneration and upon such terms as the authority approves.

Subsection 1 of section 6 new reads, "The chairman is the chief executive officer of the authority—and so forth."

The purpose of the amendment is quite clear. It is to leave the decision on who is the chief executive officer of the authority to the authority itself, rather than putting the

authority in the box, if you like, of having to have its chairman as the chief executive officer. The amendment, however, Mr. Chairman, does not rule out the possibility that the chairman could become the chief executive officer, if, in the wisdom of the members of the authority, that was thought desirable.

The concern I have with making the chairman the chief executive officer by legislation is perhaps partly based on personal experience, but I think it also could be—and some people would consider it to be—a conflict of function between a chairman's function and the functions of the chief executive officer of such a body.

For example, the authority, under the chairmanship of the chairman, might decide that it wanted a certain policy implemented and would instruct its chief executive officer to implement that particular policy. If, therefore, the chairman is to remain objective in terms of evaluating the performance, along with other members of the authority, of the person designated to execute the decisions of the authority, then he cannot himself be that chief executive officer.

Therefore, I would like to see that section loosened up, if you like, to enable the authority to make up its own mind on the possible conflict of function as I have just described it.

Mr. Chairman: Any further discussion on this amendment?

All those in favour of Mr. Reid's motion, will please say "aye".

Those opposed will please say "nay".

In my opinion, the "nays" have it.

I declare the motion lost.

Section 6 agreed to.

Mr. Chairman: Any further discussion, amendment or question on any other section of this bill?

Mr. T. Reid: I have some comments on section 9, Mr. Chairman.

Mr. Chairman: Section 9; anything before section 9?

All right, the member for Scarborough East, on section 9.

Mr. T. Reid: Mr. Chairman, I move that in section 9, the following words be deleted:

> —and may pay the members thereof such fees for attending meetings as may be fixed by the Treasury Board of Ontario.

With the deletion of that phrase from the section, Mr. Chairman, the section would read as follows:

> The authority shall appoint such regional councils and such advisory committees as it considers necessary to advise it in developping the policy and operations of the authority, and such members are entitled to be paid reasonable travelling and living expenses necessarily incurred on the business of the committee.

Mr. Chairman, the amendment is based on the belief or feeling or opinion that members of these advisory committees should not be paid fees for their service; they should of course have all their expenses covered. My feeling on this is that for this type of advisory committee or regional council, we do not need to establish a fee structure for the people serving on them.

I would hope, for example, that many people serving on these councils or advisory committees would be teachers, and I consider this type of participation in educational television to be part of their function as teachers. I fail to see why, when we set up these bodies —set up such advisory committees—we somehow assume that the only way we can get good people to serve on them is to pay them a fee. I do not think that there is any penalty attached to not paying a fee to them. I think the feeling that they are doing it for educational reasons, as opposed to getting even a bit of moonlighting money, is a good reason to eliminate the payment of fees.

Mr. Pitman: I do not want to speak on that.

Mr. Chairman: You want to speak on that point?

Mr. Pitman: I do not want to.

Hon. Mr. Davis: I want to turn briefly to the amendment. As it was discussed in the committee, it is a permissive section. The authority may pay the members thereof such fees for standing or for attending meetings. In this permissiveness also there is nothing to prevent somebody, if the committee is being paid a fee, to not accept a fee—there is nothing in the law that I know of which forces somebody to accept something.

Mr. T. Reid: Just a comment on that, Mr. Chairman.

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid: I think my view is a very simple one. It creates sort of an attitudinal

environment in which one becomes a member of such advisory committee and I think it is putting that attitudinal environment in the wrong context for this type of function. And I see it—if you like—representing something deeper. It represents by payment of fee if you like, a perpetuation and a widening if you like, of an educational bureaucracy in this area. So I disagree with the minister on that.

Mr. Chairman: The member for Peterborough.

Mr. Pitman: I would like to just say a word or two on this section, perhaps to draw the minister out on this a little. As perhaps the House recognizes, my feeling on these regional councils and advisory committees is that really the wider community can become involved in educational television in Ontario. It is for that reason that I am particularly concerned.

I would like to know one or two things—first, how many regional councils the minister would think that the authority would set up, or is that something he would leave up to the authority? Is he also leaving up to the authority what the advisory committee will establish, and in what areas it will establish its advisory committee?

I wonder also if it is not being left up to the committee, whether there shall be advisory committees or not.

Hon. Mr. Davis: There shall be.

Mr. Pitman: There shall be advisory committees. I wonder if the minister could indicate whether there is provision in the Act to ensure that setting up these advisory councils and regional councils of the advisory committees is well publicized, so that various groups and organizations and individuals will have an opportunity to submit their names to apply for representation on these advisory committees? That is, I do not look upon these advisory committees as being peripheral. I think they are central to the recognition that educational television in Ontario is for Ontario and that it is involving the total community.

Hon. Mr. Davis: Mr. Chairman, just again, very briefly. I really do not think it will be necessary to undertake any great publicity campaign to invite those groups who are interested in regional councils to let us know of their interest. I think this is already very much in their minds and in ours.

With respect to the advisory committee—once again, we have a number of advisory committees already functioning related to the work of the ETV branch. Of course, we have had this procedure with respect to the curriculum section of the department, and I do not really think we will have to conduct any massive publicity campaign to let people know that we are going to use the advisory committees in a meaningful way. Just what direction they will take—the subject areas or the specific responsibilities or the numbers—I think it would be premature, Mr. Chairman, really, and encroach upon the responsibilities of the authority to start to make these determinations at this moment. Of course, any figure we suggest tonight could be substantially different two years from now.

Mr. Pitman: Mr. Chairman, in view of the fact that so many of those who are vitally and profoundly concerned with educational television have graced the House with their presence, perhaps I might, through you and through the minister, indicate to them that this is not peripheral. It is extremely important to many people in the province that there be a full opportunity for this kind of participation and involvement. I just hope, because of the hurry to get channel 19 on the air and to get this educational television authority through, that we will not create a limited input which will make it impossible for us to expand later. I realize the importance of getting things on the road but I am also hopeful that this will not create a restricted kind of authority to run the machine, so to speak, and it will really be something which will provide the widest kind of participation.

Mr. Chairman: Any further questions then?

Those in favour of Mr. T. Reid's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost.

Section 9 agreed to.

Mr. Chairman: Any other comments, questions or amendments to any other section of this bill?

The member for Scarborough East.

Mr. T. Reid: Yes, I have an amendment to section 12, Mr. Chairman.

I move that subsection 1 of section 12 be deleted, and the following substituted:

> The authorities shall make an annual report, including any minority reports of any of its members, to the minister upon the affairs of the authority and the minister shall commit the report to the Lieutenant-Governor-in-Council and shall then within

one month lay the report before the assembly if it is in session, or if not, during the first week of the next ensuing session.

The concept behind this amendment, Mr. Chairman, is simply, if you like, to encourage open discussion of the programmes and policies of the authority, by the members of the authority. These are all appointed by the minister. And to write into the Act, if you like, Mr. Chairman, the concept that what is not necessarily required from the authority each year is a report which represents a consensus of all the members of the authority.

In other words, the legislation would establish the principle that it would be possible for a report to say that, hopefully, the members who have been appointed by the minister from the Ontario Teachers' Federation felt that the direction of educational television should be more toward this area than it was tending to go. Perhaps if the minister, in his wisdom, actually put some students on they might be able to say in the annual report without trying to get a consensus within the authority that they felt that perhaps educational television policy programmes and so forth should be geared more to some other type of education—perhaps in the field of drugs.

The one point here is to realize that there are very good arguments against this proposal, but the proposal is to enable a report to come to the minister and eventually to the Legislature which includes minority positions taken by the various members of the authority.

I think we have, perhaps, reached the stage of sophistication, Mr. Chairman, where this can be looked upon not as a divisive state of affairs where one has minority reports, but something that is constructive and leads to an open dialogue on very fundamental issues in education.

Another aspect of the amendment simply tightens up the time period in which the minister must lay before this assembly the report he received from the authority. Again, it is a concern we in opposition have in a number of other areas, whereby we would like to have such reports almost immediately after they have been received by the minister. As I remind the minister, we like to have his reports about University Affairs and Education before we do his estimates since it improves the quality of debate, one would hope, on such issues.

The amendment, Mr. Chairman, states that the minister shall within one month after receiving the report from the authority, place it before the assembly if we are in session or if, for example, such a report came down in the summer and we met in October, he would have to place it before us within the first week of that ensuing session.

So there is an attempt, Mr. Chairman, to open up discussion, if you like, of policies; of putting into the bill a concept that it is quite proper for members of the authority to disagree on certain issues without resigning from the authority in order that we can have full and open discussion on fundamental issues in education.

Mr. Chairman: Any discussion on this from the hon. minister?

Hon. Mr. Davis: Nothing really. We discussed this at the committee before, and as the member himself pointed out there are many good arguments why his amendment really should not be approved. Rather than enumerate them for him we will just take it as said that there are very many good arguments as to the impracticality of this.

In my tenure as minister of this department, I have never found the academic community, or any other group, reluctant to comment if they have some constructive criticism to make of any policy relating to the field of education. And I certainly do not anticipate any difficulty in this regard.

It has also been the policy of this department, Mr. Chairman, when reports become available, the minister's report, if the House is not in session, to make this available to the hon. members. I can tell him now that I expect the report of the Minister of Education to be available in the next couple of weeks and I will have it delivered to him specially so he can spend the summer months in quiet contemplation, reading that very interesting document so that we will all be prepared for October—

Mr. Pitman: Send one to me too, will you?

Hon. Mr. Davis: I will, because chances are we will not get to it before Friday of this week.

Mr. T. Reid: Send it to the Laurentians.

Hon. Mr. Davis: The Laurentians? Okay.

Mr. Chairman: Ready for the question?

All those in favour of Mr. Reid's motion will please say "aye." Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost.

Section 12 agreed to.

Mr. Chairman: Any other comments, questions or amendments to any other section of the bill?

Bill 43 reported.

Clerk of the House: The Honourable, the Lieutenant-Governor recommends the following:

That,

—the expenditures of the regional municipality of York, during the year 1970, as approved by The Department of Municipal Affairs, shall be paid out of the consolidated revenue fund, as provided in Bill 102, An Act to establish the Regional Municipality of York.

Resolution concurred in.

REGIONAL MUNICIPALITY OF YORK

House in committee on Bill 102, An Act to establish the Regional Municipality of York.

Mr. Chairman: There are some 180 sections in this bill. Are there any comments, questions or amendments to it?

The first 10 sections shall we say?

Mr. D. M. Deacon (York Centre): Section 2.

Mr. Chairman: Anything before section 2?

On section 2, the member for York Centre.

Mr. Deacon: Mr. Chairman, at the outset I want to reiterate what we have been trying to achieve in every regional municipality that has been organized in this province to date.

First of all, let us look back at the situation in Metropolitan Toronto and what was done when the boundaries of Metropolitan Toronto were formed. The old city of Toronto with a well-established core, with a well-developed base of assessment, had a high rating insofar as being able to obtain funds and to borrow funds for municipal services. The demand for funds by the city was not all that great, although it had a lot of programmes within it for renewal of various works. But it had a wonderful financial reputation and it always knew that it could borrow on the market with that reputation and that record and with the position the city was in insofar as development and obtaining funds was concerned.

That was not the case with regard to the areas around Metro, around Toronto itself: Etobicoke, going up to the north in York township, North York, Scarborough—even East York, the last not nearly to the same degree—but certainly Scarborough, North York and Etobicoke were facing serious problems in their ability to raise money to service the needs of the people who were moving into these developing suburbs.

And so the province saw the opportunity of building a much stronger financial base by forming a single municipality of Metropolitan Toronto which included the centre core with the strong assessment base, the excellent integration possible through an overall regional planning and development concept as a basis for regional government, the first regional government in this province and certainly one of the first in the world.

It was very successful because in the boundaries were included not just the developing suburbs—the bedroom community—but also the developed core. That first experiment in regional government was very successful because it provided in its boundaries that centre core of developed assessment, that solid financial base.

Let us look at Ottawa-Carleton. We have had the same thing happening. The city of Ottawa, which had not been within the county of Carleton, was placed in Carleton under the new regional government bill which was brought into Legislature two years ago. Despite many problems of other types they have had in the area, Ottawa-Carleton does have a good base from which it can go ahead and finance development in the outlying bedroom communities because their assessment is all pooled; the revenues that are coming from the federal government in lieu of taxes are all available to the overall region and therefore the new municipality of Ottawa-Carleton has a good solid financial base on which to finance its growth and development.

Look at the Lakehead—two separate cities brought together with outlying regions. As a result of their being brought together a much improved financial base is provided for. Niagara—the same thing. The separated towns and cities were brought into the two counties as they were brought together and there we have again another example of where in the formation of regional government the new community has benefited because the overall developing area is brought into one single unit for financing purposes.

I have quite agreed with the minister over the last two or three years when he said that

we should not be expanding Metro's boundaries because we are just continuing to have ever-larger circles around this huge metropolis called Metropolitan Toronto. The growth, the influence of this metropolis is bound to keep on expanding. But for us to include it into a single municipality within the province would completely distort the degree of power and influence of what we have here as a single municipality.

It just is not a good idea in the overall balance of the provincial scene. What we have to provide, surely, is something larger than what we had before in a county which back in 1954 had been stripped of some very important assessment by the formation of Metropolitan Toronto; because in 1954 when Metropolitan Toronto was formed, out of the old county of York was taken some of what are now the very developed, highly developed areas of Metro.

Back on April 1, 1969, the minister called together all the representatives of the county, including the representatives of boards of education, planning boards and others, and he announced, among other things that York's boundaries were to expand north and east. Parts of Ontario and Simcoe were likely to join it. He said the county should form the basis of the new region, with a possibility that areas beyond York would be added. Thus he did think of bringing some additional assessment into it, whether or not that assessment would be of any real value in financing the future growth.

The minister confirmed his strong previous position that Metro's northern boundaries should not be extended and he felt, because of the reasons I have already mentioned, that Metro should not be expanded at that time. He said there would be no change.

In this bill specifically, if we read the boundary descriptions, there is not any change. We have not had anything added from Simcoe and Ontario. But what really amazes me is that despite the fact that we are not making any change, we are really not doing anything at all in this bill to help the region that is supposedly being put in a position to face the future and the future demands of growth and development.

Because of that I think the boundaries that we have in this bill are very deficient. There should be some means of either providing in this first clause additional developed assessment base for the region, if we are going to parallel the previous regions, or we are going to have to have some alternative, somewhere else in the bill, that provides the financial assistance necessary to cope with the growth of this outlying area.

In every other case the minister did bring in somethng as an alternative. There is nothing here in the way of specific programme in this bill that says what he is going to do to make up for the fact that in section 2 there is no added developed assessment base. There is nothing here that is going to assure the York people, as development proceeds in that area along the northern corridor to Barrie and Midland, as development proceeds in the little centres of Woodbridge and Markham, that they are going to be able to cope with financing growth.

In every other region the purpose of forming the region is so it would be possible to deal with the growth. So I ask the minister, why is it that in this particular bill he has come forward with these same boundaries and there is nothing stated here that compensates in any way to cope with the growth as he provided in the other regional government bills? I am asking the minister to explain.

Hon. W. D. McKeough (Minister of Municipal Affairs): I do not think that we have provided in other bills to cope with the growth in any way, shape or form. Certainly I do not regard the boundaries of any of our regional municipalities, or reorganized municipalities, as fixed for all time. I indicated this in the speech which we made to York county and I think, as there are discussions in adjoining counties, in Simcoe and Ontario and Dufferin, that there may be some alteration in the outer boundaries in the years to come, either one way or the other. I am not prepared, at this point in time, to indicate because I honestly do not know which way those boundaries may move.

Mr. Deacon: Mr. Chairman, the minister said they did not make boundaries or form boundaries to cope with financial needs; then why was the city of Toronto brought into the Metro region? Just for planning? They could have given them planning control, but why was it brought in for borrowing capital purposes? Tell me. So why was it done then?

Hon. Mr. McKeough: The city of Toronto?

Mr. Deacon: Why was the city of Toronto included in Metropolitan Toronto for borrowing purposes? Why was it that the province directed that this city could not borrow on its own, that it had to do all its borrowing and it had to lend its guarantee to the borrowing of the overall municipality?

Hon. Mr. McKeough: Well, I certainly do not think that it was to cope with growth because growth was already there. If the member wonders why the 13 municipalities, including the city of Toronto, were formed into one then I would say to him in all conscience: "Look around you."

Mr. Deacon: Mr. Chairman, it is interesting that he said, "Look around you." Certainly, we can see the results, but if he could remember back and recall back to the days of 1954, he would recall that the municipalities of Scarborough and North York and the other bedrooms at that time, suburban municipalities, were not in a position to borrow money. They could not do any borrowing. They were bankrupt—not exactly bankrupt at that time, but they were facing the possibility of not being able to service the growth that was taking place in the area.

They could not finance the schools. They could not finance the service work. There were dry taps in North York. It was not just because of the engineering, it was because they could not pay for what they needed to put in.

In this particular case the circle has gone farther out now. We have now filled in the large areas that formed Metro and North York and Scarborough and these new areas that are being filled in are surely, or are now, facing the same problems. But is the minister not aware of the fact that just as important as planning is taking care of the financial requirements of the areas that he is now suggesting be in this region—that they have got to be able to stand on their own feet? Has the minister not got any answer for that?

Mr. Chairman: Any further discussion?

Mr. Deacon: It seems to me that the minister just does not want to face up to the question. He is putting together here something that has no possibility of doing anything of any real value to the people in the area north of here. Sure, he is providing a planning board, which we will deal with later on, but there is no financial base being formed here within these boundaries to look after the growth in the northern areas up that corridor that he has designated. That fine fancy plan is going to mean nothing if there is there is not the means, the muscle, the financial strength to cope with it.

I am appalled at his refusal to face up to the fact that he has left out of this region what has been an essential part of every other region that has been successful to date. Of course, they have been successful in that they have been able to finance the growth and finance the services that have gone along with growth.

Mr. R. Haggerty (Welland South): Not in the Niagara area. They are in financial trouble in the Niagara area.

Mr. Deacon: Are they in financial trouble in Niagara? They cannot borrow? Well, he has not provided sufficient financial strength there. York is going to be that much worse because of the boundaries he has set here.

The minister did refer to the work of the select committee on taxation in 1968. The select committee suggested there should be a means of providing this financial balance in growth areas. In the municipalities or boundaries he has got here there is no strong industrial core. There is nothing to provide a basis for financing. There are several ways that it can be provided.

One way that I suggested at the time of the select committee was a programme which would provide municipalities with a type of grant—let me see if I can find this—that would go along with new housing, as it was built to compensate for the fact that low-cost housing cannot on its own base, on its own ability to pay taxes, pay for the services in a developing region.

If, for example, the minister were to provide a system of subsidies which would decline over a 10-year period, and would be much higher on a low-cost house than on a medium-cost house and not be available on a higher-cost home, as this certainly should be able to stand on its own feet and pay its own way, it would mean that the municipalities along the Yonge Street corridor and in these growth centres would be able to agree to subdivisions which had a mixture of high-cost and low-cost housing without fearing bankruptcy and financial astringencies, such as that faced by the township of Pickering.

If the minister takes a look at the system used in mining municipalities at this time, he will find that there are grants made to mining municipalities which, in effect, provide an alternative source of income for the municipalities to make up for the fact that the people in those homes in those municipalities do not have assessed property or very little assessed property. Most of the miners are working in situations where there is no revenue from the place of their employment.

The grant system in those mining municipalities means that the municipality has other revenue from the industry that makes up for

the taxes which cannot be expected to be paid by the resident miner. There are small homes and therefore lower taxes, but the cost of providing education and the services are still there.

I suggested that there be a type of grant programme for all municipalities which goes as follows. It is not reasonable to expect municipal councils—

Mr. Chairman: Order, please. Are you dealing with section 2 as it appears in the bill?

Mr. Deacon: That is correct. We are dealing with section 2 which has nine—

Mr. Chairman: As it appears in the bill—

Mr. Deacon: Section 2 of this bill which deals with boundaries of municipalities of this new region—

Mr. Chairman: As the boundaries appear in this bill—

Mr. Deacon: The new boundaries of this new region do not include any developed assessment that every other regional government had, I am trying to point out a type of programme which, if the minister had somewhere in here to make up for this boundary deficiency for which he is not revealing any alternative, I say we would be quite happy. But here we are dealing with these boundaries and we do not see anything being added to this region in the way of developed assessment which will enable it to cope with the future of the region.

Therefore, Mr. Chairman, I wanted to proceed with this.

Mr. Chairman: Yes, we are dealing with section 2 as it appears in this bill—

Mr. Deacon: That is right—the section dealing with boundaries.

Mr. Chairman: —not some imaginary sections somewhere else.

Mr. G. Bukator (Niagara Falls): Section 2, part 1—which part?

Mr. Chairman: No, I mean section 2 of part 1.

Mr. Deacon: That is right. Section 2, part 1, which deals with the area of municipal boundaries. The problem is the fact in every other region, municipalities included the developed core of the region. The developed core of this region is Toronto, but it is not available to us. This is the reason we are forming without any base whatsoever of developed core. I am bringing in the points that are in relation, Mr. Chairman, that are necessary to be considered if we are not having these boundaries changed. The Minister does not suggest there are any changes in boundaries to meet these needs. Here we have a bill of new regional government that is supposed to be able to meet the needs of the future.

A form of subsidy as that cited below would have avoided the present financial crisis of the township of Pickering. Our proposal would give municipalities a period of time in which to attract commercial and industrial development. In Scarborough the time lag for this to happen proved to be five to 10 years after that municipality's extensive construction of low-cost housing. In the interval, Scarborough was principally a dormitory for Toronto employees and was only saved from a financial strain similar to that of Pickering by the formation of Metropolitan Toronto.

The subsidy we recommend would be based on the mill rate as applied to residential assessment. It would decline over a 10-year period to zero and would also be less as the value of the homes constructed increased.

The value of construction excludes the price of the serviced lot that is shown below so that the range of essential housing is provided for and the unique financial crisis that the township of Pickering faced would be resolved if we applied this formula in the new York region. Examples using the formula here show that a grant equivalent of about 150 per cent is paid on homes that cost less than $10,000 and these range down to about 30 per cent subsidy on home construction of $16,000 to $18,000. These subsidies declined to zero over a 10-year period.

I asked the Minister of Trade and Development (Mr. Randall) to look into this to help solve his problems of low-cost housing, because he will, no doubt, be looking into this new York region for places to put low-cost housing. The Minister of Municipal Affairs' reply to the Minister of Trade and Development is interesting when he asked the Minister of Municipal Affairs' opinion on this type of subsidy. The latter said:

> Thank you for sending me a copy of the memorandum that you wrote to Mr. Suters on the subject of Donald Deacon's comments on municipal assessment in balance. There is some logic behind this suggestion. However, the situation is not really so simple and I am not at all sure that he is on the right lines. I think he identifies the real problem when he contrasts the respective

situations of Scarborough and Pickering. Scarborough's problem was solved when it became part of a larger unit while Pickering remains in the county system and keeps its financial problems.

And that, in itself, is a very interesting illustration how the minister has no concept of what the situation really has been.

Scarborough's problem was solved because it became part of a larger unit which had developed resources and an assessment base. Pickering would have the same thing if it added some strength through the financial resources of Oshawa. But he has not done anything here in York. He has just left us with the same boundaries, primarily a bedroom community in an agriculture and recreational region. In spite of this he has provided no basis to go ahead.

Mr. H. Peacock (Windsor West): You will have to rescue it in another five or 10 years.

Hon. Mr. McKeough: Rescue what?

Mr. Deacon: Sure he will. It will be a worse place then because they will not have any bargaining power to work from. They have it now.

Mr. Peacock: Just like you had to rescue south Windsor.

Mr. Deacon: This question that the minister goes on is very closely—

Hon. A. Grossman (Minister of Correctional Services): As long as this government is here we will rescue them too, if necessary.

Mr. Peacock: One day the Prime Minister (Mr. Robarts) is going to let go and you will sink.

Mr. Deacon: The minister says this question is very closely linked with larger municipal units which enables the benefit of commercial and industrial establishments to be spread over the whole of the area that is served. He is quite right. But tell us where the commercial industrial assessment is in this region?

The minister says it could be a mistake to erect a subsidy system and encourage the establishment of small self-contained municipal units, but nothing of that sort was suggested. Such a system would only intensify the competition between municipalities to attract industry for the sake of its assessment, regardless of whether it is good or bad planning, good or bad economics, and so forth.

I do not suggest that these regions should be small, petty little municipalities, but I do suggest that any region that is formed should have the industrial-commercial assessment base or have some other provision that the minister spells out in the overall programme to make up this very serious deficiency. I suggest that the minister is really making a great mistake in not looking after this need—because here in the Toronto-centred region plan "Design for Development" we see the outlines and discussion about development to the north.

The way the statement describes it here it suggests zone 2 developed by small urban areas north of Metropolitan Toronto toward Barrie. Then, of course, another area describes the corridor up to Barrie and Midland which is developed, and yet there is no provision here for coping with the growth in that north region as suggested in the Toronto-centred region "Design for Development."

Another quote is very interesting in the minister's guide for the southern boundaries of the new region. In fact, as has been noted before at the time of the original York announcement, he said his position is that the Metro northern boundary should not be extended. He does not specifically change it in this particular clause, but we have had statements from him that have certainly indicated that he proposes to change the southern boundary to Highway 407. Somehow or other some magic negotiations are going to take place after two or years or so—or during the next two years—so that the new region will have full compensation for the assessments that it will lose. It is going to be interesting to know how it is going to make up for the assessment of some 23½ per cent of its industrial assessment it loses.

It is interesting to read that the total county industrial assessment is $247.8 million. The proposed area of Markham township, south of 407, has $29.7 million of that $247 million total and Vaughan $28.4 million. A total of $58.1 million, south of Highway 407 or 23½ per cent of the total industrial assessment in the York region would be lost to Metro, whereas the number of people becoming part of Metro will be in the order of 20,000 people—or roughly 14 per cent of the total population. So it loses a very heavy amount of its industrial assessment under the proposal the minister has announced, and it does not lose the same amount of people, percentage wise at all. So any small industrial commercial core that we have in this region we are losing under this fancy plan for a York region that the minister has

rammed together here during the last 13 months, without proper consultation and preparation.

The situation that we leave the people in the area of Thornhill, is rather pathetic as a result of this statement by the minister. He says that he is going to move the boundary up to 407 so the people who have for many years been left straddling the divided Yonge Street corridor are going to have no benefit as a result of this plan. Yet the minister said in the Aurora *Banner* at the time of the announcement of this plan that it is essential for orderly development that we create municipalities which have jurisdiction on both sides of Yonge Street. Yet in this section 2 of part 1 it describes the continuation of municipalities which have jurisdiction on each side of Yonge Street but does not cross over Yonge Street. Thornhill is one of those most affected. It is a pity that the minister has not taken care of these Thornhill people in his bill.

I well remember back in the days when I was on the Markham township council that the three trustees from Thornhill would come over to our council to get some agreement for some programme they wanted to institute. Then they would have to go over to Vaughan township and try to get a similar agreement from that township.

They were always straddling the middle, always having great difficulties. These people in Thornhill were delighted when they heard the minister say we were not to have Yonge Street as a boundary any longer. He was going to change that. Then they come along and see this bill and they are not only left with Yonge Street as a boundary line between the two municipalities, a continuation of that, but they are told that for two years they are going to be in a no-man's-land. Nobody is going to looking after them.

Here we have Thornhill, a village of great history, charm and character. It had a great community spirit over the years with many recreational activities and active community groups of various types. They have had to put up with a lack of cohesive planning in the past, but they have somehow maintained a very high calibre of a community despite all the difficulties they worked under. But now they find when they go to Vaughan council or Markham council for something to be done, the council will say, "Sorry, but you are not going to be with us after a year or two, so you are just going to have to do without."

These people in effect are going to be disenfranchised by the minister's proposal and, not only that, they are threatened with the thought of having to go into Metro. Well, Metro would not be so bad in many people's points of view, but it is only one person in four in that municipality of Thornhill who wants to go into Metro. It was interesting last year when I did a survey of the area that three people out of four said they wanted to stay out of Metro.

When I talked to the homes that said they wanted to go into Metro, I found the only reason they wanted to go into Metro was because they wanted to have assurance of services. They did not want to have dry taps; they did not want to have problems with the sewage. A lot of them were in areas where they could not get sewage service because they were on the Vaughan side of Yonge Street. They thought that one way they could solve these problems was if they went into Metro. But they did hate the thought of being lost, of that community being swallowed up and lost in Metro.

Yet that whole community of Thornhill is quite a substantial community today with 20,000 people, and the area described by the boundaries of Thornhill—the area lying between Highway 404 and Bathurst Street and the area lying between Langstaff, or Highway 7 and Steeles Avenue—is quite a substantial area. It is an area that could hold a great many more than 20,000 people and I am sure in a few years it will. I think there is only one way to cope with the problem that these people face and that is to make them into a new corporation.

This whole question of the internal boundaries was done in such a rather strange manner, where the minister gathered together his inner municipal committee and he let them argue back and forth as to what the boundaries should be. It is interesting that he ignored the recommendations of the chairman—I think that is his title—of the Oshawa study, Mayor Des Newman of Whitby. He set them out quite clearly in that talk he gave up at the Ontario Science Centre at the provincial-municipal conference, where he suggested:

> I am therefore proposing for the government's consideration that in the predominantly rural areas of this province—

And certainly that is what the province wants to make of this York region, which is predominantly rural.

> —they proceed with regional government by using the existing counties as the region except for a few counties which are so small as to be obviously devoid of any

reasonable financial bait. In this regard, I am far more persuaded by the work of Professor Donald Rowat of Carleton than by the work of the Smith committee.

Further, that the province then invite the elected and appointed people in those defined regions to discuss and to recommend to them by a certain date how they would change their inner boundaries by voluntary amalgamations within a framework of more flexible guidelines than those proposed for the urbanizing south.

Further, that the province provide reasonable financial assistance to those county regions—say $50,000 each—to cover the retaining of expert advice to assist them in setting of their inner boundaries.

And I thought that was a very level-headed suggestion, and as a matter of fact a suggestion that a group of us made to the minister with regard to this York region, not just with regard to boundaries, but with regard to the whole organization, that he has in his bill—

Interjection by an hon. member.

Mr. Deacon: I realize that. That is the way you should work with people, not just having a department lay it all down. As I mentioned, these people in Thornhill, because there has been no study, are left in a bad way and I suggest that we could correct it by amending clause 2 as follows:

The second paragraph of the subsection be deleted and the following be substituted therefor.

Commencing at the westerly limit of Highway 404 and the southern boundary of the township of Markham—

Mr. I. Deans (Wentworth): Where are you? What page?

Mr. Deacon: Clause 2 in the second paragraph of subsection (e) with regard to boundaries in the township of Markham. That would be clause—

Mr. Deans: Have you a copy?

Mr. Deacon: I have extra copies here.

It is on page seven, starting at the top of that second paragraph, of subsection (e). I move that it be deleted and the following substituted therefor:

Commencing at the westerly limit of Highway 404 and the southern boundary of the township of Markham.

And all words in subsection 1 (e) after "to" in the second paragraph of paragraph six be deleted and the following substituted therefor:

The southern boundary of the township of Markham.

And the new subsection 1 (j) be added as follows:

The portion of the township of Vaughan and the township of Markham described as follows are annexed to form the corporation of the town of Thornhill:

Firstly, part of the township of Vaughan commencing at the centre line of the road allowance between concessions 1 and 2 in the southern boundary of the said township of Vaughan;

Thence easterly along the southern boundary of the township of Vaughan to the southeast angle thereof;

Thence northerly along the easterly boundary of the township of Vaughan to a point in the easterly boundary of the township of Vaughan where it is intersected by the northerly limit of King's Highway 7.

Thence westerly to and along the northern limit of Highway 7 to the centre line of the road allowance between Concessions 1 and 2 of the said township of Vaughan.

Thence southerly along the said centre line of road allowance between Concessions 1 and 2 to the southerly boundary of the said township of Vaughan.

Secondly, part of the township of Markham commencing at the southwest angle of the said township.

Thence easterly along the southern boundary to the easterly limit of Highway 404.

Thence northerly along the westerly limit of Highway 404 to the northerly limit of King's Highway 7.

Thence westerly along the westerly limit of Highway 404 to the northerly limit of King's Highway 7.

Thence westerly along the north limit of the said Highway 7 to the west boundary of the township of Markham.

Thence southerly along the said boundary to the point of commencement.

Now, in effect, by this motion, we would be forming the corporation of the town of Thornhill, and if at such time in the future the minister wished to have this town moved into Metro, it already could have a municipal council, have an administration that would be looking after the people in the area that, in time, could form a very substantial population. Even at this stage the population within those limits is around 20,000. At this date

that is the developed, well-developed portion of the area that the minister proposes to annex into Metropolitan Toronto. It would make it much easier for those people in the intervening years to be sure that they are taken care of.

It would not be at all out of order to see that area maintained in the long run as a borough within Metro because it would have substantial square miles, a substantial area as you can see looking at the map, and it certainly would enable us to have and maintain in the future a character of a village of old which could certainly build an even stronger community spirit than they have there now.

The only other solution I can see to this is either to have Richmond Hill move down and take care of the area, or to allow Vaughan and Markham amalgamation to continue. But in neither case would that satisfy the problem that the Thornhill people face because of this no-man's-land position that the minister has put them in. I therefore urge the minister to consider approval of the changes in the southern section of these boundaries as described in this clause 2, so that Thornhill does have a future, particularly over the next few years, which makes its life worthwhile.

Mr. Chairman: Perhaps I had better put the motion before the committee.

Mr. Deacon has moved that section 2 be amended as follows, as read by the hon. member for York Centre. Now is there a debate on the motion?

Mr. Deans: Yes, Mr. Chairman. I wonder —just by way of clarification—I am sure you would understand that it is very difficult to get this put before you and to understand it.

Mr. Deacon: There is a map there.

Mr. Deans: Yes, I have the map. But even the map is difficult for me to follow. But anyway, I would like to ask the member who moved it if he could explain to me how this might in any way assist in maintaining the heavily industrialized and residential area that we discussed on the second reading of the bill.

Mr. Deacon: Mr. Chairman, I am afraid this, as it now stands, is not going to change the minister's announced intention at some future date to take out this area and place it in Metro. It is not going to cope with that, but the minister says there is going to be some magic formula that will offset the impact of that. We do not know what that formula will be, but he seems to be insisting that he is going to stick with the intention to move the northern boundary up to 407.

This amendment is only going to help the people in Thornhill cope with a terrible period over the next two years, and it will also help alleviate several other problems that occur as a result of a do-nothing attitude—just an announcement of an intention and no specific way of coping with the needs of the intervening period.

Mr. Chairman: Did the member for Wentworth finish or did he have more on this amendment?

Mr. Deans: No, no, I am not finished. I am only beginning.

Mr. Chairman: On this particular amendment?

Mr. Deans: It is very difficult to decide in a moment, reading this, exactly what the difference is and what the benefits to the people of the township and town concerned might be.

I would have hoped that we would have devoted more of our time to discussing with the minister how we might go about ensuring compensation within this Act for the loss of revenue which will occur because of the broad powers that the minister has assumed in section 1 to change the boundaries at any time.

I am a little concerned about being placed in the position of voting on this at this particular point. I wonder if it might be possible to ask the member who moved it to permit this section to be voted on tomorrow when we deal with the bill in order that we might have an opportunity to study it, since it is a very intricate change and it requires a great deal of study. Surely it cannot be expected in this House to have an amendment of this type moved and then the members in the House to make a decision as to which of the two is the better?

We are dealing with the drawing of boundaries and it requires that we relate one to the other. This cannot be done in the two or three minutes that would be allowed us here. And I would ask the Chairman if he would consider standing down dealing with this particular amendment until tomorrow to give us the evening and tomorrow morning to compare the two to make a decision.

Hon. Mr. Grossman: You think that you could make that decision overnight?

Hon. Mr. McKeough: Mr. Chairman, perhaps I can speak to this. There is nothing

very spectacular about the amendment which has been suggested to us by the member for York Centre. Basically it suggests incorporating the police village of Thornhill as a new municipality.

Mr. Deacon: Plus the area around.

Mr. Deans: Yes, it is quite big.

Hon. Mr. McKeough: In this particular area—this is the essence of the amendment. The member, having spoken at great length in my view on what we discussed on second reading—and I am not for one minute going to answer those arguments, because I think we dealt with them on second reading in the correct place—ended up with an amendment concerned about the people in Thornhill on the basis of apparently two reasons to help the people in Thornhill (I do not think it helps the people in Thornhill) to set up administrative machinery, to set up a council, to purchase equipment, to buy inventory, probably to purchase a building with the eventual possibility that all is going to disappear in two years' time. I refuse to believe that that helps the people in Thornhill.

The member seems to think that this area is going to be part of a no-man's-land. I reject that argument. There are capable councils in Markham and Vaughan who have been elected to look after the people in Markham and Vaughan. I am quite sure that they will continue to look after the interests of the people who elected them, regardless of any announcement which I may or may not have made. I have great confidence in those councils. I would urge the House to vote against this amendment, Mr. Chairman. It is an amendment, which, as I say, perpetuates or incorporates what essentially is a police village with a larger area, which is something, I think, we have been attempting to move away from. I would point out it is an amendment which has never been suggested or subscribed to by either of the councils of Markham or Vaughan, neither one of which thought that the separate incorporation of Thornhill made sense. That is a proposal which has never been made to us.

Mr. Chairman: Any further discussion on the motion?

Mr. E. R. Good (Waterloo North): Mr. Chairman, I would like to say just a few words and first of all I would like to know how the minister justified using Yonge Street as a boundary between the two areas of Markham and Vaughan? This is something which I think has always been considered would not happen under York regional government, because Yonge Street, perhaps, other than the villages and the towns in the area, is the most built-up section of the whole area.

When we divide the most built-up section under this boundary arrangement that is put forth, right down the middle of Yonge Street, the community of Thornhill is, in fact, split down its main street and broken in two. The built-up area between Thornhill and Langstaff, of course, has been going on for over the past 25 years; even at that time this was one of the more built-up areas north of Toronto.

I would like to ask the minister how he can justify splitting the community down Yonge Street and using Yonge Street as a boundary between the two areas of Markham and Vaughan. The police village to which he refers, Thornhill, is a community of 20,000 people—quite a sizable community I would say, and one in which a great deal of community spirit has already taken place over the past number of years, even though they did choose to remain as a police village over the past years. Could I have a reply from the minister?

Hon. Mr. McKeough: Only on the basis that it is going to be changed.

Mr. Chairman: Did the hon. member for York Centre wish to speak further?

Mr. Deacon: Yes. The minister said that he did not see any problem because of the good representatives in Vaughan and Markham. We do have very good representatives in Vaughan and Markham and we are very fortunate that they are men who recognize problems faced by people in Thornhill. It was very interesting the other night that a delegation from Thornhill went over to Vaughan council about a problem, and the council said to them, "We certainly sympathize with your problem. We can see that you have a need, but you must recognize the fact that we are not responsible for you after a very short time and we can in no way justify spending money and going ahead with anything in that area. We are not responsible for it."

The minister said the situation is changing, and with all the best intentions in the world these councillors just do not see they are doing justice to the remaining taxpayers in their municipality if they spend money in this area.

The minister also said, "Is it not ridiculous to set up municipal offices in this structure

which might be changed in two or three years?" It may or may not be changed. But the fact is that the elected council could contract with, maybe, even North York, certainly Vaughan and Markham, to carry out services on their behalf, but they would have control over those services. They would have control over their destiny, and there are many ways that they could do this. I can imagine that maybe they would be doing it with Richmond Hill for their fire services; they may be contracting with the new county police force to look after their policing.

It would be possible for them not to worry about the Yonge Street boundary for servicing people on the west side of Yonge Street. Those people are now in Vaughan township and not able to hook into Markham services; but they would have power. Such a council would have power over the new boundaries I am suggesting here.

When the minister talks about what this means, just changing the old police village of Thornhill into a town, the fact is it is a lot larger than the old police village of Thornhill. The old police village of Thornhill had very small boundaries and a relatively small population—just 1,000 or 2,000 people. I am talking about a population in this described area between Highway 7 and Steeles Avenue on the north and the south, Bathurst Street on the west and Highway 404 on the east; an area containing 20,000 people which, in many parts of this province, is certainly the same as a city.

That is a very substantial municipality that is quite capable of operating efficiently and in a viable manner. There would be no need—unless the minister decided on the wisdom of concepts of great big efficient units—to change that and destroy that corporation that we would be forming here. When the boundaries are changed in due course to the Highway 407 boundary line that he has been suggesting, at that time Scarborough and Etobicoke and North York could take over other portions. But there is no reason to say that the new corporation of the town of Thornhill could not quite efficiently cope with that new section which the minister thinks may be going into Metro.

Mr. Deans: Mr. Chairman, unless I am being grossly misled, it seems to me that what is being proposed is being proposed in an effort to avoid the splitting of two rather small municipalities, two small villages, and I have some sympathy with that. I would like to ask the minister if, in effect, this is what he envisages happening by the legislation as it now stands; that by using Yonge Street it will, in fact, make one side of the street in one township and the other side in the other township—it will become a town by that point.

Does he not see some real problem in meeting the development that takes place? I am sorry that there was not the opportunity to study this more closely because it is hard to make a decision when you are listening to the arguments, but I must confess that on the basis of the arguments I have heard until now we would be in a position to support the amendment.

Hon. Mr. McKeough: Let me just say this to the member, all the bill does is perpetuate what is there now. Both sides of Yonge Street are presently in two municipalities; Markham on the one side, Vaughan on the other. A thousand people of those 20,000 people are in the police village of Thornhill, which of course is a servicing arrangement and those people, the 20,000—no, the 1,000, or the 5,000, or the 10,000, whatever proportion of them—have over the years, of course, always had the opportunity to apply to the Ontario Municipal Board for formation into a separate municipalitity. They have never chosen to do so.

I can only conclude by that that they have been reasonably happy, although I think there have been some planning problems—I would be the first to admit—by their being in two separate municipalities. But they have never chosen to do that.

Mr. Peacock: Have they chosen not to? Have they formally chosen not to?

Mr. Deans: I think my argument makes a good point. In the discussions that were held, was there any discussion about the possibility of doing what has been suggested by the amendment? And assuming that the 20,000 figure that has been quoted by the member for York Centre is accurate, it would make it a municipality smaller than the municipality of Newmarket in population and would appear to be viable. It would also seem at some point, if the minister follows through with his programme of development for Metropolitan Toronto, that very nearly all would become a part of the expanded Metro.

I feel that in the intervening period, for the sake of development purposes, this is a very small change and would be very worthy of consideration. Without a chance really to have an opportunity to follow up on it, I suppose just because of intuition we would have to support it.

Hon. Mr. McKeough: Just to answer your question, this was never suggested by any of the councils, nor, I think, was it suggested to me by the trustees of the police village nor by any citizen seriously. This was a proposal which was never put forward. Our original proposal suggested that the township of Vaughan should go over practically as far as the black line, which is Highway 407.

Mr. Deans: That would have made more sense. This is the point when—

Hon. Mr. McKeough: And we do not disagree with that except that the boundary presumably in two years is going to be altered anyway and we see no reason to shift it back and forth. There is the existing boundary of Yonge Street and we will leave it alone.

Mr. Deans: Yes, it would seem that a move west would be useful.

Mr. W. Hodgson (York North): Mr. Chairman, I would like to clarify this situation a little bit. I suppose maybe I am closer to the situation than most of the members in this Legislature because I have attended practically all the meetings the counties had on regional government.

Back in late March, the county of York sent out—the warden sent out—asking the members of each municipality to make a suggestion on boundaries. I attended the meeting in the county building and every municipality in the county of York had an opportunity to suggest what it thought its own boundaries should be and what the boundaries of the region of York should be. I can say not one municipality ever suggested that there should be a separate municipality of Thornhill.

Most suggestions were that Markham and Vaughan and Richmond Hill should maybe become the municipality of Vaughan or Markham, whichever you would like to call it. But there was never a suggestion that there would be a separate municipality of Thornhill.

What is going to take place is that a second municipality of Thornhill, Markham township, will be reduced to about 25 per cent of the population, and Vaughan will become one of the smallest townships in the region of York, which now is one of the most viable and most progressive, and is the third largest municipality in the province. As far as I am concerned, I cannot go along with the hon. member for York Centre's suggestion.

Mr. R. F. Ruston (Essex-Kent): Nice coaching from the other side.

Hon. J. Yaremko (Minister of Social and Family Services): I am voting with the member for York North.

Mr. Deacon: Mr. Chairman, the member for York North has mentioned the fact that no proposals for the formation of the town of Thornhill have been made in the past. I point out that Thornhill has had no representation on the township of Vaughan council. That is a council that does not have wards and Thornhill has never happened to have any success in electing a representative from that area to the township council. The townships have also never been particularly interested in losing any part of their assessment.

In the case of the township of Markham, Thornhill has a representative who recently resigned and he was very, very anxious for Thornhill to have a separate incorporation. Mr. Sumner has been one who strongly supported any moves that would strengthen the community position of Thornhill, particularly in recent years as it has grown. He resigned to become recreational director of that area. We have to keep that in mind when we talk about the reason that no one has suggested the incorporation of Thornhill.

The council of the township of Markham said, "Why should we want to lose a section—in fact, have annexed from us—a section of our township?" The same was said by Vaughan.

The only way this could have come forward would have been if there had been meetings held with the citizenry in that area, where we could have determined their interest in this matter. I have had several meetings with the Committee of 100 in Thornhill who are very anxious that they have some corporate identity where they can assure their continuation as a community.

Mr. Good: Did you hear that? A committee of 100.

Mr. Deacon: Now in this whole question of the future of that area, we have to look at the fact that when we talk about 20,000 people, that is only representing a small development that lies within the overall area. The population in that particular area could easily be 60,000 people and, if we move the westerly boundary beyond Bathurst Street once this area is moved into Metro, that could take care of the area as far as Highway 404, or certainly well to the west and being a very viable unit, go into Metro Toronto as a unit.

Let us not ignore the fact that these people have indicated very strongly in every poll that

has been taken among them that they do not want to be part of Metro. But they are being forced into Metro by their "Design for Development" and what the minister feels should result from that plan.

Let us at least give them the opportunity to form their own municipality and retain their community identity in the future. Certainly Thornhill is a place that should not be lost from this general greater Metropolitan Toronto area.

I do urge the minister and those on the government side to support this amendment. I think it makes eminent good sense in every way.

Mr. Deans: Try again. Try again. Let me ask the minister—you know, I am really in a heck of a situation.

Mr. W. Hodgson: Really, the member for Wentworth does not know what he is talking about at the end of the day.

Mr. Deacon: The hon. member for Wentworth knew what he was talking about the other day.

Mr. Deans: It is a strange thing; the member for York North's contributions are really of high quality.

Mr. W. Hodgson: The member for Wentworth's is not adding any contribution to the debate.

Mr. Deans: I want to ask the minister why it was then that the boundary—in an effort to try to rationalize this, without establishing a new municipality, which they are reluctant to do—why the boundary was not drawn straight down on the westerly boundary as it is shown on the map. Why was it not moved in a westerly direction to try to make sure that all of the municipalities fell within one or the other of the two areas?

Hon. Mr. McKeough: Because as I have already explained, a good part of this area, perhaps not all but I would think a good part of it ultimately—at least not ultimately; we would hope within the next two years—would become part of Metro. Rather than move those people, for example, in Vaughan west of Yonge Street into either a new municipality of Thornhill and then into Metro or to move them from Vaughan into Markham and then into Metro, it seemed sensible at that point to leave them alone and not move the boundary and not set up a new administration and to deal with it two years hence.

Mr. Deans: Of course, there would be no new administration if you had moved the boundary. It would have been simply a matter of rationalizing the relationships along Yonge Street. And you say two years hence; who knows whether you are going to be here two years hence? It could well be that as the Minister of Municipal Affairs, someone on this side of the House might decide not to move the boundary.

Hon. Mr. McKeough: Then I would urge you to move the whole area probably into Markham. That would be my guess—

Mr. Deans: Then why would you not do that at this point; waiting till two years hence makes no difference. It seems logical—

Hon. Mr. McKeough: That would be like moving Burlington into Halton-Peel, knowing full well that two years from now you were going to move it into Hamilton.

Mr. Deans: No—

Hon. Mr. McKeough: Presumably it would be better not to do anything at this point in time.

Mr. Deans: No, that is not really accurate. It is not quite like doing that.

Hon. Mr. McKeough: It is exactly the same thing.

Mr. Deans: It is not quite like doing that. You are establishing an entirely new unit of administration in the whole area. In the overall picture, you are establishing an entirely new unit of administration. In doing it, it would be better to rationalize all the problems, to try to resolve as many of the problems as possible during that period. Then the transition to Metro is simple. You are moving an entire community, already cohesively put together, into Metro rather than taking pieces out of each and moving them into Metro; in this case the police village and the village.

I would think that you would have moved the boundary in an effort to make sure that you solved all the problems and gave all the people a relationship to one or the other of the two new communities. On that, as I said before, I have some sympathy with the position of the member for York Centre.

Mr. Chairman: The member for Waterloo North.

Mr. Good: Mr. Chairman, the minister said there has been no representation or no direct

appeal from Thornhill. Let us look at it this way: I have travelled through that area for 25 years, taking the jog down Highway 7 and out to Langstaff. The people on the Markham side of Yonge Street have had a much different degree of services from those on the Vaughan side of Yonge Street.

You have a community. You have got the west end of Markham township built up along Yonge Street and the east end of Vaughan township built up along Yonge Street. In effect, you have one community which has been split down the middle by Yonge Street as long as it has existed, with the result that in no way could they ever get together for any kind of self-determination, to give themselves better service. You are asking that this same situation be perpetuated while you are establishing a new type of government in the area. If there is ever an opportunity to discontinue the problems that have resulted because of Yonge Street being the boundary between the two townships, here is a golden opportunity, yet the minister fails to realize it and fails to grasp it.

I think that these problems which have existed have been the reason that Thornhill and Langstaff and all the 20,000 people who live in the area have had no say of their own determination on this intermunicipal community. I think you have got to take a better look at this.

Mr. Deacon: Mr. Chairman, I believe that my colleague reminded the minister about the difference there has been between the Markham side and the Vaughan side on this bill.

Markham has had services available to it—the sewage plant, the water system—and the Vaughan people have been without it. There was some hope of improvement in that situation because until the minister came forward with this announced plan on May 6 there had been a committee of co-operation. There had been a planning committee of Vaughan and Markham meeting jointly which would have taken care of many of these problems, and as a result many of the people in Thornhill might have seen some services come in to them.

Now we have a situation where in this clause the minister says that will still be the boundary. And not only that, he has also announced that it is going to go into Metro in the future. So this committee of co-operation between Markham township and Vaughan township just disbanded. They said, "There is no point in our carrying on any more."

I just cannot understand the minister saying, "We are just going to forget about those people and their plight over the next two years. They are going to continue to live in no-man's-land. By our lack of decision in this situation, we are going to do everything to make it impossible for those people to get any services." I just cannot impress enough upon the minister and the other members of the House the need for forming this new municipality.

The minister says it is ridiculous to form a new municipality. Does he mean to say that any municipality of 60,000 or more people is not a viable municipality? Is that what he says? Is that what the minister says? Has he come to the conclusion now that municipalities, to be viable, have to be over 60,000?

When we have 20,000 people existing in that corporation—which is larger than most of the other municipalities in the region; it is larger than all but two of the existing municipalities in its region—surely that indicates right away that should be one of the municipalities in this region.

The member for York North says 10 area municipalities instead of nine. What difference does it make if there are 10 instead of nine, if they can serve the people better? Is that not what we are trying to set up regional government for—so that we can provide people with services more efficiently and more effectively than before? And this minister just sits and twiddles with his papers and shifts them around instead of really dealing with the problem of the people in the area he has got in these boundaries. He is just going to leave them living in a hell of a situation.

Mr. Chairman: Those in favour of Mr. Deacon's motion please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Is it agreeable to the committee that we stack the divisions?

Hon. Mr. Grossman: It will be a long, hot summer, folks.

Mr. Chairman: Section 2. The amendment to section 2 will then be stacked with any other possible amendments.

Section 2 agreed to.

Mr. Chairman: The hon. minister has an amendment to section 3.

Hon. Mr. McKeough: Mr. Chairman, I have amendments to sections 3 and 8 which are complementary.

Basically they stem from the fact that the original bill calls for a 27-man council plus the chairman. Our original proposition, as outlined in the May 6 speech, was for a 17-man council—16 members plus the chairman. The intermunicipal committee, or so I thought, thought this council was much too small and perhaps did not provide for adequate representation. When the bill was published we called for a 27-man council plus the chairman, and immediately there was a certain amount of dissent from that which had not been apparent at the meeting of the intermunicipal committee.

Accordingly, last week we polled the councils. We wrote them and then polled them as to their latest views on this, and I think that 10 of the municipalities now support a 17-man council, two perhaps are undecided and two support a 28-man council. We have therefore determined that it would be best to revert to what was the original preference and with which I agree, a 17-man council. Therefore, I move that paragraphs 1 to 9 in subsection 1 be struck out and the following substituted therefor:

1. The town of Aurora: Except as may be provided under section 3, eight members elected by a general vote of the electors of the area municipality;

2. The town of Markham; eight members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the regional council and, except as may be provided under subsection 3, six members elected by a general vote of the electors of the area municipality.

3. The town of Newmarket: eight members, one of whom shall be elected by a general vote of the electors of the area municipality as a member of the council of the area municipality and of the regional council and, except as may be provided under subsection 3, seven members elected by a general vote of the electors of the area municipality.

4. The town of Richmond Hill: eight members, two of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the regional council, and, except as may be provided under subsection 3, six members elected by a general vote of the electors of the area municipality.

5. The town of Vaughan: six members, one of whom shall be elected by a general vote of the electors of the area municipality, as a member of the council of the area municipality and of the regional council and, except as may be provided under subsection 3, five members elected by a general vote of the electors of the area municipality.

6. The town of Whitchurch-Stouffville: Except as may be provided under subsection 3, six members elected by a general vote of the electors of the area municipality.

7. The township of East Gwillimbury: Except as may be provided under subsection 3, four members elected by a general vote of the electors of the area municipality.

8. The township of Georgina: Eight members, one of whom shall be elected by a general vote of the electors of the area municipality as a member of the council of the area municipality and of the regional council and, except as may be provided under subsection 3, seven members elected by a general vote of the electors of the area municipality.

9. The township of King: Except as may be provided under subsection 3, six members elected by a general vote of the electors of the area municipality.

Mr. Chairman, I apologize for the length of that amendment. The intent of it, as it is written, simply reduces the size of the council from 27 to 16.

Mr. Chairman: Shall the motion carry?

The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, I thought that the previous total showed 17, there being three from the town of Markham. Where is the difference in the total here from the previous one? I thought it was—

Hon. Mr. McKeough: It is 16 and one.

Mr. Deacon: Oh, 16 and the chairman? This is exactly the same as in the original proposal?

Motion agreed to.

Mr. Chairman: Are there any questions, comments or amendments to section 4 or 5?

Mr. Deacon: On section 3.

Mr. Chairman: Section 3?

Mr. Deacon: Yes. In section 3 what is the provision for changes in population as they occur? For example, in two years' time, what

happens when that large population moves out from the Markham area?

Hon. Mr. McKeough: The Act has to be amended. There is no building provision to do it.

Mr. Chairman: Will section 3, as amended, form part of the bill?

Mr. Deans: One final question: Is it the intent of the minister that persons getting the highest number of votes in the elections of the municipality shall be elected to the councils or—

Hon. Mr. McKeough: Yes.

Mr. Deans: It does not specifically state this.

Hon. Mr. McKeough: They are elected either by wards, if there is a ward system. Then the regional council is elected. For example, in Markham, they have a reeve now, or at least, a deputy reeve. If there is not a ward system then it is the person who specifically runs for the regional councillor position, and they run across the whole local municipality.

Mr. Haggerty: Mr. Chairman, under this section—

Hon. Mr. McKeough: Got that?

Mr. Chairman: Section 3—

Mr. Good: Am I correct in assuming that the minister is given the powers to divide the areas into wards? Has this been done? Or will you be exercising this authority, or has it been done under the regulations? How will that be?

Hon. Mr. McKeough: Under 3, 3(a)?

Mr. Good: Yes.

Hon. Mr. McKeough: I have not done so yet and I do not suppose I can do so until after the—

Mr. Good: Until it becomes law?

Hon. Mr. McKeough: Yes. This is the same thing we did in Niagara and Thunder Bay. The councils let the department know what wards they would like and I, in turn, make that an order. That is what we did in Niagara. It normally would be done by the Ontario Municipal Board. That can be a lengthy process and to facilitate matters the councils decide what wards there will be and then I confirm that by order. Subsection 3(a) gives me the authority to do that.

Mr. Deacon: Mr. Chairman, how is the minister going to determine whether the people in, say, the portion of Vaughan that is going to Richmond Hill, want to be part of a ward system, because they may have no representative at this time? How does the minister determine the wishes of the various municipalities in order to get guidance on what the people really want in that area?

Hon. Mr. McKeough: There have been a number of joint meetings and I assume there will be more between representatives of Richmond Hill and Vaughan, for example. We will work that out. There can be a combination of the two. I do not know what is finally happening in Markham township and Markham town, where there was a divergence of opinion. I said, "Fine," there could be a ward system—I cannot tell you, I have forgotten which is which—there could be a ward system, say, within the town, and no ward system outside the town or it could be a separate ward in which three or four people would be elected.

Mr. Deacon: The minister does not feel it prudent, under circumstances like this, to actually check with people? The difficulty here is, for example, Markham township has had a ward system for some time. It has worked quite effectively in order to get balanced representation.

Hon. Mr. McKeough: The township?

Mr. Deacon: The township. The town perhaps has not felt the need of it because it has been a much smaller area and the ability to communicate with their representatives has not been much of a problem.

Vaughan has not had a ward system and seems to be strongly in opposition to it for one reason or another. As a result of that, a lot of the sections of Vaughan have not any representatives on the council of Vaughan.

It is very disconcerting to have somebody phone me about how they do not have a representative from their area to speak to the minister. Should they just do this by writing to you, or how should they express these views? Is there a role for ratepayer associations?

Would the minister, for example, consider holding meetings in the areas where this whole bill could be discussed—and now it is going to be legislation, that would be one

point of discussion—where the whole programme could be explained and where a point of view could be expressed? I know the regional development council hope to have some meetings and they did discuss it at those meetings. They asked the question, "Are you in favour of a ward system?" and the views that were expressed were sometimes different to the views that the councillors had expressed. So I hope the minister will consider having local meetings where people can express their wishes in this regard.

Hon. Mr. McKeough: If we are requested to do so, we will be delighted to do it, particularly in those merged areas, or the changed areas.

Mr. Deacon: In subsection 4, who pays for the organization committee in 1970?

Hon. Mr. McKeough: In 1970?

Mr. Deacon: Right.

Hon. Mr. McKeough: They are not paid. They were not in Niagara nor in Thunder Bay. They are elected on October 6; they serve without pay. We assume they will take that into consideration when they set their renumeration for the year 1971.

Mr. Gaunt: They likely will.

Hon. Mr. McKeough: They likely will, yes.

Section 3, as amended, agreed to.

Mr. Chairman: Is there any comment or question to sections 4 or 5 of the bill? If not, the hon. minister has an amendment to section 6.

Hon. Mr. McKeough: This is the same amendment, Mr. Chairman, that we moved in the Muskoka bill which has to do with Thanksgiving Day.

I move that subsection 1 be amended by striking out "12th" in the first line and substituting therefor "13th".

Motion agreed to.

Section 6, as amended, agreed to.

Mr. Chairman: Any comment or question on section 7 of the bill? If not, the minister has an amendment to section 8.

Hon. Mr. McKeough: This is complementary to the previous one.

I move that section 8 be amended by striking out "twenty-eight" in the first line and substituting therefor "seventeen" and by striking out clauses (b) to (j) and substituting therefor the following:

(b) Two members of the council of the area municipality of the town of Markham who have been elected as members of the regional council and of the council of such area municipality;

(c) One member of the council of the area municipality of the town of Newmarket who has been elected as a member of the regional council and of the council of such area municipality;

(d) Two members of the council of the area municipality of the town of Richmond Hill who have been elected as members of the regional council and of the council of such area municipality;

(e) One member of the council of the area municipality of the town of Vaughan who has been elected as a member of the regional council and of the council of such area municipality; and

(f) One member of the council of the area municipality of the township of Georgina who has been elected as a member of the regional council and the council of such area municipality.

In other words, there are nine mayors plus seven councillors plus the chairman, for a total of 17.

Motion agreed to.

Section 8, as amended, agreed to.

Mr. Chairman: The hon. minister has an amendment to section 9.

Hon. Mr. McKeough: I move that subsection 1 be amended by striking out "12th" from the second line and substituting therefor "13th".

Motion agreed to.

Section 9?

Mr. Deans: Section 9? Yes.

Mr. Deacon: Mr. Chairman, on section 8, that wording bothered some people—"and the members so elected shall hold office for years 1970, 1971 and 1972 and thereafter for two-year terms of office." "And the members so elected"—I suppose they had some concern that they stayed in office perpetually. Legally I am sure that your draftsmen understand that. But it does read peculiarly.

Mr. Chairman: Order, please! On the section that carried, the hon. member asked for a clarification; he is making a speech now.

Mr. Deacon: Gosh, I would not call that a speech for me.

Mr. Chairman: I do.

Hon. Mr. McKeough: I thought so today. I can share your concern though. I would think that your concern was correct; we would be advised to run for those offices.

Mr. Chairman: Section 9?

Mr. Deans: Mr. Chairman, yes, under section 9 dealing with the chairman to be appointed. We can recognize the need to appoint a chairman for the first term. We have a lot of difficulty understanding the need to appoint the chairman for the second term. It seems that the councils in the area would be quite well able to handle the election of the chairman from within their midst, or wherever they deem fit to elect him from, two years after they have been in office.

Because of that I move an amendment to section 9, subsections 1, 2 and 4, changing 1974 in the third line of section 1 to 1972, in subsection 2, changing 1975 in the second line to 1973 and in subsection 4, changing 1975 in the second line to 1973. The purpose of the amendment, of course, is to have an election of the chairman in the second term rather than in the third term.

Hon. Mr. McKeough: Mr. Chairman—

Mr. Chairman: I wonder if the hon. minister will just wait so we can take this in order.

Section 9 had been amended by the hon. minister and that amendment was carried.

Now the hon. member for Wentworth is introducing these further amendments to the committee. A further amendment to section 9, subsections 1, 2 and 4. I think I had better place the motion before the committee.

Mr. Deans moves that section 9, subsection 1 be changed from the year 1974 in the third line to 1972, and in subsection 2, changing the year 1975 in the second line to the year 1973, and in subsection 4, changing 1975 in the second line to 1973.

The hon. minister.

Hon. Mr. McKeough: Mr. Chairman, the reason for this I think I have explained perhaps in previous legislation—not in Muskoka, but in Niagara, where I think we appointed really for what amounted to a four-and-a-half-year term, I believe. Perhaps it was three-and-a-half. Ottawa-Carleton was three-and-a-half—it was four-and-a-half. Muskoka is four-and-a- half?

It is simply on the basis that, although this is an appointment of the Lieutenant-Governor-in-Council it—and if I could betray this much of a secret, an appointment of the Lieutenant-Governor-in-Council means an appointment of the Prime Minister normally.

Mr. Deans: Is that how it happens?

Hon. Mr. McKeough: Yes, that is how it happens.

Mr. Deans: We have often wondered.

Hon. Mr. McKeough: The ministers who administer those kind of functions quite often find themselves doing a certain amount of legwork in that particular regard.

Hon. A. F. Lawrence (Minister of Mines): Arm work.

Hon. Mr. McKeough: Or arm work, as the Minister of Mines said. It has been easier for me, having gone through this in the case of both Ottawa-Carleton and Niagara, to approach people—or when I am approached —to offer them employment, if you will, for a period of four years rather than two years.

There is no particular reason for it other than to give some continuity for the initial period. I think it was Mr. Gardiner for the first of what were then two-year terms—four years; then it went on longer than that and I think we have sort of fallen into that pattern since that time.

A one-year term, was it?

Hon. Mr. Grossman: I went through four elections in four years.

Mr. Deans: The question arises whether the appointment of the minister proves to be satisfactory to the people in the area. In the initial stages I can understand the minister's argument to begin with, as I can well understand how difficult it might be to get a person to take an appointment for two years. I do think though that in the second two-year period this person should be at least acceptable to the elected representatives who are supposedly governing the jurisdiction. I think if there had been a clause which would have given them some power or some say in the continuity of the appointment it might have been acceptable.

The argument about whether it be two years or four years is the argument of whether you run for office or not, in actual fact. Anyone running for office or anyone standing for office, whether he is appointed or elected, has no continuity and there is no guarantee that they are going to be back. It could be one

year. It could be five years. It could be 50 years. Depends on who you are.

Hon. Mr. McKeough: The member does not speak from the security of being a supporter of the government.

Mr. Deans: Let me tell you that the way the government is going I would not want to be a supporter at the moment. The truth of the matter is that there is no one elected to hold office who has any guarantee of tenure and I do not think that we should take that into consideration. I think that the people of the area should have the right to choose from among them the person that they should think should be chairman after the first term, after the period of orientation is over and because of that I make the remark.

Mr. W. Hodgson: Mr. Chairman, just before we leave this. I understand that the chairman is appointed to two two-year terms. At the end of the second term, suppose he is not satisfactory to the people of the region of York. Does the government reappoint him or do you appoint him four years instead of two years?

Hon. Mr. McKeough: No, he would be appointed for the whole four years except of course that he holds office at pleasure which means—

Mr. Deans: It means you promised him four years' work.

Hon. Mr. McKeough: —he could be removed during that time which—

Interjection by an hon. member.

Hon. Mr. McKeough: Well, we do not have to worry about that.

Mr. Chairman: The hon. member for Waterloo North has the floor.

Mr. Good: I was hoping that since the minister had changed his mind on the Muskoka bill regarding the chairman that he would also change his mind and bring in an amendment to this Act. To be consistent, this is what he should have done, which would have made the chairman an elected person for the entire tenure of office starting right from the beginning.

We were very much disappointed and very much concerned when you changed your mind and brought in the amendment on the Muskoka bill to have the chairman appointed. There I think it was probably more important that they have an elected chairman than in a larger municipality such as York. I think the larger the municipality, the more argument there is in favour—if there be any argument—of having an appointed chairman. We will support the amendment because it goes partway toward our concept of having an elected chairman.

I am concerned with the question of the member for York North who asked what will happen if the chairman does not suit the people of the area? Under this system I feel the danger is that this is not the prime consideration. The prime consideration is that he suit The Department of Municipal Affairs and the government. And this I think is the one weakness in an appointed chairman, because the main purpose of this chairman is going to have to be to get rid of the parochial attitude within the region, to try to get people to work together as one big regional government. This was the problem Metro faced for many years and fortunately both chairmen who were appointed here did a great deal to remedy the situation and create a spirit of Metro-mindedness within the area.

I think in a small area that is basically rural perhaps someone from the area who has at the present time the ear and the tone and the feeling of the people of the area is probably better suited to act as chairman of the new region than one appointed by government. So we will support the amendment which would reduce the length of time that the chairman would be an appointed chairman.

Mr. Chairman: Those in favour of Mr. Deans' motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

Section 9 agreed to.

Mr. Chairman: The hon. minister has an amendment to section 10 of the bill.

Hon. Mr. McKeough: I move that subsection 1 be amended by striking out "12th" in the second line and substituting therefor "13th", which I think is the last time I have to give that, and I might also announce that the draftsmen of the bill should by now know when Thanksgiving Day is, and should not be looking for a turkey from me, glass or otherwise.

Motion agreed to.

Section 10, as amended, agreed to.

Mr. Chairman: Are there any questions,

comments or amendments to any other sections of this bill up to section 114? If so, which section?

Mr. Good: Section 12. Will section 12 not have to be amended to show a quorum, Mr. Chairman? Fifteen members of the regional council representing at least five area municipalities are necessary to form a quorum.

Mr. Deacon: Is it not lucky you have an opposition?

Interjection by an hon. member.

An hon. member: Pardon?

Another hon. member: He would not have noticed it.

Hon. Mr. McKeough: Thank you.

Mr. Good: You are welcome. You should give me a little credit once in a while for watching your bills. How many would you suggest to the quorum?

Hon. Mr. McKeough: Eight.

Mr. Good: 15 out of 27.

Mr. Deacon: Certainly 10 would be better.

An hon. member: Nine.

Another hon. member: Do they have a majority?

Another hon. member: Nine.

Hon. Mr. McKeough: Nine.

Mr. Good: Okay.

Hon. Mr. McKeough: Would the member like to move that?

Mr. Good: Pardon?

Hon. Mr. McKeough: Would the member like to move that?

Mr. Good: I would be pleased to move that, Mr. Chairman, if the minister will write it out.

Mr. Chairman: I require a written motion.

Mr. Good: All right. I move that subsection 1 of section 12 be amended—

Mr. E. A. Winkler (Grey South): Now be careful.

Mr. M. Gaunt (Huron-Bruce): This is our big moment, you know.

Mr. Good: —in the first line by deleting the word "15" and substituting therefor "eight"—

Hon. Mr. McKeough: Nine.

Mr. Good: I am sorry, nine.

Mr. Chairman: I presume someone is going to provide me with a written motion.

Mr. Deacon: Yes, he is just in the course of providing you with that.

Mr. Chairman: We shall wait.

Interjections by hon. members.

Mr. Deacon: Go ahead.

Interjections by hon. members.

Mr. Deacon: No, he will write "nine".

Mr. Chairman: There may be an amendment to the amendment.

Mr. Deacon: We are easy to get along with.

Interjections by hon. members.

Mr. Good: Look, your draftsmen have taken weeks to do this, so you can wait for me.

Hon. Mr. McKeough: I think it should be four area municipalities.

Mr. Good: Well, there are the same number of municipalities. You have got nine municipalities; that has not changed.

Mr. Deacon: I think we had better stay there.

Hon. Mr. Grossman: The minister is laying a trap for you.

Mr. Deacon: We will take the responsibility. We are prepared to govern.

Mr. Chairman: Mr. Good moves that section 12, subsection 1 be amended by deleting in the first line the word "15" and substituting therefor the word "nine".

Motion agreed to.

Section 12, as amended, agreed to.

Mr. Chairman: Are there any comments, questions to any other sections of the bill?

Mr. Deacon: Section 20.

Mr. Chairman: Anything up to section 20? If not, the hon. member for York Centre.

Mr. Deacon: On section 20, the question was asked of me by those who looked over the bill, "Why do we not just describe the officer as the clerk right at the beginning? Why do we not have it all the way through there? What is the reason for reading that at the end as being a description of the person?

Hon. Mr. McKeough: Only because we think the regional municipality can call him whatever they want to call him. I do not think it is a big issue but when we drafted the Ottawa-Carleton legislation, which was the first, we took great pride in adding in several people—the planning commissioner, for instance, who had never been mentioned in legislation before. We did a complete reversal when we came to the Niagara legislation—and this is copied from the Niagara legislation—and really named one. I suppose if the municipality does not want to have a clerk, then we are saying it does not have to have a clerk but the person who does these things shall be deemed to be a clerk for purposes of a whole lot of other legislation.

Mr. Deacon: That will be the same, then, for the next section 22 as far as the treasurer is concerned?

Hon. Mr. McKeough: Right.

Mr. Deacon: It seems that it could be quite confusing to people to go to a municipality and wonder what this comptroller might be—as he might be called in one municipality—and they really should be looking for the treasurer. Would this not be one reason that it might be wise to standardize certain of these offices because they are, in legislation, to carry on a certain function? Therefore, it should be possible for people in any part of the province to go in and when they look for an officer doing that job, be able to know what to call him or whom to look for.

Hon. Mr. McKeough: It is a good point. Part of it stems from the fact that the administrators' association, I think, have always somewhat resented the fact that the clerk and the treasurer were always named in legislation. The administrator, presumably by local bylaw, was superior to both of them and was never mentioned in legislation. We, in part, have tried to accommodate their vanity, for whatever that is worth.

Mr. Deacon: Mr. Chairman, I think the minister has taken care of that through providing for the appointment of a chief administrative officer in advance. I suggest he should consider changing both these sections so that clearly there is a clerk and a treasurer people can go to for these duties, as spelled out here, that are common to clerk's duties anywhere else in the province.

Mr. Chairman: Any further comment?

Mr. Deacon: Would you consider making an amendment to that?

Hon. Mr. McKeough: I am easy.

Mr. Deacon: Can I so move? I will take a minute to write out the necessary amendment.

Hon. Mr. McKeough: Yes, in the first line of 20, it would be a clerk; in the first line of 22, a treasurer.

Mr. Deacon: Right.

Hon. Mr. McKeough: I think they are writing it out for us.

Mr. Chairman: Shall this motion carry?

Mr. Deacon: I had better give you a written amendment.

Hon. Mr. McKeough: Having agreed to this amendment, now is a bad time, not for the reasons which the staff have sent to me, but apparently the Act is riddled with references to these sections. I will certainly take it under consideration—

Mr. Deacon: I will just withdraw that then—

Hon. Mr. McKeough: —because I think your point about a person being able to walk into a municipal office, knowing who he wants to see is probably a good one. The next time around, we will take a look at this but apparently there are too many references to these sections which would need changing.

Mr. Deacon: All right. I will withdraw that in view of the fact that it could cause complications in other parts of the bill.

Mr. Chairman: Amendment withdrawn.

Section 20 agreed to.

Mr. Chairman: Are there any other comments, questions or amendments to any other section of this bill up to and including 114?

Mr. Deacon: Section 27.

Mr. Chairman: Section 27?

Mr. Deans: Section 26.

Mr. Chairman: Section 26, then, the member for Wentworth.

Mr. Deans: I would like to ask the minister why it is, in the case of an auditor, he determines that it requires a vote of two-thirds of the entire council when all other business—hiring, firing and everything else—could be done quite easily by two-thirds of a quorum. Why do we require the entire council there to deal with this particular matter?

Hon. Mr. McKeough: I assume that this is from The Municipal Act—copied directly from it. I suppose the reason stems from the fact—and you are quite right—other people can be dismissed simply on a majority of those present and voting, although they are entitled to a hearing normally—the clerk, the treasurer, the auditor—I suppose.

What would be behind this is that they might want to dismiss him, or the fact would be that he might be dismissed because he had been critical of the actions of the municipality. That does not add up either, does it? I am afraid I do not—

If he had been critical of the actions of a municipality then a simple majority might want him out. But I suppose this is simply more protection for him. It requires two-thirds of the members of the council not even two-thirds of those present and voting, which is a large majority. He really would have to get in trouble, I would think, to have two-thirds of 17—that is how many? Twelve.

I would be glad to take a look at it. I would not want to disturb this because I am quite sure this is from The Municipal Act, but I would be glad to take a look at the rationale behind that and as to why it should be, particularly with reference to The Municipal Act. We will do that in the normal course of looking at The Municipal Act.

Section 26 agreed to.

Mr. Chairman: Section 27, then, the member for York Centre.

Mr. Deacon: Section 27. There are two problems here. First of all this legislation uses the date of April 1 as the date from which employees are protected, whereas the minister's announcement was May 6. What if there had been someone fired between April 1 and May 6? Does he now get his job back? What is the position in a case like that?

Hon. Mr. McKeough: No. He could be fired at any time, of course. In subsection 12, nothing prevents any employer from terminating the employment of an employee for cause. So he could have been fired during—

Mr. Deans: Supposing an employee left?

Hon. Mr. McKeough: I beg your pardon?

Mr. Deans: Supposing someone was not fired; supposing someone left between April and May? As I read the Act, he then must be offered employment as long as he was an employee on April 1. I was going to ask the same question. What possible reason could there be? If someone left, come May 6 he would have to be offered employment according to the Act.

Hon. Mr. McKeough: There is a reason for this. The intermunicipal committee questioned this section, and I am trying to remember their reason that the date was not May 6. There was some very good reason which, presumably, somebody is sending me.

Mr. Deans: Could I ask the minister, rather than hold up the whole House, could he answer that on the third reading?

Hon. Mr. McKeough: Yes, if the member would like to—

Mr. Deans: If there is some reason; if there is not a good reason you might deal with it?

Hon. Mr. McKeough: Subsection 9. That is right—"who continues to be so employed until December, 1970"—so he could not just resign under subsection 9 and continue to be so employed until December 31, 1970. He could not leave and then be entitled to employment on January 1, 1971.

Mr. Chairman: The member for York Centre.

Mr. Deacon: Mr. Chairman, the problem here is in section 6, subsection 9, with regard to areas such as the town of Markham, where substantial portions of the town will be moving over within the region. For example, immediately Richmond Hill and Whitchurch take over substantial areas, they will not require the same number of employees. Those employees would undoubtedly be needed in the new municipalities they are going over to. But it does not make it clear here that there is some sort of proportion of the responsibility. How does the minister feel that this

could be done? Does he feel that it could all be handled by negotiation?

Hon. Mr. McKeough: Yes. In Niagara it was part of the swap-over and I think they ended up looking for some people, if I can put it that way. I admit it is somewhat loose; there are no proportions. The ultimate responsibility is there and that is that either Markham or Richmond Hill or the region has to offer them employment. It seemed to work itself out.

This is, of course, one of the reasons we want to get a chairman appointed; why we want to get a little bit of staff appointed who can start pulling these things together even before October 6.

Mr. Deans: Mr. Chairman, I would like to go back for a moment because I think that sections 6 and 9 are dealing with different situations.

Section 6 says "The regional council should offer to employ every person who on April 1, 1970, is employed by the county of York or", and so on. Section 9 is talking about employees of local municipalities and local boards within the regional area who are annexed or amalgamated. Section 9 does not cover section 6, as I read it. In section 6, as long as you were employed on April 1, whether you are still employed or not by the county of York, you have got to be offered employment. I do not see where section 6 is covered in any way.

Hon. Mr. McKeough: I suppose that could happen and I agree that subsection 9, on looking at it, does not necessarily apply to subsection 6.

Mr. Deans: Should it not say, "and who is still employed" on some other date?

Hon. Mr. McKeough: I do not know why subsection 6 does not say, "and continues to be so employed until the—"

Mr. Deans: No. It does not, and it should, I think.

Hon. Mr. McKeough: Why would it not say that?

Mr. Deans: It is too bad they cannot—

Hon. Mr. McKeough: April 1 is simply the standardized date which has been used in all the legislation and has not been creating any problems.

Mr. Deans: Should it not say—

Hon. Mr. McKeough: Subsection 6 was put in on request. I think your suggestion is good. We could simply add—

Mr. Deans: "And continues to be—"

Hon. Mr. McKeough: After the 1st day of April, 1970, we could add the words, "and continues to be so employed until the 31st day of December, 1970."

Mr. Deans: Yes.

Hon. Mr. McKeough: If you would move that, that would be fine.

Mr. Good: Mr. Chairman, why would he have to continue to be employed until December 31? Would it not be just until the date when this bill comes into effect and then be offered employment? Why would he have to continue to be employed until December 31 of this year?

Hon. Mr. McKeough: Because the corporation and the new municipalities do not legally come into being until January 1.

Mr. Deans: It would then read: "The regional council shall offer to employ every person who on the 1st day of April, 1970, and continues to be"—no, that will not work —"is employed by the county of York." How does it read on the other part?

Hon. Mr. McKeough: "And continues to be so employed."

Mr. Deans: "And continues to be so employed until the 31st day of December, 1970".

Mr. Chairman: I think I can accept that. Does this motion carry? Carried.

The motion carries but not the section.

Motion agreed to.

Mr. Bukator: I wanted to ask some questions about—

Mr. Chairman: Yes. You may go ahead and ask them.

Mr. Bukator: You make reference to employees of the municipality. I am not trying to be naive here at all; I do that automatically. The employees of the Hydro commission are not affected at all in this particular bill?

Hon. Mr. McKeough: No. The employees of the Hydro commission, I think you will find, are covered in one of the general sections at the end.

Mr. Bukator: Maybe my comments would fit in here, I will take the chance. You have

two unions to deal with, the International Brotherhood of Electrical Workers and the Canadian Union of Public Employees, to contend with some place along the way. I realize you do not, but the people who will be governed by the fact will.

I do not suppose anyone can answer my question, but how are they going to co-ordinate? Who is going to have the union for those two bodies or how is it going to come about? I would like a little more discussion from people who are a little more learned in this area than I am, because I think we are approaching a problem here and I would like to know how it is going to be handled.

Hon. Mr. McKeough: I am sorry I cannot answer the member, because it has not been a problem so far, although I think it was possibly a problem somewhere else, as I recall—and this is off the top of my head. I think the answer to your question is that the provisions of The Labour Relations Act take over in that situation as they would if two companies merged with two different unions. As I understand it, there are provisions in The Labour Relations Act. Do not ask me just what they say, but there are provisions there which are designed to meet that particular situation.

Mr. Bukator: You have not gone into the matter? The Hydro commission of Niagara Falls has not been eliminated yet. They are still continuing ahead of the cost.

Hon. Mr. McKeough: And probably will be for another year.

Mr. Deans: I want to ask on subsection 27, subsection 4, if this adequately covers the need for the local municipality to transfer the sick leave credits or an appropriate sum to the regional municipality when there has been transferral of an employee from the local to the regional jurisdiction?

Hon. Mr. McKeough: Whether it allows it?

Mr. Deans: Whether it adequately covers it. It does not allow it; does it guarantee it?

Hon. Mr. McKeough: Yes.

Mr. Deans: Does it?

Hon. Mr. McKeough: That is my understanding.

Mr. Deans: It does not seem to. It does? As I read it, it does not seem to.

Section 27, as amended, agreed to.

Mr. Chairman: Any other questions, comments on any section? The member for York Centre. Which section?

Mr. Deacon: Section 30.

Mr. Chairman: Section 30.

Mr. Deacon: Section 30 now reads:

> The regional council shall, before the 31st day of December, 1970, pass bylaws which shall be effective the 1st day of January, 1971, assuming as part of the regional waterworks system all works for the production, treatment and storage of water operated by or on behalf of each area municipality—

I would like to discuss this in order to clarify the points that were raised by the minister in the Legislature on November 10, 1969. Mr. Singer asked you:

> Could the minister tell me what he is going to do with Markham and Vaughan? Are you just going to let them develop into another crisis area as North York, Etobicoke and Scarborough were in 1953?
>
> *Hon. Mr. McKeough*: I do not see that the solution to the problems of Markham and Vaughan is necessarily bringing them into Metropolitan Toronto.
>
> *Mr. Singer*: What is your solution?
>
> *Hon. Mr. McKeough*: I do not see that Metropolitan Toronto, for example, can cope with some of the problems which it now has within Metropolitan Toronto and at the same time tackle new problems. The member saw the press reports of the proposed south York pipeline scheme—which is very much in the talking and investigative stage—to serve Richmond Hill, Woodbridge and Markham village costing, I guess, $45 million.
>
> It occurs to me as a layman in this and as a person looking a little bit from the outside that Metropolitan Toronto has its hands full with its own problems—with trying to finish, or not finish, the William R. Allen Expressway; with trying to get on with the extension to the Gardiner Expressway; with, heaven knows, extending rapid transit throughout this metropolitan area—without suddenly taking on its shoulders the problems of a $45-million sewer line in Markham and Vaughan. This surely, at this point in time, has to be a provincial responsibility.

Now, if that is so I wonder if the minister agrees with the general policy on regional government of the Association of Ontario Mayors and Reeves with regard to regional government, where it says:

> Regional government should never become involved with the provision of services where they can be more efficiently supplied or as efficiently supplied by local government.

There are two functions we are talking about here. One is the local distribution of water and the other is the supply of water. The case the minister happened to

be referring to at that time was a sewage scheme, but the same problem exists with regard to the wholesale supply of water.

Between York region and Lake Ontario we have a municipality called Metropolitan Toronto, and that municipality normally provides a barrier to another municipality. But here is one where the province, as the minister suggests, should be taking the responsibility for bringing the water up to the region. We have in the region at the present time a great many separate water supplies entirely serviced by local wells. We also have in the region a problem that has arisen because the natural replenishment of water is not keeping up with the actual withdrawal for these municipalities already in the region.

The only possible solution is a pipeline and the only organization that can properly provide that pipeline surely is the Ontario Water Resources Commission. It has already been set up to do pipelines and projects and it has done one quite successfully in the Lake Huron-to-London pipeline. In this case, it again is in a position where it can bring the water through into the region and then deal directly with these new area municipalities that the minister has formed.

The area municipalities at this time have their own water systems, their own distribution systems, their own billing arrangements; the utilities operation is doing a good job in these well-segregated areas. We do not have in the York region, nor shall we have in the foreseeable future, a continuous development of a whole mass area as we have in Metro. There is not likely to be in this region except up the Yonge Street corridor—any sort of development would be in terms of agricultural and recreational land. Everything would be on either side of the Yonge Street corridor with the exception of the two centres of Markham and Woodbridge.

There is no natural reason for there being any regional connection between the various area municipalities. Some of them may be able to carry on their wells for some time but maybe the Yonge Street corridor will be the exception where there will have to be a pipeline, and there has to be a connection from the pipeline to the local distribution centre.

Surely there is no reason for us to put in this legislation the words "shall take over" because, if the minister agrees that this should be a provincial responsibility for the wholesale supply of the service, making use of the pipeline sources from the lake—if the local wells are not sufficient to cope with the future demands—I cannot see how that contention can be argued with. If we now have these separate systems in these various municipalities, which have no reason to be interconnected, I cannot see any reason that we should change unless, in the wisdom of the regional municipalities, in the future they would want to change. The regional council, if it has the power, could take over these local water sources, these water plants, and the waterworks; surely that is sufficient.

For us actually to legislate when they already have very efficient operations in these municipalities is surely doing what the Ontario Association of Mayors and Reeves said was quite unnecessary. We are involving regional government in work that can be better done and more efficiently supplied at the local government level. I would appreciate hearing from the minister why he feels that this has to be mandatory. Why do we have to have this clause where there is no discretion, no authority left on the part of the new local regional council, to actually make the decision in its own wisdom? Why should we have that word "shall" in there? I would appreciate the minister explaining that to me.

Hon. Mr. McKeough: The member and I discussed this on second reading in the committee, I think, on the Muskoka bill. Of course, he and I part company at this particular point in our definition of strong local government. In my view, strong local government, regional government, needs to have control over the wholesaling of water and sewage to plan them on a staged basis, on an overall regional basis, a district basis. To do so, insofar as is possible within the limits of their own resources; to do so, if necessary, in consort with the OWRC, that is not precluded.

To me, it is essential that if they are talking about new units of strong local government, you have to talk about water and sewage on a regional basis, on a wholesale basis. You really have nothing more than you have now in the existing county system. I suppose there is nothing which is more important added to planning—but planning can be done by a county—there is nothing more important, nothing more of the guts of local government and strong local government on a regional basis, than having control of water and sewage. Without that, I do not really think you have much of a local government.

I hope these powers are not necessarily all surrendered over the years to the water resources commission or to any other agency. I hope they will be able to do some of these things on their own. I do not back off from my previous commitments, but when you are talking about a sum of money of some $45 million, there has to be a provincial involvement. That study has been sitting in midair for the better part of the year. Precisely nothing has happened because you have a number of small local governments. I do not think that come January 1, that study will be allowed to sit in midair. I think that the York regional government is going to want that study, or a substitute for it, to become fact.

Mr. Deacon: Mr. Chairman, I cannot quite understand this confusion that seems to arise between local autonomy or a strong local government in getting a regional government here.

Hon. Mr. McKeough: Perhaps I might just add this—that every submission we have had from the county, every discussion which I have ever had, I think I would have to say this, any discussion I have ever had about regional government or stronger government with anyone, has mentioned water and sewage at the regional level. I say that frankly to the member without attempting to debate the merits or otherwise of what other people have told me. Certainly, the county's submission and the submissions we have had from York county have been that the sewers and water would be on a regional basis.

Mr. Deacon: Mr. Chairman, I would suggest that the minister talk to the leaders in York county on the concept that water and sewage aims to be providing a sewer system, a wholesale system, similar to the way Hydro supplies hydro. At the present time, when you talk to them about supplying water and sewage through OWRC, these representatives think in terms of these commitments; these long term arrangements; these agreements that we work out after long negotiations to take so much water at such and such a price. It means going before the municipal board and all that sort of involvement. They do not see it as an opportunity to have the province take over an area of responsibility, a heavy financial responsibility, that they are now in no position to meet.

I would suggest to the minister that he talk to these leaders that way, because I have talked to certainly all the five heads of council who are on the county council at the present time in our region. All of them would love, would really be delighted, if they could be relieved of this very heavy responsibility. They do not see how, in any way, the region can cope with such a burden. It just does not have the resources to cope with a $45 million or $65 million fancy sewage deal that Gore and Storrie are recommending to the Ontario Water Resources Commission. Every other regional council that the minister refers to as being formed before has a situation which is a little different from this one—in fact, very dramatically different.

Toronto had access to the lake. It could locate water filtration plants, sewage plants on the lake. Ottawa-Carleton had access to the river. Niagara had access to water and sewage plant locations and the same is true of the Lakehead. But this region is different. We are completely blocked off by Metro Toronto. This is a major difference, and because of that the cost of having access to the lake and having to go through Pickering to get to the lake, is something that would be quite prohibitive.

I suggest to the minister that he go to every one of those members of council of this town and say to them, "What would your choice be between your taking the responsibility as a regional council for working out with Ontario Water Resources Commission the arrangements we have had in the past, or your having the Ontario Water Resources Commission go to each municipality individually, and say to those municipalities, 'We will provide the wholesale service to you; we will put in the trunk mains to you; we will put in the sewage plant facilities; we will put in the water resources filtration plant; and we will charge you a rate for use that is comparable with the rates in the Metro area so you will not be an extra load on your municipality that will hold back its development'?"

In the areas that this province has designated for development in that corridor where the province has said that, "We want this development to occur," the water resources commission, by going to the local municipalities and assuring them, with no financial commitment that has to be approved by the Ontario Municipal Board, that they can have these services available on a wholesale basis at a competitive rate, would really make it possible for these municipalities to take care of the pressures of growth in this overall Toronto-centred region.

Without this, I suggest to the minister, Mr. Chairman, it is going to be impossible for this plan ever to come to fruition. It is impossible

for this region with its fixed assessment base, with its lack of any feasible definite alternative, to make up for the assessment base that every other core region has. It is impossible for this region to really cope with the needs for services, and the assistance that the minister insists in this bill it take on. I suggest to the minister that he should go to these municipal leaders as members of the municipal committee and say to them, "If I can get for you, from the Minister of Energy and Resources Management, a commitment to provide the wholesale services, at a rate that is in keeping with the present rates in the area—"

Mr. Chairman: Order, please. We have reached 10:30 o'clock.

Mr. Deacon: Mr. Chairman, I move the adjournment of the debate.

Hon. Mr. Grossman: Mr. Chairman, I move the committee rise and report.

Mr. Chairman: Just before I place that, does section 30 stand as part of the bill or will there be further discussion?

Mr. Deacon: There will be a lot more discussion.

Mr. Chairman: We are carried up to and including 29 then?

Hon. Mr. Grossman moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House begs to report one resolution concurred in, one bill without amendment, progress on the second, and asks for leave to sit again.

Report agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, tomorrow we will continue with bills in Committee of the Whole House and, hopefully, with as much of the balance of the order paper as we can, including second readings. Perhaps the members might be prepared to stay late tomorrow, late Thursday, and Friday afternoon. It is going to be a long, hot summer.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, if I may, has there been any consideration given to sitting Wednesday night?

Hon. J. P. Robarts (Prime Minister): It has been rejected.

Hon. Mr. Grossman: I am advised by the Prime Minister it has been rejected already.

Mr. I. Deans (Wentworth): What does the minister consider late?

Mr. W. G. Pitman (Peterborough): This is just to do bills, not to go to estimates?

Hon. Mr. Grossman moves the adjournment of the House.

The House adjourned at 10:30 o'clock, p.m.

No. 109

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Tuesday, June 23, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 23, 1970

The House met today at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our guests in the east gallery are students from Mount Albert Public School in Mount Albert and from Colborne Central School in Colborne; in the west gallery from George Brown College of Applied Arts and Technology, Toronto; and in both galleries Norwood District Public School in Norwood. This evening in Mr. Speaker's gallery we will have the Kinghorn Public School Fathers' Club from Kinghorn with us.

Statements by the ministry.

Orders of the day—oral questions.

Mr. R. F. Nixon (Leader of the Opposition): We are all ready for a holiday!

Mr. Speaker, I have a question for the Minister of Social and Family Services. Can he report to the House what action he expects to take in response to the report by the management consultants Urwick, Currie that indicated some of the expenditures on behalf of the children's aid societies across the province were "wasteful and inefficient"?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I wonder if I could have your guidance in this regard. I had intended to table the report at the opportune time that the tabling of reports comes and I was not really going to make a lengthy statement, I was going to say a few words at that time. I will be guided by you, Mr. Speaker. This is not a ministerial statement; it is a tabling of a report. There will be questions—

Mr. Speaker: Perhaps we might resolve this to the satisfaction of everyone if we revert to ministerial statements, allow the minister to make a statement and table it, and let the question period then begin again. Would that be satisfactory to the minister? Is that agreed to by the House?

Statements by the ministry.

Hon. Mr. Yaremko: Mr. Speaker, some time ago The Department of Social and Family Services engaged the firm of Urwick, Currie and Partners Limited to do a study which has come forth and which is entitled "A Study of the Managerial Effectiveness of the Children's Aid Societies in Ontario". That report was delivered to the department, which has examined it; it was presented to Treasury officials that they might acquaint themselves with it; and then a month or so ago we began to take specific action with respect to the other parties involved.

On May 29 of this year, a gathering was held at the Inn on the Park to which were invited the presidents of each of the children's aid societies of the province, the local directors of each of the children's aid societies, and members of the board of the Association of Children's Aid Societies, together with the representatives from the firm of consultants, Messrs. Benn, Best and Wilson; and of course the senior officials from our department.

We spent a full day that initial day in what I call the initial discussions with respect to an examination, evaluation and implementation of the report. I did make a statement at that time to those present and I would like just to quote some brief excerpts of what I said at that time:

> One of the exciting challenges of the social welfare field is that it is ever changing. Social change creates new demands for services and often calls into question aspects of our carefully designed systems of assistance. But the measure of the strength of these systems is their ability to adapt to new situations. From time to time those of us involved in social welfare must stand back from the established structures to evaluate and assess their performance. Only when this is done can new goals and procedures be established for the future. The five years since the passage of The Child Welfare Act provide a perspective for such an evaluation. With this need in mind, our department commissioned the Urwick, Currie study.
>
> What has developed in the five years since the passage of The Child Welfare Act is a unique partnership. A vital facet of this partnership has been the excellent

working relationship which has developed between the department and the association of children's aid societies. In consultations concerning revisions in our legislation and in discussions on budgeting matters, the association has provided invaluable advice. The municipalities, too, are an important part of the partnership through their financial contributions and in the role that they play in the planning of services to meet future needs.

Co-operation among all these groups, the department, the societies, the association and the municipalities, has forged a partnership uniting both public and private spheres in a common task: the well-being of the children of Ontario. The best indicator of the success of our partnership is the range and quality of services provided through the societies.

What is particularly encouraging to me about this meeting today is that it brings together the members of a successful partnership to establish a programme for orderly change and development. While recognizing the importance of new ideas, this meeting shows that all the participants are willing to build on existing structures to meet the needs of the future.

Mr. Nixon: The minister has not come to anything important yet.

Hon. Mr. Yaremko: Quoting:

This report, which we are meeting to discuss today, will I trust be of great assistance to us as we work together to chart the future course for child welfare in Ontario.

Those, Mr. Speaker, are excerpts from my remarks at that initial meeting earlier in the month.

Mr. Nixon: It could be at any meeting.

Hon. Mr. Yaremko: I beg the member's pardon.

Mr. Nixon: It could have been presented at any meeting, it is platitudes only.

Hon. Mr. Yaremko: But is is well worth saying at any meeting.

Mr. Nixon: Run through it again. Certainly the minister has the corner on that stuff. Come on, tell us about that report.

Hon. Mr. Yaremko: All the rhetoric does not belong on the opposition's side of the House. The Leader of the Opposition should read some the *Hansard* speeches.

Mr. Nixon: Tell us about this report.

Hon. Mr. Yaremko: Mr. Speaker, the report—

Interjections by hon. members.

Hon. Mr. Yaremko: The report was presented by Mr. Wilson and Mr. Best of Urwick, Currie. I then made my remarks, there were general discussions, and there were concluding remarks by the deputy minister.

Mr. Speaker, we had attended that meeting and called the meeting as an experiment with a completely open mind. We had before us an analysis by an outside party, a completely objective analysis, and what is in motion now is a further examination and evaluation of the children's aid societies by the parties involved. I recount to the hon. Leader of the Opposition that the municipalities are represented on the boards. On Friday last, another 1,000 copies of the report were delivered to our office. Six hundred of them will be distributed to the larger portion of the members of the boards of directors of the societies and to the municipal associations so that the experience of all three parties may be brought to bear toward an examination and implementation of the parts of the report which are found to be acceptable.

Mr. Speaker: Oral questions.

Mr. Nixon: Mr. Speaker, I would like to ask the Minister of Social and Family Services what he is going to do, in his responsible position as the minister, about the claims in the Urwick, Currie report, as they have been reported in the press already, that up to $10 million has been spent—and I do not know what the right word is—inefficiently!

Hon. Mr. Yaremko: Mr. Speaker, the report was commissioned with a view to receiving recommendations for improvement. The portion which has received a good deal of publicity in the last 24 hours, respecting the $10 million was an analysis by the firm in which they examined the costs of the children's aid societies in the year 1964 using certain yardsticks that had been used at that time—such as the number of children in care, the days of service provided, salary levels, price indices for purchased materials—using those yardsticks they came up with their projected figures of what they would have assumed the figures would have been in 1968.

This analysis is on page 71 of the report with an appendix, and the Leader of the

Opposition will be able to examine that in detail.

Now in our examination of that, we are very much aware of the fact that the $10 million which was spent, was spent quite properly by the children's aid societies. The total budgeted expenditures of the children's aid societies in 1968 was $37.6 million. The actual expenditures were $37.1 million, so that there was only a discrepancy—a difference—of $500,000; which is a little more than one per cent, and that is pretty good budgeting.

But what the analysis and the illustration of Urwick, Currie has done, and very effectively, is they have pointed out that these yardsticks which we had been using in the past were not adequate for today's needs.

And I will illustrate, I will take one illustration—and some of the hon. members will recall this.

First of all, there was tremendous change in 1965 with respect to budgeting. We provided far many more dollars than had theretofore been provided and this served to increase the quality and quantity of services of the children's aid societies. There was the development—and this is a very, very important point—the development of more specialized treatment centres with consequent higher treatment costs, and the further fact that these treatment centres are in urban centres which increases the distances that have to be travelled.

There is an illustration in one of the appendices which I recall, where the consultants used certain figures with respect to 1964 and related them to the cost of children's services in 1968. For example, the 1968 projection was $2.2 million; the 1968 actual figure came out to $5 million.

We are satisfied that the moneys were properly used.

Mr. T. Reid (Scarborough East): Could I ask, dare I ask, a supplementary question, Mr. Speaker?

An. hon. member: One could go around that three or four more times.

Mr. T. Reid: I shall be very specific, Mr. Speaker—

Interjections by hon. members.

Mr. T. Reid: Did the Urwick, Currie report say anything about the unfair loss to the society of their activities for retarded and emotionally disturbed children?

Mr. D. C. MacDonald (York South): Yes or no.

Hon. Mr. Yaremko: I think not, Mr. Speaker.

Mr. S. Lewis (Scarborough West): Did the minister read the report?

Hon. Mr. Yaremko: I have read the report four times.

Mr. Lewis: Four times! Well when the minister has read it for the fifth time—

Hon. Mr. Yaremko: I suggest to the hon. member when he has the opportunity of reading it for the first time—

Mr. Nixon: Yes, well a supplementary question: Why is that the minister had it six weeks and that we, as members of the Legislature, read about it in the press? Why did he not table it six weeks ago?

Mr. Lewis: He was still reading it.

Interjections by hon. members.

Hon. Mr. Yaremko: Mr. Speaker, in the ordinary—

Mr. Speaker: Order!

Hon. Mr. Yaremko: In the ordinary course of events this report is not the kind of a report which would have been tabled. It is an internal management consulting report which is used very often as a technique for improvement, but in the light of the fact that somehow the report has been made public—

Mr. E. W. Martel (Sudbury East): Why did they not announce it to the members?

Mr. W. G. Pitman (Peterborough): Who released it, then?

Mr. Lewis: Where is the leak in the minister's department?

Hon. Mr. Yaremko: The hon. member should be fully familiar with leaks in our department.

An hon. member: Not this particular one.

Mr. Pitman: Like a sieve.

Mr. MacDonald: It leaks most right at the top.

Hon. Mr. Yaremko: In fairness to all the parties—

Interjections by hon. members.

Hon. Mr. Yaremko: In fairness to all the parties involved, and so that everybody has an opportunity of examining the lengthy report—which should be read itself, not just a newspaper report—I considered it advisable to table it.

Mr. Nixon: All right. I will not have to read any more about it in the press.

I would like to ask the Minister of Agriculture and Food if the report tabled yesterday by his colleague, the Minister of Energy and Resources Management (Mr. Kerr), entitled " A Suggested Code of Practice," is identically the one that was discussed some months ago when the Minister of Agriculture and Food undertook to have the contents considered by a number of farm organizations.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I have not read this report yet; I just got it today. I do not know if it is word for word with what had been presented and talked about before in meetings.

Mr. MacDonald: Keep it for six weeks and read it four times.

Hon. Mr. Stewart: I understand that the report that had been discussed with various farm organizations was typed into this form of a little booklet and is provided for distribution. As far as I know it is exactly the same report. I know of no change that has been made since the final draft was made after the discussions with the farm organizations.

Mr. Nixon: A supplementary question: Can I ask the Minister of Agriculture and Food if his advisers in the department, and essentially the minister himself, recommend the acceptance of this code?

Hon. Mr. Stewart: As I say, I have not read it. I only assume what was in the report—

Mr. Nixon: Well what are we supposed to do with it then?

Hon. Mr. Stewart: As far as I know this is it. I would say that this is the report—

Interjections by hon. members.

Hon. A. F. Lawrence (Minister of Mines): Read it four times.

Hon. Mr. Stewart: Can I have the opportunity to answer the question, Mr. Speaker?

Mr. T. Reid: The minister is holding it upside down.

An hon. member: Read what it says. Read what it says right there.

Mr. T. Reid: The minister has got it upside down there.

Hon. Mr. Stewart: Well, I assure the House my thinking is a lot more straight up than the hon. member for Scarborough East's, I will say that.

I noticed this is revised and reprinted as a discussion document, March, 1970. This is the first one of these that I have seen, and I assume that it is the copy, the booklet of the original document that had been discussed. As far as we are concerned that is the document that we think should be a guide, as my hon. friend the Minister of Energy and Resources Management suggests.

Mr. Nixon: The minister is recommending its acceptance?

Hon. Mr. Stewart: Right!

Mr. M. Gaunt (Huron-Bruce): A supplementary, Mr. Speaker: Do I understand the code correctly? Will all the farmers in the province be encouraged to get certificates of approval for buildings already in existence and in operation?

Hon. Mr. Stewart: That is their prerogative. If they wish to do that, The Department of Energy and Resources Management, I understand Mr. Speaker, has agreed to provide inspectors to go out and visit those farms. Some have applied already but there is no mandatory provision for that whatever.

Mr. E. R. Good (Waterloo North): Mr. Speaker, would certificates of approval be available or would the minister recommend them for urban people building homes in the rural areas so that there is no future conflict between the urban people moving out to rural areas and the actual farmer himself?

Hon. Mr. Stewart: This does not apply to the urban community. It applies to the farmers.

Mr. Good: I am talking about urban people moving out into the rural areas in proximity to working farms. Would the minister recommend the certificate of approval for those people so that there will be no conflict between them and the working farmer in years to come?

Hon. Mr. Stewart: Mr. Speaker, there is no such certificate available.

Mr. Nixon: A question of the Attorney General: Is he aware of lands other than the 13 miles of lakeshore around Goulet Bay that have been undergoing a transference of ownership in the immediate future? Is he aware of other lands—that is, lands other than the ones I raised in the House a few days ago?

Hon. A. A. Wishart (Minister of Justice): No, Mr. Speaker, I am not aware of any particular sales or proposed transfers of land.

This may be so. I would think that perhaps from time to time there are various real estate transactions of one kind or another that go on, of which none of us here would have any knowledge. If this is so, I am sure they would be private land, with the exception of any small parcels which my colleague the Minister of Lands and Forests (Mr. Brunelle) makes available, and I think he answered in the House quite fully a few days ago on the policy of his department which indicated that the amount of crown land is increasing rather than being depleted.

No, I do not know, to answer the question briefly, but I would not be surprised if there were other sales. There are many cottage lots there—many of them presently owned by Americans, many owned by Canadians—and they do from time to time change hands, but I know of no large transactions whatever.

Mr. Speaker: The member for York South.

Mr. MacDonald: I have a question of the Prime Minister. Could the Prime Minister indicate why the government has refused to react in any way to the representations down through the years from the Society of Ontario Hydro Professional Engineers with regard to collective bargaining rights?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would not say that we have not reacted. As a matter of fact, we have spent many hours looking at the whole question of the bargaining rights of professional engineers and I could, I suppose, speak at some length on this subject. It is a very difficult subject because the engineers themselves are not of one mind. The engineering profession has shifted ground to some extent.

It used to be that professional engineers were professionals in the sense that they practised as self-employed people in engineering firms. Within the last few years there have grown up, as the hon. member knows, great groups of engineers who are in fact employees of various organizations, and yet they all belong to the same professional engineering associations. Thus there is a tug within the group itself as to whether they should indulge in collective bargaining or how it should be done.

Certainly I would not be able to let pass a remark suggesting that we have not looked at this, because we have had many briefs, we have had many conversations and discussions with members of the association and their representatives and that is where the matter stands at the moment. It is still under consideration.

Mr. MacDonald: By way of a supplementary question: In a letter to the Prime Minister on May 29, Mr. T. D. Elliot, president of the Ontario Hydro Society of Professional Engineers, intimates that their understanding is that the APEO, the Association of Professional Engineers of Ontario, came to see the Minister of Labour (Mr. Bales) and discovered that it was his intention to remove the exclusion clause of the Act, as one of the amendments that have now come before the House on The Ontario Labour Relations Act, that they objected and therefore the minister said, "In that case, we will not introduce them." Is that accurate?

Hon. Mr. Robarts: I would have to check that with the Minister of Labour to find out if what the member says is specifically accurate. It could be.

Mr. MacDonald: In the absence of the Minister of Lands and Forests I would like to put a question to the Prime Minister. Has the government any alternative plans for preparing more campsites since many have been closed down in Algonquin park because of the pollution that developed last year, so that we will be able to meet the needs of our own residents and tourists in the province of Ontario this year?

Hon. Mr. Robarts: I do not know whether the question refers to campsites in Algonquin Park only, Mr. Speaker—

Mr. MacDonald: Well primarily, but if they cannot go camping elsewhere—

Hon. Mr. Robarts: We have an on-going programme of creation of additional campsites and also up-grading of our present campsites.

Once again, times change and campsites that were considered adequate by the public

five to 10 years ago are not considered adequate today in terms of services supplied. Now a campsite can give you a supply of hot water for showers, which probably was not thought of in a campsite 10 years ago, but it had been taken as a legitimate demand in a campsite today.

This poses a problem; not only do we have to create new campsites but in order to meet the needs of the camping public we have to update and renovate existing campsites. Now I cannot give members the details of the programme. I am quite sure the Minister of Lands and Forests can; but yes, we have an on-going programme of providing more campsites in all our camps across the province.

Mr. MacDonald: By way of two supplementary questions I will put to the Prime Minister, he may want to leave them for his minister: Yesterday's news story indicated there would be fewer campsites in Algonquin because of the up-grading and the pollution problem. Why was it not possible to develop new campsites to compensate for those that had to be closed down, either in Algonquin park or elsewhere? And secondly, has the government considered establishing what is known as a computerized prebooking arrangement so that tourists coming over the border into Ontario, as is the case in many states in the United States, can indicate their desire and find out where campsites are available for use?

Hon. Mr. Robarts: I will start at the last question. I do not know whether we have a computerized programme or not. If we have it certainly has not been brought to my attention.

I would say in answer to the first question, I am quite certain that statistically, regardless of what campsites may be closed down, there will be more campsites available to the public in this province this year than there were last year.

Mr. MacDonald: My final question is of the Minister of Justice, the Attorney General. In view of the decision of the Ontario Law Enforcement Compensation Board awarding $100 a year for the rest of her life to the mother of the taxi driver, Botrie, who was shot to death in the Metro area a year or so ago, would the Attorney General indicate why it is necessary to have lawyers involved in representations of this nature with the result that in this case, Professor Allen Linden received $350 for his services, in other words, the equivalent of 3.5 years of the award going to the beneficiary?

Hon. Mr. Wishart: Well, Mr. Speaker, I would think the same considerations apply as in any matter where a judicial decision is being made, whether it is an adversary case or whether it is a single presentation of a client's or citizen's case. I would think it altogether likely that the representations made by Professor Linden were helpful to the compensation board and perhaps resulted in the award being more generous than it might otherwise have been.

Mr. MacDonald: One hundred dollars a year! That kind of generosity is going to overwhelm most people.

Hon. Mr. Wishart: I do not know all the circumstances of the case. I do not know whether that was a generous award or reasonable in the circumstances or not. But that is the duty of the compensation board to make that judgement. Possibly, if Professor Linden had not been there the award might have been much less. I do not know, but I think that the labourer was worthy of his hire. Professor Linden is very capable and I am sure he helped the board in reaching that decision.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville:) Mr. Speaker, I have questions of the Minister of Health. Must public general hospitals have auxiliary electrical power units? How many do not have such power supplies? Can the minister assure this House that patients requiring surgical procedures are not in any danger as a result of the failure of power supplies due to inadequate equipment?

Hon. T. L. Wells (Minister of Health): Mr. Speaker, perhaps this might be an appropriate question for the order paper and we will get the answer for the hon. member.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Health: In view of the Le Dain commission's interim report recommending that pain killers containing phenacetin should no longer be available over the counter, has the minister taken any action regarding the use of phenacetin in the hospitals of Ontario?

Hon. Mr. Wells: Mr. Speaker, I think the hon. member asked me a question about this a little while ago. I endeavoured to find out, and found that when he referred to hospitals

of Ontario, of course, the hospitals that I can readily report on are the Ontario hospitals which we run directly. It is pretty well impossible for us to get the figures on every general hospital in Ontario, which of course are run by their own voluntary boards.

Phenacetin itself is not used independently in any of our hospitals, I am informed, but it may be used in combination in some products. We will look into this again in light of the recommendations that have been brought forward.

Mr. Speaker: The member for Kenora.

Mr. L. Bernier (Kenora): Mr. Speaker, I have a question of the Provincial Secretary and Minister of Citizenship. Considering that the government has an on-going study examining possible changes to the province's liquor regulations and policies, may I ask the minister if he would consider allowing the sale of draft beer in small kegs to the general public?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I think to be consistent with answers that have already been given I would ask the officials of the liquor control board to look into this particular matter.

Mr. Speaker: The Leader of the Opposition.

Mr. Nixon: I have a question of the Minister of Social and Family Services. Has he in fact had possession of the Urwick, Currie report for more than a year as indicated by the date on it, June 20, 1969?

Hon. Mr. Yaremko: Mr. Speaker, I think the report has been in the hands of the department as of that date. It has been examined in our department and Treasury Board.

Mr. Nixon: A supplementary question: In view of the fact that it indicates an inefficiency involving $10 million, the minister has no announcement other than that discussions are continuing?

Hon. Mr. Yaremko: Mr. Speaker, I have already explained the matter with respect to the $10 million and the significant fact is that we are moving ahead with this very worthwhile programme.

Mr. Lewis: By way of supplementary: Did the minister not say earlier that he had had the report in his hands for only six weeks?

Hon. Mr. Yaremko: No, there was no such statement.

Mr. Lewis: The minister has had it for a year? The minister himself? He has read it four times in the last year?

Hon. Mr. Yaremko: No, the department has had it.

Mr. Lewis: Well, may I ask by way of supplementary: When did the minister see the report for reasons of taking action?

Mr. Speaker: I doubt very much at the moment if that is urgent.

Interjections by hon. members.

Mr. Lewis: May I then ask, Mr. Speaker, if the report was tabled on June 20, 1969, and says that "the purpose of the survey was to review the practices and financial policies of the societies to enable the minister to better appraise the effectiveness and to make recommendations," why in the matter of one year has the minister not been able to make recommendations to this Legislature thus directed by the report?

Hon. Mr. Yaremko: As the minister who requested the report, the report was received by me and it is in the process of being dealt with both within the department and within government circles. We are now meeting with the relevant parties; we have taken, and are taking, steps with respect to the report.

Mr. Speaker: The member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Health. Is the minister aware that the Wentworth County Health Unit in Hamilton has refused to take action to eliminate the massive numbers of flies that have congregated in the Van Wagner Beach area as a result of dead fish in the area? If he is, what steps have been taken by the minister to ensure that those persons who, because of the mail strike, have been unable to send in their OHSIP and Ontario Hospital premiums, will be kept up to date?

Hon. Mr. Wells: Mr. Speaker, in the normal course of my duties I would not be expected to know that, but I will be glad to look into the matter and see what I can find out.

Mr. Deans: Mr. Speaker, might I ask the minister what steps have been taken to ensure that the premiums for hospitalization will be kept up to date?

Mr. Speaker: The hon. minister has answered that too quite reasonably—

Mr. Deans: No, he did not.

Mr. Speaker: He said in the ordinary course he would not know. The hon. member for Scarborough East.

Mr. T. Reid: Mr. Speaker, I have a question of the Minister of Social and Family Services. In view of the report of the commission on emotional and learning disorders in children in Canada, released in Ottawa, does the minister intend to increase the grants to the children's aid society so that the retarded and emotionally disturbed children under their care can receive proper attention, perhaps along the line of the commission's report?

Hon. Mr. Yaremko: Mr. Speaker, the policy with respect to emotionally retarded children has been set forth in this House and The Department of Health and The Department of Social and Family Services have been and are in the process of taking steps which I believe will go a long way toward that implementation.

Mr. T. Reid: A question out of ignorance, Mr. Speaker: Could the minister inform me how much the societies receive per child on a weekly or monthly basis?

Hon. Mr. Yaremko: Mr. Speaker, we do not have those figures. Last year the children's aid societies of this province had a budget of $40 million.

Mr. T. Reid: What is the *per diem* cost of the societies and what is the *per diem* grant of the minister to the societies for those children?

Hon. Mr. Yaremko: Mr. Speaker, we meet whatever is charged to the society; we meet those charges as part of their costs.

Mr. Speaker: The member for High Park.

Mr. M. Shulman (High Park): I have a question of the Minister of Health, Mr. Speaker. In view of the letter received by me today from the minister which states that he is not "at liberty to provide information concerning the care and treatment of individual patients", how is a member of this House supposed to reply to or investigate complaints by individual patients in mental hospitals or by their families about their treatment if the minister will not supply the information?

Hon. Mr. Wells: Mr. Speaker, of course we are happy to supply information of a general nature on their care and treatment, and I think we indicated that we looked into the matter the member raised and we are satisfied that this was in accordance with proper care and treatment. But he was asking, I believe, for detailed medical reports which I said many times here, Mr. Speaker, I think intrude on the privacy, and the entitled privacy, of the patients in our hospitals. They are only entitled to be obtained by that person's doctor.

Mr. Shulman: A supplementary, Mr. Speaker, if I may. If the patient specifically requests his MPP to look into it, will the minister not agree that information should be made available?

Hon. Mr. Wells: No, I will not, Mr. Speaker. I think that the patient's doctor has to ask for it. I think we have gone through this before, that members of the Legislature are not entitled by reason of them sitting as members, to private medical records of any citizen of this province who happens to be in an Ontario Hospital, or indeed in any general hospital.

Mr. Shulman: A further supplementary if I may, Mr. Speaker: How can the minister say this is intruding on the privacy of the patient when the patient specifically requested it?

Hon. Mr. Wells: Mr. Speaker, the patient's recourse is to discuss this with his doctor and the doctor can obtain any records from our hospitals. If the doctor in his judgement and wisdom wishes to discuss it with members of this Legislature that is all right. But we are not at liberty to release patients' files to members of the Legislature.

Mr. Speaker: The member for Waterloo North.

Mr. Good: I have a question of the Premier. Because of the increased concern by elderly people regarding the supplementary tax relief to old age pensioners with limited income that was announced in the budget, when does the Premier intend to break silence on the matter and let the people of the province know what the intention of the government is in the matter?

Hon. Mr. Robarts: Mr. Speaker, we broke silence in the budget by saying we were going to make this tax relief available to the people and it will be done some time during

the current fiscal year, for which the money in due course will be appropriated.

There are certain administrative difficulties in ensuring these funds are properly distributed and those matters are being dealt with presently, but I can assure the hon. member that by the time the snow flies this relief will be given to those whom we intend to benefit by it.

Mr. R. F. Ruston (Essex-Kent): It was snowing up in Timmins last week.

Hon. Mr. Robarts: A special case for northern Ontario.

Mr. Good: By way of supplementary, could the Premier inform the House as to what categories of elderly people will be among those to whom he says he intends to give it?

Hon. Mr. Robarts: Mr. Speaker, when we have our programme arranged, as I say, and it will be in this current fiscal year, we will make all these facts known.

Mr. Nixon: The budget excluded those living in rooms.

Hon. Mr. Robarts: We will not exclude those—

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, a question of the Premier: What action will the Premier take in response to telegrams sent him last night by the councils of Vaughan and Richmond Hill with respect to Bill 102?

Hon. Mr Robarts: I do not think I have seen that telegram yet, Mr. Speaker. It may be in my office presently and when I see it, I will deal with it.

Mr. H. Peacock (Windsor West): Try to see it before Bill 102 is called.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, a question of the Prime Minister concerning this story which appeared in last weekend's press about subsidized rents in existing apartment blocks. I wonder—

Hon. Mr. Robarts: I am sorry, I did not hear.

Mr. Young: The question is in respect to the story which appeared in the press last weekend about subsidized rents in existing apartment blocks. I wonder if the Prime Minister could give us a statement as to government policy in connection with this and when people might hope that it would be brought into effect?

Hon. Mr. Robarts: No, I am afraid I could not give the member a statement. I did not see the report and it is not part of my administrative responsibility. However, I will check last weekend's papers and see the news item to which the member is referring.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid: I have a question of the Minister of Health. Would the minister care to comment on the recommendations of the commission on emotional learning disorders in children, which was released in Ottawa yesterday? They were:

1. Tear down isolated hospital schools for the deaf, blind and retarded and return the children to their own communities in small group homes; 2. Get every pregnant woman to prenatal clinics early in their pregnancy so doctors can detect high risk situations that might lead to a retarded or brain-injured baby.

Hon. Mr. Wells: Well Mr. Speaker, I cannot as a general course disagree with any of those statements. I think they certainly represent the ultimate in policy in this regard and the kind of thing that we—it is not easy to work towards tomorrow, but certainly we recognize that community treatment and community group homes are by far the best manner of treatment in these cases. I think hopefully we will be able to work towards this in the future.

Concerning the second part of the question, I would agree with that. I think we will have to look at that recommendation very carefully and try to do more in this regard.

Mr. T. Reid: A supplementary in regard to the first recommendation of the commission, Mr. Speaker: Could the minister indicate whether grants are available to individual parents who wish to treat their children at home with perhaps family care in their neighbourhood—that is grants comparable to those to the hospital schools? I mean is there a financial incentive from the minister's department now to encourage parents to keep their retarded or physically handicapped or emotional children at home, rather than send them off to institutions such as Orillia?

Hon. Mr. Wells: Mr. Speaker, as far as I am aware there are no direct grants at the present time, but it is an area which we are working on. I have often considered that perhaps we should look at the areas of transportation and the availability of day-care centres of different types that will enable families to do this without the great inconvenience sometimes occasioned if they decide to keep a child of this nature at home now.

These things are constantly being looked at in an on-going programme, but as far as actual grants to families at this time, I do not think there are any.

Mr. Speaker: The member for High Park.

Mr. Shulman: I have a question of the Attorney General, Mr. Speaker. In order to prevent a recurrence of the type of situation that occurred at Convocation Hall last night, could the Attorney General issue instructions that the type of political meetings that are being attempted to be broken up by rowdies of the right or the left should be given sufficient police protection so that this type of thing will not occur? And will the Attorney General see that those persons who attempt to break up political meetings by disorder have the full weight of the law brought against them?

Hon. Mr. Wishart: Mr. Speaker, I usually get questions saying the police should not be out in numbers at these demonstrations.

Interjections by hon. members.

Hon. Mr. Wishart: I do not think that the police can be expected to throw a cordon of police around what apparently is going to be a meeting of citizens.

Mr. Lewis: The Edmund Burke Society meets in the home of the Minister of Correctional Services.

Hon. A. Grossman (Minister of Correctional Services): And the Communist Party meets in the hon. member's.

Mr. Lewis: No such possibility.

Hon. Mr. Wishart: I think we just have to —if meetings are called, we have to assume that—

Interjections by hon. members.

Hon. Mr. Wishart: We have to assume that our citizens are going to behave with reasonable conduct. If they do not and a situation arises the police will be called in. I do not think any grave consequences arose from last night's meeting.

Mr. Shulman: A supplementary, if I may: I am not asking for a cordon of police. Is it not possible to have some police assigned to these meetings so that when a group like the Edmund Burke Society announce they are going to break up a meeting that this can be prevented?

Interjections by hon. members.

Hon. Mr. Wishart: Mr. Speaker, I am a great believer in the freedom of citizens to demonstrate and make protest.

Interjections by hon. members.

Mr. Speaker: The member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): A question of the hon. Prime Minister, Mr. Speaker. A great lot of—

Interjections by hon. members.

Mr. Sargent: A great lot of figures are kicked around regarding the cost of the Spadina expressway. Now that we are married to this project, has the Prime Minister any idea of the involvement financially to the province of Ontario?

Hon. Mr. Robarts: Mr. Speaker, no doubt this has been estimated and I think we could get this information. I say no doubt it has been estimated, and I am quite certain we could get the information for the hon. member; in fact, I am quite sure it is available in public records. However, I will do his research for him; I will find out and let him know.

Mr. Sargent: Mr. Speaker, it was not meant to be facetious; it is very important. I would like to ask the Prime Minister, if the costs were going to be prohibitive would he still allow the programme to go ahead?

Hon. Mr. Robarts: Mr. Speaker, our participation is done under a formula. I was not being facetious either. These are matters of some import, and as I said these figures have been made public and the member can find them.

Mr. Sargent: There are two or three—

Hon. Mr. Robarts: But I will look for them for him and see that he gets them. I assume that before the agreement was made these matters were considered.

Mr. Speaker: The member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): A question of the Minister of Social and Family Services: Would the minister state his view on the practice of the municipality of Toronto having welfare recipients sign a form giving access to their homes at reasonable hours to the commissioner of welfare or his representative?

Would the minister answer in the four following ways: 1. What right has the municipality to do this under the Acts of the minister's department? 2. Under what sections of those Acts? 3. How much good has been uncovered from this practice? 4. Is the minister absolutely certain that this practice is not in any way being abused in metropolitan Toronto?

Hon. Mr. Yaremko: Mr. Speaker, there is nothing in the regulations or the statutes in my recollection that either specifically permits or forbids the practice. Many of these practices are left to the local administration.

With respect to the signing of the form and its value, I am in no position to pass judgement on it because I have not yet discovered or learned to what extent that form is used. I do not think it is a general practice throughout the province of Ontario.

With respect to our position, and the department's attitude, we are now following the practice and it will be an accepted practice within our department subject to any exception that circumstances may prove necessary, that our visits will be by appointment. That is that the recipients will probably be notified in advance of the day that the worker will be visiting the home and that on that day the worker, having finished one visit before moving on to the other, will notify the recipient that the worker is on the way so that the home may be neat and tidy and that the recipient will be home at the proper time.

Mrs. M. Renwick: Mr. Speaker, I have a supplementary question. Does the minister approve of this practice?

Hon. Mr. Yaremko: At the present time the local administrators have a good deal of autonomy and exercise their own judgement. We are trying to bring in certain practices across the province through our joint meetings with the association of welfare administrators.

Mr. Speaker: The member for York Centre.

Mr. Deacon: I have a question of the Minister of Municipal Affairs. In view of the proposed changed hours of sitting of the House, will the minister adjust the appointment with the Spadina expressway group that he had to an earlier hour rather than cancelling it?

Hon. W. D. McKeough (Minister of Municipal Affairs): It has been suggested that I would meet with them next week. I have given them two dates next week.

Mr. Speaker: The member for High Park.

Mr. Shulman: A question of the Minister of Health, Mr. Speaker. In view of the action in the United States this last week in banning multi-antibiotic pills, does the minister intend to take similar action in this province?

Hon. Mr. Wells: By multi-antibiotic pills, Mr. Speaker, I assume the hon. member means combination—what are normally known as combination preparations. Mr. Speaker, I do not think we intend to take this action, particularly now. We would urge, through the food and drug directorate, as I have said many times in this House, that these matters should be handled nationally. The products are manufactured on a national basis or imported on a national basis, and it is far better if the food and drug directorate does this so that it applies right across this country. I will be happy to discuss this with them and see what action they are contemplating.

Mr. Speaker: The member for Waterloo North.

Mr. Good: A question of the Minister of Correctional Services: Why are the doctors of the alcoholics and drug addiction branch not allowed to continue their treatment of heroin addicts with the drug methadone after these people have become inmates of the correctional institutions, namely Don Jail?

Hon. Mr. Grossman: Mr. Speaker, on February 8 this year, the programme director of the Addiction Research Foundation wrote to the Toronto jail indicating that the ARF was operating a methadone programme for certain drug addicts. The programme director asked permission to have any of the persons taking methadone who became incarcerated in the jail put on a 10-day reduction routine; that is withdrawal. This matter was referred to the senior medical officer of the jail who was concerned that the 10-day reduction routine might not be as humane as the present three-day withdrawal treatment with sedatives.

I want it pointed out quite clearly that at no time was it suggested by the Addiction Research Foundation that a person incarcerated could remain on the "research programme" as such. It was always a question

as to which method of withdrawal over what time period should take place.

Our reply, following discussions, was to their programme director from our director of medical services, which stated in part, and I quote from the letter:

> If and when one of your subjects should be admitted to the jail, it would be appreciated if you would make a recommendation to the principal medical officer at the jail in order that each case may be considered individually.

I might say, too, Mr. Speaker, I was most surprised at the statements made on a television programme which I saw, indicating that there was a lack of co-operation between the two departments.

Only recently a letter from the executive director of the Addiction Research Foundation stated, and here again I quote from a letter from the director of ARF:

> . . . We here are deeply appreciative of the very good working relationship that is developing between your department and this foundation.

Mr. Sargent: That has nothing to do with the question.

Mr. Grossman: To continue:

> Examples of this relationship are, of course, well known to you; e.g., the more recent research project being conducted in our unit in collaboration with the Don Jail and the collaborative therepeutic programme being developed in our northern region at South Porcupine—

Obviously, Mr. Speaker, this is a medical problem and it is something that our director of professional services some time ago was discussing with the director of medical services and the staff of the jail.

I must say too, Mr. Speaker, I watched that programme with some amazement. I think it is quite improper for a member of the staff of what is, in effect, a crown agency, publicly criticizing a department of the government—

Mr. Shulman: Is that not awful?

Hon. Mr. Grossman: —as a member of the staff of a crown agency, for which a minister, in this case the Minister of Health, reports to this Legislature. I think what he should be doing is reporting it to the executive director if he thinks—

Interjections by hon. members.

Hon. Mr. Grossman: Why does the member not shut up and listen?

Interjections by hon. members.

Hon. Mr. Grossman: And then it is the job of the executive director to take it up, I feel, with the minister who has to answer to this Legislature for that department.

Mr. Speaker: Order! Order!

Hon. Mr. Grossman: The very fact, Mr. Speaker, that the system of government—the very fact that I have to stand here as a minister and engage in a dispute with a member of the staff of a crown agency, I think, proves the value of the system I am talking about. He should be reporting to his immediate superior as I say, so the minister responsible can answer. I should not be engaging in a public disagreement with a civil servant or a member of a crown agency.

Mr. Shulman: That is shameful.

Mr. Lewis: The civil liberties of the civil service.

Mr. Speaker: Order! Order!

Petitions.

Presenting reports.

Motions.

Hon. Mr. Robarts: Mr. Speaker, I move that tonight and Thursday night of this week the House will sit beyond the normal adjournment time of 10.30 o'clock, p.m.; and tomorrow, Wednesday, June 24, the House will meet at 10 o'clock, a.m.

Mr. Shulman: Until what hour, Mr. Speaker?

Hon. Mr. Robarts: It remains to be seen.

Mr. Speaker: Order! Order!

If there are questions they can be addressed—when the motion has been placed. Then, if there is a debate, the members may engage in it in a proper manner.

Hon. Mr. Robarts moves that tonight and Thursday night of this week the House will sit beyond the normal adjournment time of 10.30 o'clock, p.m.; and tomorrow, Wednesday, June 24, the House will meet at 10 o'clock, a.m.

Mr. Nixon: Mr. Speaker, we have no particular objections, as it has already been made clear by representatives of the government that certain pieces of legislation must have

royal assent before the adjournment. But I must not allow the moment to pass without drawing to your attention, sir, that the new rules did undertake on both sides certain requirements having to do with time limits and adjournments. If we are going to fulfil them on both sides, then surely there should be a real effort undertaken to fulfil them.

Hon. A. F. Lawrence: On both sides!

Mr. Nixon: That is correct, and we have been fulfilling them on our side. We have no objection to sitting late. It is well understood that we sit five days a week and three nights a week now. It will be like old times to go back to those 2 and 3 a.m. sessions. I have no objection, other than the fact that the Premier got up in the House last week and said, "We entered into an agreement with the new rules and we are prepared to go along with them."

Of course the rules permit the government to move that the hour of adjournment can be postponed. I am not objecting to that. I am simply drawing to the attention of the House, Mr. Speaker, that the new rules cut both ways and protect both ways, and I hope that the Premier understands that. We are not objecting to the longer hours, other than that we feel that the business of the House could very well have been ordered so that the adjournment could have taken place without these marathon sessions.

Interjections by hon. members.

Mr. Speaker: The member for Peterborough.

Mr. Pitman: Mr. Speaker, we in this group feel that we are prepared to accept what the Premier suggested, although I think he should accompany this resolution with a catalogue of the legislation which he intends to put through before the end of this session. I think he has a responsibility to tell us.

We too wonder why, under the new rules, the legislation could not have been ordered in a more business-like fashion over the session, rather than being packed into the last two weeks. It is obviously the failure of the government to carry out its responsibilities.

I think at least the Premier should tell us exactly what legislation must be put through before Friday.

An hon. member: Look at the bills we have had the last week.

Another hon. member: Absolutely!

Mr. Speaker: The member for High Park has the floor.

Mr. Shulman: Mr. Speaker, I have just two brief questions to ask. Can the Premier inform us if the Attorney General's estimates, which are on at the same time, will continue to sit as late as the House sits, so we can be advised as to that? Also, can he give any indication at what hour he intends to adjourn the House?

Hon. Mr. Robarts: Mr. Speaker, there are several things I might say in answer to the comments made on this motion.

In the first place, I assure the Leader of the Opposition that I understand the rules' changes, I understand them completely and I intend to abide by them. But one of the changes, to which he agreed and which he admits is a fact, is that if necessary we may sit beyond these fixed hours.

As for the badly ordered conduct of business, suggested by the member for Peterborough, I certainly cannot allow that to go unchecked. We have pointed out what has happened in the estimates. Already there has been a request to change the rules because there seems to be no discipline exercised as to how much time we are going to take in the estimates.

Mr. Nixon: What about the legislation in The Department of Municipal Affairs?

Hon. Mr. Robarts: This is entirely up to the members opposite.

Mr. Pitman: The government could have introduced legislation—

Hon. Mr. Robarts: Hon. members opposite control it—

Interjections by hon. members.

Hon. Mr. Robarts: —if it is necessary—I might say that my experience has proved that always it is necessary to have some aspect of a deadline to complete any business in this House unless there is a specific time limit.

Anybody who has been here for a number of years just needs let his mind go back over the past, and until you do hit some form of time limit, there seems to be an irresistible urge on the part of certain members to just keep on talking. So we introduced a time limit.

Mr. Nixon: A time limit for the opposition, too.

Hon. Mr. Robarts: In answer to the specific questions the—

Mr. Nixon: The government has got it all its own way.

Hon. Mr. Robarts: Oh no, we have not got it all our own way.

Mr. Nixon: Certainly, they can sit all night if they want.

Hon. Mr. Robarts: Why did the Leader of the Opposition agree to the rules changes?

Mr. Nixon: Because we thought they were going to be respected on all sides.

Hon. Mr. Robarts: And they are. I do not think we have sat past 10.30, other than for 10 or 15 minutes one night since these rules changes were introduced. So the Leader of the Opposition cannot really accuse the government of offending the rules; we have agreed with them completely until this moment. Now—

Mr. Deans: What time do we adjourn?

Hon. Mr. Robarts: If the member wants to make a speech, he should get up and make it—in answer to the member for High Park it is not my intent and my wish that we stay here until 1.30 or 2 o'clock in the morning. I simply want to get certain legislation completed.

Mr. Deans: What legislation?

Hon. Mr. Robarts: We will exercise reason when we see what needs to be done and what is being done.

Mr. Peacock: You will keep packing it in at the last moment.

Hon. Mr. Robarts: The motion I made has no application, Mr. Speaker, to the meetings of the committees that are dealing with estimates. They will sit for the usual two-and-a-half-hour session in the evening and will finish at 10.30. But I think that we must, on all sides of the House, accept the fact that this provision in the rules for extension of sittings beyond 10.30 was put there in full realization of everyone who agreed with it that there might be necessary revocation. This is one of those occasions when I submit, Mr. Speaker, that it is necessary.

Mr. Nixon: We are saying it should not be necessary.

An hon. member: Why did the Leader of the Opposition agree to put it in the rules?

Hon. A. F. Lawrence: The Leader of the Opposition should have some control over his own supporters then.

Mr. Pitman: Mr. Speaker, I want to—

Mr. Speaker: This is a debate under the rules of the House on which a member may only speak once. The member for Peterborough has already spoken.

The member for Windsor West.

Hon. Mr. Grossman: This is why we do not get the business done.

Mr. Peacock: Mr. Speaker, the speaker previous to the Prime Minister did ask him if he would indicate which legislation now on the order paper must be completed.

The second thing—if I might be permitted one more question, Mr. Speaker: With the suspension of the standing order respecting adjournments, what day does the Prime Minister have in mind for the adjournment of the House for the summer recess?

Hon. Mr. Grossman: Where has the member been?

Hon. Mr. Robarts: I thought I made this clear on several occasions, Mr. Speaker. We are proposing to adjourn on Friday of this week. Now we of course have indicated day by day the legislation that we are dealing with, and when we finish today's proceedings this evening we will then of course announce the order in which we will take legislation after that.

Mr. Pitman: A war of attrition.

Hon. Mr. Robarts: Oh, no, no, no, no! It is no war of attrition. The order paper sits there; the bills are introduced.

Mr. Pitman: Just tell us exactly what the Premier wants done and we can do it.

Hon. Mr. Robarts: Yes, I want to clean up the order paper before we adjourn.

Mr. Pitman: Everything? Everything on the order paper? That is ludicrous.

Hon. Mr. Robarts: Oh, we will see how much we can get done by Friday.

Interjections by hon. members.

Mr. Speaker: Order! Perhaps we may now put the motion and the members, of course, who are opposed to the motion have their right to evidence it.

Hon. Mr. Robarts moves that, tonight and Thursday night of this week the House will

sit beyond the normal adjournment time of 10.30 p.m., and tomorrow, Wednesday, June 24, the House will meet at 10.00 o'clock, a.m.

Mr. Speaker: Is it the pleasure of the House the motion carry?

As many as are in favour will please say "aye."

As many as are opposed will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Hon. Mr. Grossman: The member's leader agreed to that. I talked to him on the phone this morning and he agreed to it.

Mr. Lewis: The minister is beginning to behave like a bull!

Mr. Speaker: Order, order! Let us get on with the work so we can adjourn some time.

Introduction of bills.

Hon. A. F. Lawrence: Tomorrow!

Mr. Speaker: Orders of the day.

Interjections by hon. members.

Clerk of the House: The thirteenth order, House in committee of the whole House; Mr. A. E. Reuter in the chair.

REGIONAL MUNICIPALITY OF YORK
(continued)

House in committee on Bill 102, An Act to establish the regional municipality of York.

Mr. Chairman: We had completed sections up to section 29. We had one revision required on section 2 which has been stacked. Any questions, comments or amendments on section 30?

The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, I was talking yesterday at the adjournment of debate on the question of the word "may" rather than "shall" in clause 30 and I moved that clause 30, section 1, be amended by deletion of the word "shall" in the first line and the substitution therefor of the word "may".

The minister has indicated that, in his view, it is important that the regional government has the power—

Mr. Chairman: Perhaps I might place the motion before the committee first. Mr. Deacon moves that clause 30, subsection 1—that should be rather section 30, subsection 1—be amended by deletion of the word "shall" in the first line and the substitution therefor of the word "may".

The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, the minister stated yesterday, or last evening, and on a previous occasion, his conviction that it is important that the region have the power of taking over these regional waterworks; that a very important power and degree of autonomy that should be available to regional council is that of controlling the services. In my view, I also suggest that this is a power that should be available to the regional council. But if we change the word "shall" to "may", we still do not detract from their position in any way whatsoever. They can, if in their best wisdom they decide to take over, they can take over—the minister shakes his head; surely the minister is referring to another matter?

The question that I again bring before the minister is this, and I remind the House that, if the regional council has the authority to do this they can, in their best wisdom, take over the waterworks, they can take that power unto themselves; but they probably will not wish to do so.

As a matter of fact it is interesting how little any municipal council objects to The Department of Highways coming into their municipality and building a new highway through it or doing highway improvement.

They do not consider that an infringement upon their local autonomy—the fact that there is a provincial highway, such as 401 going through Metro Toronto, enables the municipality to get the benefit of 100 per cent provincial assistance at no burden upon the municipality itself.

Surely this is the same situation with the provision of water and sewage—in this particular clause the provision of waterworks. If the Ontario Water Resources Commission, in the same way as The Department of Highways, comes into a municipality and gives them something at no burden, it gives them something that that municipality wants without incurring any financial liability, it thus enables the municipality to do other things of priority which it otherwise would be unable to do; I am sure that the municipality would be very pleased.

For that reason I suggest to the minister that this amendment will in no way restrict the ability of the regional council to take over

the waterworks if it so desires, but if, in its best judgement, it feels that they should be left within the area municipalities where they could be operated by the area municipalities, it will enable the regional council to do so. I urge the minister to accept this amendment and would ask him to recognize the fact that it in no way reduces the power or the autonomy of the regional council.

Mr. Chairman: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Chairman, I would like to speak to the amendment of the member for York Centre.

It appears that there has been a distinction drawn between the supplying of water and the supplying of sewage and other facilities. I want to check with the minister to make sure that what is in the Act pertaining to the providing of water is what is intended. Section 30 says: "the regional council shall before the 31st day"; The member suggests it should be changed to "may".

Section 32, which is related directly to it says, "No area municipality after December 31 shall establish, maintain, or operate"; which means that there can be none; it must be vested; okay?

But in dealing with sewage the minister has, in section 53, page 39, a very similar thing to section 30; "The regional council shall be before the 31st day". In section 55, he goes on to say that this could be done, it could be maintained as a local function with the approval of the regional council.

I do not see why there has been a difference made in this instance. I do not understand why in the one instance it is mandatory, and in the other instance—it appears to be mandatory in the section dealing with the assumption of the sewage service, but in the section dealing with the provision itself, section 55, it is permissive.

I wonder if the minister, before I go on, could answer that for me because it makes a difference to the whole argument. Can you see what I am talking about?

Hon. W. D. McKeough (Minister of Municipal Affairs): I am afraid I cannot answer that, as to the difference which appears to be in section 55. As you point out, section 30 and 53 really read exactly the same way.

Mr. Deans: Pretty well, yes.

Hon. Mr. McKeough: But there is a difference between 32 and 55.

Mr. Deans: Right. Now why is that?

Hon. Mr. McKeough: I imagine it has something to do—and I think they are letting me know here—I would imagine it has something to do with in case the assumption does not taken place exactly on January 1. We may have run into this.

If that is true of sewers, I do not know why we should not write section 32 the same way.

Mr. Deans: Right. That would cover the amendment of the member for York Centre in many ways.

Hon. Mr. McKeough: To be fair about this, I do not think 55 in any way overrides 53.

Mr. Deans: But it does, surely, give permission? It said "Where all the treatment works of an area municipality—"

Hon. Mr. McKeough: I do not think so. I think 55 is merely there as a matter of protection in case the actual assumption has not taken place by January 1. I do not think it serves the purpose of the amendment.

Section 55 is written the way it is—and I do remember this now—it is not permissive. It permits the Ontario Water Resources Commission to operate sewer plants on behalf of the area municipalities. Presumably on January 1 that might still go on.

Mr. Deans: This is only in the matter of treatment? This is not true of providing—

Hon. Mr. McKeough: They are not operating any water plants to my knowledge.

Mr. Deans: They are not?

Hon. Mr. McKeough: Just treatment plants.

Mr. Deans: I see. Well okay, thank you.

Mr. Deacon: Mr. Chairman, I would appreciate the minister saying why, if we change the word "shall" to "may", we are in any way hurting or inhibiting the ability of the regional council to take a course of action of bringing all the municipal waterworks into a single unit? Why does he feel that "shall" must stay in there? I just cannot quite get this in my head.

Hon. Mr. McKeough: Just last night I answered it on second reading, as I recall. To me one of the most fundamental aspects to regional government or reorganized local government—whatever you wish to call it—metropolitan government, has to be central control by the region, of the new unit of

water and sewer. Without that, I do not think you are talking about effective local government.

Mr. Deacon: Mr. Chairman, I submit that if the regional municipality has the power over capital works, it has the power over planning. And the province, through its agency the Ontario Water Resources Commission, has the power over where any capital works will be going. In effect the province and the region have complete power over the operation of the area municipality.

The area municipality throughout this area will be in a position where any works have to be approved by the water resources commission, or the capital project costs will have to be approved by the regional council. Would that not put the regional council in a position, where it in effect does have every bit of the control that it would have were these works directly under it as in this Act?

The two main functions are planning and capital financing, plus the fact that we do know that any major works are going to require the support of the water resources commission, which is a provincial body. Surely there is every bit of control that the minister would want and every bit of power that is needed by the regional government to guide the future growth and the future development of that region?

I would appreciate the minister's comments on that.

Hon. Mr. McKeough: I do not think I can comment any further, Mr. Chairman. I think, as I said last night, the member and I part company on our concepts of local government. I point this out.

To suggest that the combination of the Ontario Water Resources Commission and nine local municipalities are going to better be able to deal with something than the Ontario Water Resources Commission and a regional government—I think the member is being somewhat naïve to think that you can get agreements between nine local governments for servicing, really for planning, quicker than you can get on with the job with one regional government.

Mr. Deacon: Mr. Chairman, the minister is misunderstanding me. I am not suggesting that there is any need to negotiate agreements with these municipalities. We are not talking about the same type of arrangement that, for example, was carried out in the Lake Huron pipeline.

We are talking about a simple arrangement here where the Ontario Water Resources Commission operates as does Ontario Hydro, where it supplies a wholesale service at an area rate to each municipality and there is no agreement required. And as a matter of fact—

Hon. Mr. McKeough: If that is the case, Mr. Chairman, then we are talking about a matter of OWRC operating principle where no such grid system—I think that is the term generally used—no such system exists any where in the province. I would suggest the member might better raise this with the Minister of Energy and Resources Management (Mr. Kerr) during his estimates, because I do not have control over how OWRC operates or sells its services, either in terms of water or sewers.

Mr. Deacon: Mr. Chairman, I suggest that the Minister of Energy and Resources Management certainly has had an indication from the OWRC that they are very anxious to start operating on that basis, that if they had the co-operation perhaps of everyone involved it is possible.

Has the minister asked the Minister of Energy and Resources Management for this type of arrangement, in view of the fact that very expensive and very extensive facilities are going to be required in order to service that Yonge Street corridor? Has the minister asked his colleague for such an arrangement?

Hon. Mr. McKeough: No, I have not. What we are designing under the existing legislation, is the existing policies of the Ontario Water Resources Commission. The Ontario Water Resources Commission have made it very plain to us—not only here, but every place else in the province where any kind of consolidation or reformation of local government is going on—that they believe it is untenable to deal with a number of local governments; that it is a much better situation to be able to deal with one. And this is precisely the holdup. If the member would go back and look at the history of the Peel pipeline, for example, those negotiations dragged on for three or four years. Had Peel county been handling that exclusively, I think those pipelines might well have been in operation now. Put together the divergent points of view—in this case, of 10 municipalities—and I do not think you would get anything done.

Mr. Deacon: Mr. Chairman, I certainly agree with the minister that if we had to insist upon agreements similar to that in the South Peel programme, such would be the case and I would heartily support his contention that this should be done as a regional

works. And I am supporting here the view that the regional council should have the power to take over these works, should a new arrangement not be possible. However, I am not at all satisfied—

Hon. Mr. McKeough: The member—if he will excuse me for a minute—is really suggesting that the Ontario Water Resources Commission should be in a position to wholesale water or wholesale sewage treatment without necessarily an agreement with the municipality or with the group. Is that correct?

Mr. Deacon: Right.

Hon. Mr. McKeough: Well that is a matter to be discussed during The Department of Energy and Resources Management estimates; it has nothing whatsoever to do with this bill.

Mr. Deacon: I agree with the minister that it does not have to do with this bill whatsoever, but if the minister agreed to this amendment and should such a policy be adopted by the Minister of Energy and Resources Management for the Ontario Water Resources Commission, it would then be unnecessary for the municipality to take over these waterworks, to have all the extra overhead and all the adjustments that we are now contemplating, as this bill provides.

I suggest that it is interesting the way the Ontario Water Resources Commission in a recent release described the contract in connection with the South Peel programme. It said:

> All work in the South Peel programme is being financed by a provincial plan under which municipalities will pay for water and sewage services on a use basis only. OWRC will own and operate the facilities on behalf of the province of Ontario.

So in that case they are speaking in terms of a continuing ownership of the facilities. Because of the former policy, or the existing policy, they have still required agreements which, as the minister stated, caused delays of many years. But I do understand that the water resources commission is certainly looking carefully at a complete change in policy so that no agreements will be necessary.

Under those circumstances I submit to the minister that direct delivery of service to the area municipalities that are so separated in this county of York—and if he will look at the map he will see how far it is from one municipality to the next; they are a long way separated—by water resources pipeline and sewage facilities along that corridor in whatever direction, in whatever facility the engineering called for, would seem to be by far the best method. And I suggest to the minister here that under those circumstances, if a change of policy does occur, we should have in the legislation a flexibility so that we do not insist that the new region shall assume the works.

I am not suggesting here any reduction in the ability of the region to take over the works. I am suggesting that if government sees fit to adopt a new policy for the Ontario Water Resources Commission—and this is something I hope they will do in the next session—it is then possible for the region to have the area municipalities continue the role of being distributors only. Because there will then be no need for any agreement to the regional municipality; there will be no need for that overhead structure we are talking about. They are certainly not going to be involved in centralizing and bringing it under the region. There is going to be no need for capital other than for expansion of the local distribution facilities. And I think that is now provided for in the bill, because this bill only deals with the production and facilities and trunk mains. I urge the minister to recognize the views that have been expressed to him.

The town of Markham sent a letter to the minister—I believe he has a copy of it—saying how much they wish to be able to continue to operate their own works. Richmond Hill is the same. And all of the municipalities that I have talked to are very strongly in favour of being in a position to continue to operate their own works, unless they can see some advantage, and the region can see some advantage, of being brought together.

Why does the minister insist that there be no discretion? Why does he not give his regional council the autonomy he talks about here? Why does he not change this word from "shall" to "may" so that we do have that flexibility?

Mr. Chairman: I think the hon. member is becoming quite repetitious. The minister has answered this previously. The member is repeating things that he said several times before. Those in favour of Mr. Deacon's—the member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): I just do not know where to start on this particular section.

Mr. Chairman: We are dealing with an amendment to the section.

Mr. Bukator: The amendment to the section? Maybe I should have been here when it was read. The amendment was—

Mr. Deacon: The word "shall" be changed to "may" in the first line of clause 30(1).

Mr. Bukator: If the amendment is defeated or carried, do I not have an opportunity to discuss section 30 after?

Mr. Chairman: If this amendment is defeated, subsection 1 carries. Debate may take place on subsequent subsections of section 30.

Mr. Bukator: Subsection 1 is the section that I want to speak on, so I—

Mr. Chairman: We are dealing with an amendment to subsection 1 of section 30.

Mr. Bukator: Mr. Chairman—

Mr. Deans: On a point of order. Did I understand you to say that if the amendment is defeated, subsection 1 will carry?

Mr. Chairman: Subsection 1 of the section.

Mr. Deans: I was under the impression that we were permitted—not that I intend to but I want to clear it up—that we were permitted to move amendments after the amendment had been voted upon, and lost?

Mr. H. Peacock (Windsor West): And lost! But if the amendment is carried then the section is passed—the subsection.

Mr. Deans: What happened yesterday, for example, was that the minister moved an amendment to a section, to which I then moved an amendment, too, and it was—

Mr. Chairman: To other subsections of that section. That was section 3, and we had dealt with a subsection of the section.

Mr. Deans: I find that a very arbitrary decision, because it makes it very difficult.

Mr. Chairman: No, I think not. It is not arbitrary. It has been the practice of this House. If you move an amendment to a section and it is defeated, the section carries.

Mr. Bukator: Then, Mr. Chairman, I can speak to the amendment; whether it be "shall" or "may" does not make much difference to the content of what I have to say. I would like to speak on this subject and I would like to tell you what I have in mind.

I know that you, Mr. Chairman, make reference to repetition, but where do we get our knowledge of these problems if we do not go into the experience of other areas? Just to relate to you what can happen and what has happened in another area; the city of Niagara Falls built a waterworks plant in the village of Chippawa because it was handy to a good source of water. Over a period of years their plant was so big and was capable of a greater capacity than the people of the city of Niagara Falls needed and they began to sell water to the village of Chippawa and certain sections of the township of Willoughby. They took care of all of the city of Niagara Falls, Mr. Chairman, and then Stamford township, which completely surrounded the city. They had sufficient water from that plant to build a reservoir at Brock's monument at Queenston and continue the water line right down to Niagara-on-the-Lake.

In this particular new region that we have now, this water is supplied by the city of Niagara Falls and provides for three or four of the new cities or towns and townships. We did provide water, by the way, for a much lower rate. We found, in the village that I come from, that we could buy water cheaper from the city of Niagara Falls rather than reconstruct and build a new filtration system.

What I would like to ask of this minister—I know that Hydro feels that everyone in the province of Ontario ought to have hydro at the same rate because people live within this province—if it is the intention of the minister and the government to provide water for a similar rate throughout the whole region with this new setup that you will have in section 30 when it comes into effect? My argument—as the minister has said and I must say that we come to the parting of the ways—is if a municipality can build a plant and provide water for its neighbouring municipalities at a much lower rate than they can by this new regional system, I would think it would be good practice to continue that operation.

I had a widow come up to me, not too long ago, and say because they are now in the region, her water rate was increased in the village of Chippawa by over $4 per month only because the regional council, or a committee of council, took over the operation. As a matter of fact, an editorial was written up by the local paper asking why should not all people pay a similar rate; they are all citizens of the province of Ontario, or of that region.

I look at it differently. I feel that if any municipality can build a plant such as the

one that the city of Niagara Falls built and provide for their own and others much cheaper than they could through the new regional system, then they are making a better contribution than they would by regional government.

So here, through the experience of our own municipalities—and I made reference before and I know it is repetition—but the community of Crystal Beach own their own plant. Because it became a part of Fort Erie town, their rates were increased double and then they added 10 per cent to the administration. I saw recently in the paper where a few, because of added increases, are going to put meters in for the commercial areas of that little village.

I cannot see where we should have to purchase something bigger, for the sake of it being bigger, and getting in the situation of being in a box where we must raise the rates. Two municipalities that enjoyed a much better method than what we are going to have, had what you are going to have in this particular county of York. So I do not know —maybe I am thinking out loud. Maybe these things work themselves out eventually.

I know the minister was in our riding last Friday, down in the Niagara region. He was asked questions. I must say this, that I find this minister does not want to evade questions, but he usually lays it on the table when he is asked a question. He was asked if he is happy with the way regional government is functioning in Niagara. The minister said that it is much too early to say. He said it would take up to five years before a clear picture of the merit of regional government will emerge. I am not looking for miracles.

It will take three years, the minister said, to complete the necessary organization. I agree with him at this point that it will take as long as that. I am wondering whether we are not overdoing this by not allowing several municipalities, since we are caught in this one in Niagara, to undertake the trial and error, rather than work out the bugs in our system, before we implement a bill such as he is trying to do in York county.

It applies also to the waterworks system. I stand here before you, and I hope I am wrong, to tell you that the rates for the people of the county of York will be increased considerably, in view of what took place at Niagaa. I do not like it.

Mr. Deacon: Mr. Chairman, I bring up a point that came to my attention, that in the region of York, in almost all the region, is an area that is not to be developed except for the central core, and there will be a load on the financial ability of an area that is largely rural and is largely recreational and not an area that has a high density build-up. In every other region which the minister has seen, the concept of regional waterworks systems works very advantageously. The regions themselves are filling out. They are developing regions and the entire region is of that character.

But it is a centre-cored region, quite different from York. York is a mixture of the developing corridor up Yonge Street to Barrie, and a couple of other small developing centres. But the greatest part of the region, we hope, is due to remain green belt. It is going to be parkland and agricultural area, and it is not going to be an area that is going to have the revenue which will help it carry an unnecessary burden.

Why should we, therefore, in areas where we are not going to be seeing much development, burden them as a part of the region with development in another part, and, especially, make it mandatory. If it is necessary, as a result of judgement later on, for the change to take place, because the regional council finds it cannot get ahead with certain development because of the fact it is just local, then the change can be made by the regional council.

But what I think that this is essentially a different type of region than anything the minister has introduced before. I suggest that he recognize the fact that he is imposing this on a community which does not have the same revenues as a normal concentrated area, he is imposing on them a burden that he does not have to impose. He could localize that burden to the developing areas by having a permissive clause where the regional council may pass bylaws assuming as part of the regional waterworks all works for the production. Actually, I think it should be set up in such a way that they can assume all or part of the works so that if there are areas where there is no increase in facilities required, the burden will not be going upon the municipality.

I hope the minister will give some consideration to this change.

Mr. Chairman: Those in favour of Mr. Deacon's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost.

Section 30, subsection 1, is carried.

Mr. Deacon: Mr. Chairman, I want that to to be—

Mr. Chairman: Five members did not rise in their place.

Mr. E. R. Good (Waterloo North): You called the wrong party as having won the vote. It was the "nays" had it.

Mr. Deacon: I want to stack that vote.

Mr. Chairman: Order please!

I placed the motion before the committee. Those who voted in favour of the motion said "aye"; those who voted against said "nay". I declared that the "nays" had it.

Mr. Deacon: Before you gave us a chance to rise on it.

Mr. Chairman: I declared that in my opinion the "nays" had it.

Mr. Deacon: Then we rose.

Mr. Chairman: No, there were not five members rose in their places. I hesitated numerous seconds. You must have five members rise in their places.

Mr. M. Gaunt (Huron-Bruce): There is a dispute, Mr. Chairman.

Mr. Chairman: There is no dispute. Five members did not rise. I declare the motion lost.

Mr. Good: Mr. Chairman, on a point of order. How does one challenge your ruling that in your opinion the "nays" had it? It was obvious that the "ayes" outnumbered the "nays" by a good number here. There were not even five members in the "nays" over there. How does one dispute the accuracy of your hearing?

Mr. Chairman: It is up to those who said "aye" on the motion to dispute my opinion, that is the opposition members, and five members did not rise.

Mr. Good: Okay. You have caught us. We were a little slow.

Mr. Chairman: The motion is lost. Section 30, subsection 1 is carried.

We are dealing with section 30. Any other subsections?

Mr. Good: I want to point out that there were not five members—

Mr. Chairman: Subsection 2.

Mr. Deans: I want to ask the minister under subsection 2 why it was that he did not include the description of the real property in this subsection? Why did it not read, "shall designate and describe the real property, works and trunk distribution mains assumed"? It would seem that if you are going to assume something, you should assume it in its entirety and that should appear.

Hon. Mr. McKeough: I assume that you say you are going to take over the Richmond Hill treatment plant and some works and trunk distribution mains.

Mr. Deans: But you may well be taking over the real property.

Hon. Mr. McKeough: Right, but the real property of the Richmond Hill treatment plant is something which is obviously described and easily recognizable. You cannot just say it is a trunk sewer on Yonge Street; you have to become more specific than that. And I assume that is why subsection 2 is there. Yes, subsection 2 really just qualifies subsection 1. Subsection 1 is the broad section and then subsection 2 ties down which sewers you are talking about. I think that is the reason.

Mr. Deans: I am not going to argue except that I want to be clear. Subsection 2 is the subsection which designates the bylaw that must be passed, and it says what the bylaw should encompass. It does not refer to subsection 1 in terms of those matters that should be included in the bylaw. It does not matter; it just seems to me to have that in there at some point along the way might be useful.

Hon. Mr. McKeough: I do not think it is necessary. These sections are standard sections—I suppose they are from the Metro Act originally—and they are changed from time to time, mainly in connection with the water resources question. I doubt whether there is anything wrong with it.

Mr. Chairman: Anything further on section 30?

Mr. Deans: No, Mr. Chairman.

Mr. Chairman: Are there any questions or amendments to any other section of the bill up to section 114?

Mr. Deacon: On section 32.

Mr. Chairman: Section 32.

Mr. Deacon: Section 32 says:

> No area municipality, after December 31, 1970, shall establish, maintain or operate any works for the production, treatment and storage of water.

I move that clause 32 or section 32, subsection 1, be amended by adding the following words: "without the approval of the regional council".

This is to enable a municipality, where they are able, to work out an agreement with the water resources commission to meet their needs, actually without agreement. If they are able to get, through the water resources commission, extra supplies of water by some means other than agreement; by some means other than capital works, and by an advantageous position or advantageous arrangement with the municipality, they can do so. But they cannot do so without the approval of the regional council. This would mean that subsequent to December 31, 1970, if the Ontario Water Resources Commission came to the local municipality and was able to provide them with what they needed, they would have the right to do so if this amendment were passed.

I suggest again that this places it under the control of the regional council. It is not going to reduce their authority or their ability to maintain or improve a waterworks system.

Mr. Chairman: Any further comments on this amendment?

Hon. Mr. McKeough: Mr. Chairman, I think we are back on section 30 again, really. There is nothing wrong with the amendment except that if they purchased from the OWRC they would not be producing or treating or storing water; therefore they would not need the approval of the regional council. This is just the amendment of the hon. member to section 30 in a different way, which I think we have dealt with. Having dealt with section 30, I do not see any advantage in putting this into section 32.

Mr. Deacon: Mr. Chairman, I wonder if the minister sees any disadvantage in putting it into section 32 so that the ability is very clearly there for municipalities to do that?

Hon. Mr. McKeough: It is unnecessary verbiage.

Mr. Chairman: Those in favour of Mr. Deacon's motion please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

The opinion of the chair has been challenged; we will stack this amendment along with the others. Are there any questions or comments on section 34? Anything before 34? If not, the hon. member for Wentworth.

Mr. Deans: Why "immediately" in subsection 2? "Immediately before January 1, 1971." What possible reason could there be for having that word in there? Why not before January 1?

Hon. Mr. McKeough: I suppose it means that—it does not mean that it was fluoridated 20 years ago but they stopped 19 years ago —that is, before January 1, 1970, it was fluoridated. I suppose it means to say on December 31 the water supply in the area was fluoridated; that is really what it means. That is, really, continuity—in other words they have not started and then stopped.

Mr. Deans: Okay; if that it what it intended to say, why does it not just say it? It seems that you are going to have a lot of argument over words. If you say immediately before, I can hear them trotting in and saying, "Now, wait a minute; this is immediately before and that is immediately before." Why do you not just put it in the way it is supposed to be and make it clear?

Hon. Mr. McKeough: This is drafting language and I cannot answer that question.

Mr. Chairman: Any questions, comments to any other section prior to section 114? The hon. member for York Centre on what section?

Mr. Deacon: Section 36.

Mr. Chairman: Section 36.

Mr. Deacon: Section 36, subsection 2. I move that it be amended by inserting the following words at the beginning of the section:

> Where the regional council has assumed the waterworks of an area in a municipality as provided in clause 30, section 1.

It only applies where it has assumed the waterworks. At some time in the future, if we change the situation so that the municipality has a choice, it will be able to have some flexibility. I move that amendment to subsection 2.

Mr. Chairman: Mr. Deacon moves that section 36, subsection 2, be amended by inserting the following words at the beginning of the section:

Where the regional council has assumed the waterworks of an area in a municipality as provided for in clause 30, section 1.

And deleting the word "any" in the second line and substituting the word "such".

Any discussion on the amendment?

Hon. Mr. McKeough: Well, 30 and 32 having failed, assuming they failed, I do not think this amendment 36(2) is necessary. If, perchance 30 and 32, when the votes are taken, do pass, I would think this would be a sensible amendment.

Mr. Deacon: Mr. Chairman, I submit that maybe sometime in the not too distant future, we will be in a position to make it possible for the regional municipality to have some discretion, some autonomy in the matter. At such time I would like provision in the Act so that we can give flexibility all the way down through the bill.

Mr. Chairman: Those in favour of Mr. Deacon's motion please say "aye".

Those opposed please say "nay".

In my opinion the "nays" have it. Not sufficient members have risen in their places. I declare the motion lost. Is there anything further on 36?

Mr. Deans: Subsection 3.

Mr. Chairman: Subsection 3?

Mr. Deans: Right. I would like to ask the minister why it is under this section that there is no avenue of appeal? For example, if the area municipality did not agree with the assessment set by the regional municipality, there is no avenue open for appeal, that I can see. Could this not be made subject to OMB appeal? Or, should it not be made subject to appeal to the OMB, there has to be some arbitrator in the case of a dispute; otherwise it will be a withholding of the payment and then what?

Hon. Mr. McKeough: I do not think there is an appeal from this section.

Mr. Good: In 43—would 43 not do?

Mr. Deans: I do not know. That is what I am trying to find out.

Hon. Mr. McKeough: No, I think 43 is just capital really, although it is there; in effect there is an implied appeal under (c):

To maintain and increase the supply of water to the area municipality.

Rates are essentially a part of that because you could set the rate so high that you were not doing it; or have set the rate so high that you were not maintaining the supply of water.

In other words, if it gets high enough, nobody is going to use it, therefore you are not maintaining it. That is a devious argument but I think we have always considered that there are really three appeals. There is perhaps that kind of an appeal to the board, which may be stretching the point. There is an appeal because these are elected people, in effect, representing area municipalities, mind you; but they are elected. Therefore, there is an appeal. I suppose if the thing did not work and there was something horribly wrong then, in effect, there is an appeal to me, to the Legislature, to do something about it.

Mr. Deans: Rather than that—recognizing that they do represent area municipalities, and recognizing that it could well be that the representative of one municipality may well be in agreement with his colleagues and the constituents of that municipality that the rate which has been levied by the regional government is too high, or not fair, or for some reason or other not applicable, and vote against it, then there is no recourse. They can come to the minister, no doubt, but I think there should be a definitely expressed avenue of appeal in order that they can come. I can see no harm—and again we are getting back to this, "If it is no good, there is no harm"—but I can see some good about having the avenue open even if it is never used. I can see no harm in having it there because I do not think it could ever be abused.

Hon. Mr. McKeough: The only point is it could be terribly time-consuming from the point of view of getting on with the job. In the local municipality, of course, there is no appeal. The water commission simply sets the rate and that is the end of it.

Mr. Deans: Yes, but they are not dealing with a government.

Hon. Mr. McKeough: Another municipality.

Mr. Deans: That is right. I would like to move or let you deal with it so that it would have added at the end "subject to appeal."

Hon. Mr. McKeough: The real protection is that all of the area municipalities do have representation on the regional corporation. I think that is probably sufficient appeal in

terms of getting on with setting the rates. I think it perhaps would be a highly complicated matter to put in front of the municipal board.

Mr. Deans: Well, it is a decision. It is a matter of assessing whether the rates have been assessed based on a self-sustaining formula, and when it comes to that point it should be easy for an independent arbitrator to make that decision. I do not see it as being very complicated, although I do see it as becoming a dangerous political problem within the municipality if one municipality chooses to believe, for some reason, that they are not being properly assessed. And I can see the value in it, frankly, and as I say, I would be prepared to move it or even perhaps to have the minister move it. I think it is valuable, frankly.

Hon. Mr. McKeough: There is no appeal in other areas such as this in terms of rates. I admit that we are talking about municipalities rather than talking about people, but the same thing is true of a Hydro commission, for example. There is no appeal on the rates.

Mr. Deans: That is not the same thing though, because when talking in the House with the Minister of Energy and Resources Management he indicates that he is in the process of setting up the energy board as an appeal tribunal; therefore he sees the value in the case of Hydro. So I think there may be value here.

Hon. Mr. McKeough: When that is done then I will be glad to consider it.

Mr. Chairman: Any further questions or comments?

Hon. Mr. McKeough: This has not created a problem particularly; I would have to say that.

Mr. Deans: I am trying to avoid one, that is all.

Mr. Chairman: Any section up to 114?

Mr. Bukator: May I ask, on a point of order, why do you make reference to "up to section 114"?

Mr. Chairman: Because the hon. minister has an amendment for section 115—

Mr. Bukator: Well, I would say—

Mr. Chairman: —and I invariably introduce the minister's amendments.

Mr. Bukator: The police, planning and welfare are all between here and section 114.

Mr. Chairman: I said any section up to and including section 114—any section. The first one will be—

Mr. Bukator: Well, I would think that you are taking section by section. That is the way—

Mr. Chairman: No, we do not do that any longer. If the member will read the new rules, he will see we do not do it that way.

The hon. member has a comment or question on section 37?

Mr. Deans: Right. We are back to this matter of appeal again, and I am dealing with subsection 2. Right?

> The regional corporation may enter into a contract for the supply of water to any local, regional, or metropolitan municipality outside the regional area—

And it goes on. Again there is no opportunity—maybe there is; let me look at this other for a moment! No, I do not see any opportunity for a local municipality, an area municipality, to appeal in regard to the sale of water to an outside municipality before it has been adequately serviced.

I think it is a valid appeal. Let me give you an example of what I am talking about. In the city of Hamilton at the moment they sell water to a number of neighbouring municipalities. There are many people within the municipality who do not receive the benefit of an adequate water supply. I do not want to see this perpetuated in legislation across the province. I would like to see an avenue open whereby the area municipalities can appeal against any decision of the regional council to sell water if, in their opinion—and it would have to be substantial—they are not being properly serviced themselves in terms of providing water facilities.

Hon. Mr. McKeough: Yes, 43(c) would cover it.

Mr. Deans: It does? That covers it? Okay, I was not sure.

Mr. Chairman: Any questions or comments on any section from 38?

Mr. Deans: Thirty-nine.

Mr. Chairman: Thirty-nine.

Mr. Deans: Subsection 2.

Mr. Chairman: Anything on 38?

Mr. Deans: Thirty-nine, subsection 2.

Mr. Chairman: All right. Section 39.

Mr. Deans: At the start of subsection 2, it says:

> It is not necessary to levy any rate to provide for principal, interest or other payments on account of any debentures issued.

Should it not say, "It is expressly prohibited"? Surely they cannot. It is not a matter of it not being necessary to do it; they cannot do it. It would seem to me that words, "It is not necessary", should be stricken out and the suitable words, "prohibiting it" should be substituted or, "It is expressly prohibited", if you like, to levy any rate to provide for all these things that are mentioned in the section. It is not necessary; it does not convey anything.

Mr. Good: Except to the extent of the revenues.

Mr. L. C. Henderson (Lambton): Carried!

Mr. Deans: Can I ask you about that?

Hon. Mr. McKeough: If you put it the other way, it is necessary to levy to the extent that the revenues from the system are insufficient to meet the annual payments.

Mr. Deans: Fine!

Hon. Mr. McKeough: The member is asking—

Mr. Deans: You are drafting a bill.

Hon. Mr. McKeough: I do not draft the bill.

Mr. Deans: No, I agree. But we are.

Hon. Mr. McKeough: These sections, I assume, are right out of the Metro style. When the member is minister—and he may be some day—he will not drop sections like that.

Mr. Deans: Okay. Let me say to the minister, we are being facetious about the whole thing, the purpose surely of this exercise is to make sure that the clauses—

Mr. O. F. Villeneuve (Glengarry): There is no worry about that.

Mr. Deans: —meet the intention. If it is apparent that the clause does not meet the express intent of the bill, then surely we are entitled to suggest that it should be changed. I agree it may seem like a small point, except that six months from now when somebody goes back and asks what it means, and we are then faced with the problem of having to amend it it just does not make any sense. That is what we are here for, and frankly the thought of sitting through the middle of the night does not worry me.

Mr. Chairman: Shall section 39 stand as part of the bill. Carried.

The member for York Centre on section 40?

Mr. Deacon: On section 40, I wish to ask the minister the position of municipalities that are going to have their assets assumed by the regional council, as is now being directed under the previously approved clauses.

Section 40 says:

> Subject to section 47, the regional corporation may sell, lease or otherwise dispose of any real or personal property acquired, held or used for or in connection with the regional waterworks system that in the opinion of the regional council, is no longer required for the purposes of the waterworks system,

And it goes on

> but where the property is actually used for the purposes of the waterworks system, no such sale, lease or other dispositions to be made without the approval of the municipal board.

It is considered surplus. If the municipality has paid for the system, does it get credit for the proceeds, or does it all go into the region? If they take it over and they say they no longer need it as of January 1, 1971, is that not then something that should be returned to the municipality that got it?

Hon. Mr. McKeough: It should. It goes back to the municipality under 47.

Mr. Chairman: Are you finished with section 40? Shall section 40 stand as part of the bill.

Interjection by an hon. member.

Hon. Mr. McKeough: —clarification of that? The point is subject to 47, I think, which explains it in part. How the member has explained it is correct. Presumably it becomes surplus because something else has taken its place which is being bought and paid for. The other point that should be made is if there were an outstanding debenture, then of course that would come off the sale price.

Mr. Deacon: Mr. Chairman, the concern was that it was actually something, maybe

a water tower, that was no longer needed or something of that sort. If it is going to be scrapped, and it is not going to be used, why should the benefit not be available to the municipality? But I see your point; the argument being that some other facility has to take its place.

Hon. Mr. McKeough: They would have to build a reservoir or something.

Mr. Chairman: Shall section 40 stand as part of the bill? Carried.

The next section for discussion?

Mr. Deans: Section 50.

Mr. Deacon: Section 47.

Mr. Chairman: Anything before 47? All right, the member for York Centre on 47.

Mr. Deacon: On section 47; should there not be arbitration under this section since the cost to a municipality to maintain local distribution, which is subject to debenture debt, which might be deemed to be no longer required for the regional system, might be exorbitant? In other words, the municipality might still be assuming some part of general debenture debt of the municipality which could be traced, in part, as having been incurred for waterworks, and there is no possibility of getting credit for it. It is not being assumed by the regional council because it is not specifically for waterworks. It was a general debt of the municipality.

Should there not be an opportunity for arbitration under section 47?

Hon. Mr. McKeough: Section 47?

Mr. Henderson: Bought a new car with the water works; not paid for yet!

Hon. Mr. McKeough: I do not see how—I am sorry. I do not see how this ties in with 47 particularly.

Mr. Deacon: It refers to the regional council no longer requiring the distribution—

Hon. Mr. McKeough: Right, and they may revert to the—

Mr. Deacon: The cost to the municipality to maintain local distribution means, subject to debenture debt, might be deemed exorbitant, yet it is no longer required for a regional system. The town of Markham is bringing up the point that it felt that if there is some dispute, there should be room for arbitration under this particular clause.

Hon. Mr. McKeough: As to whether it has reverted or not?

Mr. Deacon: And whether there may be some debt that they are having to maintain and it cannot be delineated specifically toward the regional system.

Hon. Mr. McKeough: I can only tell the member that I think they are perhaps raising an unnecessary worry. I asked about this once in connection with Metro where this, of course, has been happening for some 15 years, and they have never had problems of this sort.

Apparently engineers decide what is in fact a trunk, and what in fact is not. Engineers talk the same language and probably the politicians accept their decisions. That is perhaps an oversimplification, but there have not been arguments about this.

I know in terms of Ottawa-Carleton, and I think in terms of Niagara as well, in both cases we use, or the municipalities use—we happened to pay for McLaren's to delineate what was the trunk system for both water and sewers. There really had been no arguments about that. I assume, and I did ask in Metropolitan Toronto whether there had been arguments after the original point which, I suppose, might have arisen out of revisions. They said no, it was pretty well accepted.

Mr. Deacon: Thanks. I think the point Markham raised is purely in regard to general debt, and the general debt including some items of this sort. They thought there should be room for arbitration, but if there have been no problems in the past—

Hon. Mr. McKeough: I am not aware of them.

Mr. Chairman: Shall section 53 stand as part of the bill?

The member for Wentworth. On which section?

Mr. Deans: Section 50.

Mr. Chairman: Section 50?

Mr. Deans: In the definitions I have been asked to enquire whether you would put a definition in for water course.

Hon. Mr. McKeough: For which?

Mr. Deans: For water course.

Hon. Mr. McKeough: Water course?

Mr Deans: Yes. Would it be possible to draft a definition and put it in the definition section, since it is referred to explicitly?

Hon. Mr. McKeough: Water course is usually used more often in terms of storm water rather than sewage. But if you think that a definition of water course—the term water course is used in this part of the bill?

Mr. Deans: I am just looking for the section. Yes, it is used under 52:

> The regional council may pass bylaws for constructing, maintaining, improving, repairing, widening, altering, diverting or stopping up trunk sewers, trunk sewer systems, trunk sewage works, treatment works or water courses.

Hon. Mr. McKeough: Yes, generally water courses are used. That term is used more, as I say, in terms of storm facilities rather than sewage facilities, but perhaps it would be a good idea to have a definition of water course in.

Mr. Deans: You will do that, will you?

Hon. Mr. McKeough: I am told by the staff that they have tried to get a definition of water course from both legislative counsel and from the Ontario Water Resources Commission, and they tell them "it is too dicey to define."

Mr. Deans: Why do you not then take it out of the bill? Because if it is too dicey to define, then surely you are not going to leave the municipalities with the problem of battling it out as to what a water course is. If it cannot be defined by us, for goodness sakes take it out.

Hon. Mr. McKeough: Why do you not move then that section 52 be amended to leave out the words "and water course"?

Mr. Deans: I do not care. Sure I am willing to draft the amendment.

Mr. Chairman: Anything else on section 50 then?

Shall section 50 stand as part of the bill?

Carried.

On section 52 then we have a minor amendment.

Mr. R. Haggerty (Welland South): Mr. Chairman, about the water courses. If I am not mistaken, this comes under The Drainage Act. It is specified or spelled out under The Drainage Act. I think when you look at this, when you are talking about regional I think you must look at the other, the water course.

I think what they are trying to say is the water shed of the water course that comes through one or two or three municipalities. In many cases these are shared now by municipalities. And particularly I am talking about in the Niagara region where it is quite a drainage need—it comes under The Drainage Act.

Hon. Mr. McKeough: That should be storm water not—I know you are talking about the drainage pattern, and then you are talking about, presumably, water which does not need treatment if it is storm water, if it is storm water going through a drainage pattern; whereas here we are certainly talking about water which needs treatment—effluent.

Mr. Haggerty: But in this section 52 it says maintaining, improving, carrying, widening, altering diverting and stopping up of trunk sewers or trunk sewage system. Now I do not know if you are talking about open ditches.

Hon. Mr. McKeough: I do not know why water courses is there. I do not think it is necessary that it be there.

Mr. Haggerty: Well, I know many municipalities have combined sanitary sewers and open storm sewer drainage—you know what I mean. Maybe that is why the water courses are there. Is this the reason for it then?

Hon. Mr. McKeough: A combined open sewer! I do not think it hurts to take it out.

Mr. Deans: I move that water course be stricken from the fourth line of Section 52.

Mr. Chairman: Mr. Deans moves that in Section 52 the word "water course" be deleted from the fourth line.

Does the motion carry?

Carried.

Mr. Haggerty: In many cases—let us take some cases of a municipality where the sewage is being treated and maybe dumped, or say emptied, into a water course.

Hon. Mr. McKeough: You mean an open culvert?

Mr. Haggerty: No, I am talking about a water course, a natural water course. In many cases, I can spell it out perhaps, in certain municipalities, that this happens; the water is being treated and then it is emptied into a water course and then from there into the Niagara River or out into the lake.

Instead of bringing a trunk line all the way through, they dump it into this certain stream. It is treated, oh this is right, but in many cases this water course may have to be cleaned out some time or another, and it should be done on an area base.

Hon. Mr. McKeough: Right, I see what you mean, and the region in that case would want to spend whatever money was necessary perhaps to keep that water course free and open. I am told that there are judicial opinions which can be referred to for assistance in defining water courses. One thing it does include, and this is perhaps your point —can include—is ditches. Maybe on that basis then, perhaps it is better to leave it in.

Mr. Haggerty: When one looks at the city of Welland where the Lyons Creek is a deplorable mess. This is a water course, but I can tell you that the sewage treatment that goes into this—it is a water course.

Hon. Mr. McKeough: Perhaps it would be better to leave it in. I do not know why you cannot define water course, but I would be glad to get into that some time to find out.

Mr. Chairman: It is agreed then, that the amendment as moved by Mr. Deans has been withdrawn.

Agreed?

Carried.

Mr. Deans: Could I ask under section 53?

Mr. Chairman: Section 53?

Mr. Deans: Yes, just before I say—I understand that the minister is going to see if it is possible to have a water course defined?

Hon. Mr. McKeough: I will take a look at that.

Mr. Deans: Okay, under section 53: Assuming, studying the third line: "the first day of January, 1971, assuming as regional sewage works all treatment works operated by or on behalf of each area municipality"—that does not surely include anything with OWRC? The bill goes on to say: the day only such bylaw shall become effective all the real and personal property invested in the area vests in the regional government. It surely does not mean that?

Hon. Mr. McKeough: I do not know whether they will or they will not. In Niagara they have worked out an agreement whereby those things which—this may require some change in regulations or in legislation and I do not know what all is involved—but they have worked out that the region will operate even those facilities which were being operated by OWRC. Obviously it makes sense to have either the region or OWRC operating all the facilities once they are built, once they are constructed, and it was the decision that the region would do this, and logically so, and they would need this authority to do so. Whether they will in York or not, I do not know. It may be that the pendulum is the other way there.

Mr. Deans: Oh it is okay!

Mr. Chairman: Any further comments?

Mr. Deacon: Section 53.

Mr. Chairman: Section 53.

Mr. Deacon: Again we come to the point about the role of the entire water resources commission and the regional council. It is quite definite that any development up the Yonge Street corridor will require a major expenditure on sewage. It has been the practic of the Ontario Water Resources Commission to prohibit any package plants in the future, or at least that is the recent tendency they have followed with the exception of such things as special subdivisions proposed by friends of the government. I think that one north of Langstaff, in the Langstaff area, to service the Baif subdivision, is the best example of that.

Because of the general policy of the Ontario Water Resources Commission to have large plants and because of their wish to have such plants located in such a way that they will not cause pollution in the streams, they have been considering a very substantial sewage proposal to serve the lower part of the Yonge Street corridor, namely from the Aurora sideroad south. There is a real need in the area, for example, around Oak Ridges, for major services and the only possible way that those could be financed, certainly if they are anything like the scale of the expenditure that has been suggested to date, would be by the Ontario Water Resources Commission taking on the responsibility, and taking it on in such a form that there is no commitment on the part of the region. Because if the region undertook a commitment, it would be of such major proportions to finance such a scheme, that it would prohibit the region from taking it on or assuming any other type of debt.

If you look at the resources of the region in the form of assessment, it just would not have

any means of financing sewage works itself and it would not have any means of getting an agreement through with the Ontario Water Resources Commission that involved a debt, commitment, or anything related to it. So again there simply has to be a change in policy towards the provision of such services by the Ontario Water Resources Commission. There is no other way of meeting the growth demands as provided for and envisioned for under this Design for Development concept. For that reason, I think it is even more important in this particular clause and in the previous one I referred to, to have that word "small" changed to the word "may" in section 53, subsection 1.

Also the fact that we have the sewage works, which could by good engineering be located in other municipalities of the region, or outside the region, would make it imperative that the Ontario Water Resources Commission be the one that operates the works. And if it does operate the works, I repeat that there is no reason whatsoever to impose upon the region by legislation an organization, a structure which is going to cost money, which has to be paid for, which is going to have to be paid for by some sort of a service charge in addition to the present charges that are incurred in the rates.

There is no need for us to impose such a responsibility and such a liability on the regional council distribution systems and I urge the minister in this case to change the position he has taken in the past and allow the regional municipality that discretion. And I move that clause 53, section 1 be amended by the deletion of the word "shall" in the first line and the substitution therefor of the word "may".

Mr. Chairman: Mr. Deacon moves that section 53, subsection 1 be amended by deletion of the word "shall" in the first line and the substitution therefor of the word "may".

Any discussion on this amendment?

All those in favour of—

Mr. Deacon: Does the minister have no further comment on this present situation?

Hon. Mr. McKeough: I think we have covered this under water, and there were exactly the same arguments both ways.

Mr. Deans: Does not the minister agree, Mr. Chairman, that there is quite a different situation here? That the water might not require such a major amount, but in this case at least it is clear that the scope and the extent of the works that will be required will be quite beyond the ability of the regional council? Does the minister not agree with that?

Hon. Mr. McKeough: No, it is the same argument as last night and as we have had before. In my view water and sewer are in the same category. When the day comes that there is a change in government policy—the member says he has been talking to officials of OWRC and they are thinking of changing their policy. Certainly that is news to me and as a member of the government if I thought that this were going to happen in the foreseeable future I might have some concern about this. But in my view what we have to do is to equip the York region as best we can, within present government policy, to get on with the job of coping with pollution and the growth which we hope they can have within the Toronto-centred plan as of January 1 next.

If there were a change in government policy then there might be something different, but we are not arguing that particular government policy at this point.

Mr. Deacon: May I again remind the minister that this amendment in no way reduces the power of the regional council. It gives it more power. What we are doing here again is stripping local groups of the ability to make a decision in their own best interests.

Mr. Chairman: All those in favour of Mr. Deacon's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Shall we stack this motion along with the others?

Any questions, comments or amendments to any other section of this bill in the first 100 sections?

Section 53, subsection 6, do I understand?

Mr. Deans: I want to see why it is that it does not ensure that all costs incurred by an area municipality would not be covered by the regional municipality, in the event that they defaulted with their payments. What happens in the event that the area municipality has to borrow the money in order to make the payment? Surely in the one-half of one per cent interest charge, it should also state "and any additional costs incurred" in order to make sure that it does not become advantageous not to make the payment on time, or that the area municipality does not incur additional debt.

Hon. Mr. McKeough: I assume they would simply set it off. They would probably settle it by setting it off. They could do that, because the regional corporation gets its money, of course, from the local municipality, so they have quite a—

Mr. Deans: Yes. Well, would you not then have the problem of a dispute? If the regional municipality—

Hon. Mr. McKeough: I think seven settles that. I assume the board would have not only the authority to make a decision, but would have the authority to award costs or anything else.

Mr. Deans: Okay, fair enough; as long as you think it does.

Mr. Chairman: The member for York Centre. On which section?

Mr. Deacon: Section 55, subsection 1. I move—

Mr. Deans: One minute. On section 54, under subsection 3, talking about terminations, it says:

> The municipal board, upon the application of the regional council or of the council of any area municipality or of any person concerned, may by order terminate such an agreement and adjust all the rights and liabilities.

Is there any place where there would be permission of the Ontario Municipal Board to alter without terminating, in other words, in the case of a dispute to alter any existing agreement without terminating it?

Hon. Mr. McKeough: No. The answer is no.

Mr. Deans: Is there some particular reason why? It would seem that there may be times when to alter an agreement would be desirable while to terminate it might not, and there is no way you can get that done. A board may feel in its wisdom that, after hearing the evidence, an alteration in the agreement would serve, but they have not the power to do that and therefore they must terminate.

Hon. Mr. McKeough: I suppose the board would then say, "Well, go and settle this; otherwise we will terminate this—or we will not terminate it, but will go and settle this along the lines we think are appropriate.

My lawyers point out that if you alter an agreement, you are in fact terminating it and starting a new one. You would get around it that way.

Mr. Chairman: Does section 54 then stand as part of the bill?

Carried.

On section 55, the member for York Centre.

Mr. Deacon: Yes, Mr. Chairman, I move that section 55, subsection 1, be amended by adding the following words, "without the approval of the regional council."

Again on the basis that we still give the regional council authority to handle these waterworks—and this, of course, would be subject to sometimes having the regional council given the discretion—the power to decide in their own best wisdom whether the sewage works should be—

Mr. Chairman: Order, please!

Section 55 ends with the words, "without the approval of the regional council."

Mr. Deacon: Oh, that is right. Why the minister has been very much ahead of me in this. I am pleased to see he has that wisdom.

Mr. R. G. Hodgson (Victoria-Haliburton): As he is in most things!

Mr. Chairman: There is no amendment then.

Shall section 55 stand as part of the bill?

Mr. Chairman: Now, which section do we have discussion on next?

Mr. Deans: Section 75, I think.

Mr. Chairman: Section 75. Is there anything before 75?

Mr. Deacon: Section 68. In this particular—

Mr. Chairman: Order please. Before 68.

Mr. Haggerty: Yes, excuse me, Mr. Chairman, 61 and 62.

Mr. Chairman: Yes.

Mr. Haggerty: On these two matters: In section 62 the regional council contributes toward the cost of an area municipality of the separation from sanitary storm sewers in an area municipality such amounts as it considers exceeding 25 per cent of the total cost throughout the area municipality.

I raise this question to the minister. If I interpret this right it means the regional council may make a tax levy throughout the

whole region. This means that every person, whether you are in the rural section or not, would be paying towards the sewage system in a municipality.

And I would just question whether this is the right procedure or not. I have always put the question to the minister that those who receive the benefit should pay for it.

And I would just question this matter here. I know under sections of The Municipal Act —I just cannot quote the section right off— but at a certain time of the year, in March, I think it is, they may pass a bylaw exempting certain residential property or farm property from such charges? Now does this still apply in this case?

Hon. Mr. McKeough: Yes, I think so, yes.

Mr. Haggerty: You think so, but you are not sure though, are you?

An hon. member: You are not even sure what you are talking about.

Hon. Mr. McKeough: Yes, this is where the service rates start to come into play. But I do not think this would—oh you are speaking of the section of The Assessment Act whereby they can exempt for police and for other services not received—

Mr. Haggerty: Sidewalks, street lights.

Hon. Mr. McKeough: Yes, and I think sewage services are—I do not know whether they are included in that—I think they are normally considered to be area rates.

I think the point that concerns the member is really in section 62 which we discussed on Muskoka the other night. I pointed out then on section 62 that I do not know whether they will use it or not. It was particularly designed, or was first brought into the Act, I suppose, with reference to the city of Toronto which has something like a $90 million programme underway to separate sewers and this is going to take over 20 years.

Mr. Haggerty: I raise the question of the minister, particularly for those persons living in rural areas, whether, if they come under a drainage scheme they have to pay for that benefit and for the outfall. And in this case here—

Hon. Mr. McKeough: They may pass bylaws—

Mr. Haggerty: Pardon?

Hon. Mr. McKeough: They may. They do not have to do this.

Mr. Haggerty: No, I just wondered why it should be in there. I know where it will end up. They will certainly enforce it, because they are looking for revenue and this is where they are going to get it.

Hon. Mr. McKeough: Not necessarily. I do not know many councils which, over a large area, charge a sewer rate if it is not needed; or if those people are not benefiting from it; or a water rate which it is not benefiting from.

Mr. Haggerty: I know of a particular case in Bertie township where they tried to apply over the whole township for a water rate; and they will do the same thing at the regional level too. It was 25 per cent.

Hon. Mr. McKeough: The 25 per cent is the same, I think, as in the other legislation.

Mr. Chairman: Shall sections 61 and 62 then stand as part of the bill?

Carried.

The member for York Centre on section 68.

Mr. Deacon: Mr. Chairman, this region is a particularly difficult region to service in regard to roads. It lies between Lake Simcoe and other northern playground recreational areas and a large metropolis. The normal highways that have been constructed, even at this date, are Highway 48, Highway 11, Highway 400 and on the western boundary, Highway 50—they are quite inadequate to cope with the demand of the people going to their cottages. The new Highway 404, whenever it is built, will relieve the congestion to some degree, but I cannot see how The Department of Highways can consider relieving itself of highways and burdening even further the existing county roads.

We have now in the county a tremendous amount of traffic, not only on the county roads but on our township roads, every weekend as traffic tries to fight its way back into the cities.

I am concerned about this factor in section 68. If The Department of Highways can still shove back traffic on to the local county —perhaps when we deal with the other section on the extent of grants, that can be compensated for to some extent, but right now I feel that the minister has a good case to put before the Minister of Highways (Mr. Gomme) that, in the same way as Muskoka, the roads here should remain a highway responsibility and not burden the regional roads system unduly.

It is already being unduly burdened because of its special location, as I mentioned before, between a major metropolis and its playground area. I would appreciate the minister's views on the problems that the region faces on this question of existing highways and on existing regional roads, as well as the local municipal roads. What can be done to alleviate that special burden that this agricultural, recreational region is having to bear adjacent to major municipalities?

Hon. Mr. McKeough: To a certain extent this is true of every urban centre in the province where there is a suburban roads commission. I think we could argue this both ways. On the other hand, I know of few things which irked the urban municipality more than contributing to somebody else's road system and the suburban road system.

Mr. Deans: Ask Hamilton!

Hon. Mr. McKeough: Ask Hamilton? No, you could ask London; you could ask Chatham; you could certainly ask Metropolitan Toronto. I would suspect that this legislation may mark the beginning of the end for the suburban road commissions which may not be the worst thing in the world.

Mr. Deacon: I agree with that.

Hon. Mr. McKeough: In terms of having done that, having recognized that fact, it becomes necessary for The Department of Highways, with the region, to work out a balanced road system. Certainly the department recognizes, from my conversations with them, that in York they are going to have a continuing responsibility perhaps over and above what the King's highway system is, because of the reasons which you point out. I am not aware personally, as to whether they have made studies—I believe their traffic studies and their highway studies are up to date—other than in terms of the Toronto-centred plan.

I think there are studies available which would indicate whether or not more roads should be brought in the King's highway system or fewer. I do not think there are any provisions being planned. I am not as up to date on that as I should be, but I think certainly The Department of Highways recognizes that there is perhaps a larger responsibility in a municipality like York. Although I am comparing it with other suburban road commissions, for example it simply is not comparable in terms of the sheer magnitude of the task.

Mr. Good: Mr. Chairman, I would just like to say a word further to what I said on the Muskoka bill and on the Niagara bill and to emphasize the seriousness of the road situation in the York region.

I at one time lived in Whitchurch township, and the hon. member for York Centre lives in Markham township. We know that the roads there during the week take a continual pounding from gravel trucks coming in to the city. On the weekend—on Friday night the people are going out of the city, and on Sunday night and Monday are coming back in.

The road system in this particular area is unique in this sense. It has the largest population travelling over it from the Toronto-centred region up to Muskoka and other holiday areas and during the week a tremendous amount of truck traffic. Every side road, every concession from Yonge Street east particularly of which I am aware, and probably west is the same, every concession will have its gravel trucks going up and down it so that they can avoid traffic on the more major arteries.

Now I would seriously ask that the minister get right down to the nitty-gritty of the problem with The Department of Highways so that we do not in fact have duplication of the problems that arose in the Niagara region this year by the transference of 76 miles of road from The Department of Highways to the region, which in turn passed down more roads to the area governments. In the end they are all accountable for more roads than they had thought in the beginning. There is no provision here for extra road help and I think the situation is in fact very unique from that standpoint of view of traffic.

Mr. Chairman: The member for York Centre

Mr. Deacon: Mr. Chairman, I point out to the minister that most provincial highways are designed to carry traffic through regions. As I understand it, the regional roads and the county roads systems were primarily designed to carry internal traffic, and that was the basis of it.

I also understand that the real problem with the suburban road commission in the case of Metro Toronto is in the fact that they have not felt that they have had enough control over the budget; they just get a bill; that they did not have any real say as to how much that bill would be. That caused them great aggravation and that had many ramifications.

In this case we are talking about The Department of Highways shifting back, under the sub clause 3, the roads that are now Department of Highways roads, and they are putting it back on the region. And I submit that because of the fact that already so many of our township roads are very heavily travelled, as has been mentioned not only during the week but particularly on weekends, that it should be pretty difficult for the department to be able to shove back onto the municipality and onto the region—onto the region and indirectly onto the municipality—the burden of the roads in this area.

Mr. Chairman: Shall section 68 stand as part of the bill?

Carried.

Anything before? Then 60—

Mr. Deacon: Seventy-one.

Mr. Chairman: Seventy-one? Yes.

Mr. Deacon: On section 71, subsection 2 and subsection 3 set out the question of the grant and it provides in section 2 that the grant be an amount equal to 50 per cent of the amount of the expenditures that are properly chargeable to road improvements, and in all cases of doubt or dispute the decision of the minister is final.

Now this subsection 3 gives the new region a little bit of hope of some extra help because it says:

> Notwithstanding subsection 2 but subject to section 69, the minister may, in his discretion, direct payment to the regional corporation under this section on or after the first day of May in any year, of a sum not exceeding 25 per cent, a) of the amount paid by the minister under this section in respect of the preceding calendar year; or b) of the average annual payments made by the minister under this section in respect of the five preceding calendar years.

As I understand it, this is what is hoped to be the replacement of the regional—

Hon. Mr. McKeough: No. Subsection 4, I think, holds out the hope. Subsections 2 and 3 simply make provision for advance payments by The Department of Highways of their normal subsidies, but I think it is subsection 4 that has the hope.

Mr. Deacon: So in effect there is a hope of getting 80 per cent, which will be an improvement over the past. Now why is it that it is left so much to the minister's discretion? Why is it that we do not set that it will be 80 per cent—because at the present time the county has had the assurance that it has the 75 per cent in effect through the suburban roads commission. Is it not important that under the circumstances we have been discussing that there be a specific provision for 80 per cent? I do not see how the new region can cope with the programme with less than that. What is the reason it is left to the discretion of the minister?

Hon. Mr. McKeough: This is in the same section that appeared in Niagara and in Ottawa-Carleton, and 80 per cent was put into the bill at that time because the provision for its parkways was 75 per cent, and this covers —well it may be conceivable, there may be some expressway in the York region—but it was put in specifically to cover the Queensway situation in Ottawa, as I recall, and also to give the minister some latitude. Now I have not been brought up to date on what has happened in Ottawa-Carleton, and Niagara is probably too soon to be brought up to date, but this is to give the minister, I think, the maximum latitude. I agree that perhaps that kind of a subsidy is needed, but on the other hand we do not know for what roads. It may be, for example—and I have no idea what the stance of the department or the region will be—perhaps more roads should be assumed by the province completely. Therefore the subsidy would not have to be as high, or perhaps it is the other way around, and I think until they have worked out what in effect is a balanced road decision, this gives the minister and, in effect the region, the kind of flexibility to do it.

Mr. Deacon: The problem that faces the county, Mr. Chairman, is that until now, it has had that extra Toronto and York roads commission grant from Metro Toronto. It is now being lost and yet we do not have any assurance in here of it being replaced. I cannot understand how this could be satisfactory to the region to have it so indefinite, particularly when there are such roads as the Don Mills Road, which is carrying a fantastic volume of traffic and is in reality, a provincial highway. But for some reason or other it has always been allocated as a county road, and the burden is borne by the county and Metro Toronto.

Surely The Department of Highways recognizes that the gasoline taxes which are collected by the province, and most of which are directed toward the highways of this province, surely that is the responsibility of The Department of Highways, when we are dealing with through traffic to such an extent, for them to

take on this item? Is it not the responsibility of this minister to be able to assure the people in the region, and the regional council, that they will have something to offset the grant they are losing from Metro Toronto?

Has not the minister got some sort of commitment from the Minister of Highways and his colleague to be able to assure the regional council that suddenly they will not have that $800,000 or $900,000, or whatever the amount is that came from Metro, suddenly thrown on that regional budget for next year?

Hon. Mr. McKeough: Highways would like to work out what level of contribution is going to be needed. I admit it is somewhat vague. It may be a contribution to reduce the suburban roads commission payments—the Toronto portion, the $850,000.

Mr. Deacon: That definitely is—

Hon. Mr. McKeough: Yes, and there is some confusion as to what the amount may be—whether it is the amount that was spent this year rather than the amount that was spent last year.

If it is any help to the member I would be glad to give him a copy of the authorization for commitment to the Treasury Board which indicates that we will pay it. Whether we ultimately do or whether it is part of the highway subsidy I do not know and we will sort that out this fall. But before I made the speech in Richmond Hill you can be assured that I had the authority of Treasury Board to make that commitment.

Mr. Deacon: So Mr. Chairman, the commitment for this year's contribution is a direct commitment from the Treasury Board, rather than through The Department of Highways and is similar to the assistance that the minister is giving in grants to the regional council for other purposes? So they are assured of that for this year but they have to fight their own battles next year?

Hon. Mr. McKeough: No, the commitment is there for the five years under the declining basis.

Mr. Deacon: All right.

Mr. Chairman: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, what I had to say has, I think, been pretty well said. I think the minister has to recognize here that these roads are, in effect, provincial highways, particularly in view of the fact that this area is going to be recreational and agricultural. And I presume that there will be quite a development here for the people of Metropolitan Toronto to play in. They will be going there, and of course they will be going through up to the north. As we have heard, a great deal of freight of all kinds travels up and down the north-south arteries.

So that when these five years are over, and even when part of them is over, and the commitment drops, I think this region is going to have a really tough problem to face. At that point, certainly I think that whatever government is in power is going to have to face the reality that these highways are provincial highways and should come directly under the jurisdiction of the Minister of Highways.

I simply throw that out and add whatever influence I have asking the minister to face up to this fact and realize that it is a sheer impossibility that these roads, emanating from Metropolitan Toronto, which will continue to grow with the pace it has been growing and perhaps faster, and with the people emanating from that area going north, and then going back home again to play, for business. For whatever purpose it may be, these people are going to demand service and that service is going to wear out the highways—and not because of the people in the local areas, but because of people from outside the area.

I know it is true of almost any area you might take in the province that people pass through, but not in the same volume as in a case like this. This is a special case and a case where I think special consideration must be given by the Minister of Highways toward the future of these roads.

Mr. Chairman: Anything further on section 71?

Mr. Good: Regarding the Treasury Board commitment for roads to replace the Toronto and York roads commission grant, was this just a commitment as was the commitment in Muskoka in the speech, or was that incorporated into the Act?

Hon. Mr. McKeough: It is a commitment but it has been approved by Treasury Board and has been recorded in their minutes.

Mr. Good: But there is nothing as to its declining nature in the Act or the amount of it?

Hon. Mr. McKeough: No.

Mr. Chairman: Shall section 71 stand as part of the bill?

Section 71 agreed to.

Any other discussion, amendment or questions on any section up to and including 74? On section 75 then, was it the member for Wentworth who had a discussion on this?

Mr. Deans: No, I am going to let that go.

Mr. Chairman: Anything else on sections up to section 80?

Hon. Mr. McKeough: Yes, I have an amendment on section 80 which was given to me by the member for Wentworth who, when he becomes an ex-member, I think I am going to suggest that he be taken on by legislative counsel as a draftsman. He is very good.

Mr. Deans: I am not going to be an ex-member, thank you.

Hon. Mr. McKeough: Oh, I see.

It is a typographical error in section 80, subsection 2. I move that the word "the" first appearing in line one of subsection 2 of section 80 be struck out and the word "this" substituted therefo. "A bylaw passed under this section" rather than "the section."

Mr. Chairman: Shall this amendment carry?

Amendment agreed to.

Mr. Chairman: Shall section 80 as amended stand as part of the bill?

Section 80 as amended agreed to.

Mr. Chairman: Any other amendments, comments or questions on any section up to 100? The member for Wentworth.

Mr. Deans: Yes, Mr. Chairman, I want to ask a question on section 88.

Mr. Chairman: Is there anything before 88? The member for Wentworth then.

Mr. Deans: I just want to ask if I would be right in assuming—I am a little concerned about subsection 3.

> Every notice given under subsection 2 shall be in writing and shall be served personally—

And that is fine.

> —or by registered mail; and in the case of service by registered mail shall be deemed to have been received on the second day following the mailing thereof.

There are a number of things wrong with that. One is that if it happened today, there is no way; on top of that, where are you going to mail it? Have you any idea? Will it be mailed to to the last known address, the address shown on the latest assessment roll—this kind of thing, just so we know. Frankly, I do not think, first of all, two days is enough. In today's mail situation, Mr. Kierans has the onerous power to make sure that two days would not get the letter out of the box, let alone to the other—

Hon. Mr. McKeough: Change "two" to "five"?

Mr. Deans: Yes, I will settle for two to five.

Hon. Mr. McKeough: Five.

Mr. Chairman: Is that an amendment to section 88?

Hon. Mr. McKeough: Do you want me to write it out?

Mr. Deans: I was not thinking of moving it, just changing it.

Hon. Mr. McKeough: The other part of the question—was it who does it go to?

Mr. Deans: Where.

Hon. Mr. McKeough: I do not know; this is a standard section, I think legally it goes to the last address on the assessment roll.

Mr. Chairman: Are we getting an amendment?

Hon. Mr. McKeough: I do not know whether Mr. Kierans would approve that amendment; an admission of reality.

Mr. Deans: It just happens to be true.

Mr. Chairman: Who is providing the amendment?

Hon. Mr. McKeough: It is coming.

Mr. Chairman: Who is moving this, Mr. Deans?

Mr. Deans then moves that the word "second" appearing in line four of subsection 3 of section 88 be struck out and the word "fifth" be substituted therefor.

Motion agreed to.

Section 88 as amended agreed to.

Mr. Deans: Section 94.

Mr. Chairman: Section 94. Is there anything before 94? The member for Wentworth.

Mr. Deans: I am interested in knowing why the minister has changed his mind. It appeared when he made his speech that the Metro Toronto planning area board were not

going to be included. In fact, they were to be expressly excluded.

It is going to create some real problems in this area, particularly, if you follow through with your programme. You are going to have two planning boards, one dealing with the lower section, perhaps the most lucrative section, and other dealing with whatever is left. It seems like, if I might be so bold, a breach of faith. It was indicated to the people that there was not going to be such a situation brought about by the legislation.

I would like to hear from the minister why it is that he now deems it necessary to include the Toronto area. Before we get to the point of trying to rule it out, I want to hear first what it is all about, before we move an amendment to rule it out.

Hon. Mr. McKeough: That is not my intention. It certainly was not my intention to change my mind. I think, actually, we do not dissolve the Metropolitan Toronto planning area board.

There is some question about this. Normally we create a planning area and a planning board simply by letter. That power is given under The Planning Act. It is certainly our intention, if I can put it this way, to withdraw the Metropolitan Toronto planning board out of York county.

Mr. Deans: Why then, if that is the case, do you leave it in? Why do you not just take it out altogether and—

Hon. Mr. McKeough: Because we do not want to dissolve the Metropolitan Toronto planning board.

Mr. Deans: Yes. Well, you do not have to dissolve it. Section 3 says:

> All planning areas and subsidiary planning areas that are included in the York planning area with the exception of the Metropolitan Toronto planning board are hereby dissolved.

Why do you not—

Mr. Deacon: You just need to have them pull out.

Mr. Deans: Yes, I suppose, in a way. How do we know they are pulling out? This is really what the concern is.

Hon. Mr. McKeough: Yes, and this gave us some concern, I remember, in the drafting. Normally there would be no problem, because we simply do it by a letter from the minister, but because the Metropolitan Toronto planning board was defined in Bill 80 I think originally, it was felt necessary to put this particular phrase in. There is no change of attitude on my part. I will simply write, I suppose, on December 31 and say the Metropolitan Toronto planning board will cover the following area, not including any part of York county.

Mr. Deans: Definitely not including any part of York county?

Hon. Mr. McKeough: No. I must admit that I made a speech to the Empire Club or some place a year-and-a-half ago in which I said that the Metropolitan Toronto planning area would continue for some time to have jurisdiction over that, but that speech was certainly superseded by the speech of May 2.

Mr. Deans: We go along with the latest?

Hon. Mr. McKeough: For the reasons you pointed out, it simply would not work to have an overlap of two. We feel that there has to be a high degree of co-operation and co-ordination. We would expect that there will be some sort of an interface committee between York and Metro which will be set up at the first of the year or something like that.

We do not want to do it all. We think that they can sort out some of the things themselves. The province would be there if necessary, but we will set up some sort of a joint interface, if that is the word. We are not sure just how yet. This is one of the things I think which will start evolving this summer.

Mr. Good: Mr. Chairman, why could not the function of all planning boards within the York region discontinue as of the present date?

Hon. Mr. McKeough: But we were not covering anything outside the area. I think what you are asking is why would we not just take out the words with the exception of the Metropolitan Toronto planning area.

Mr. Good: Yes.

Hon. Mr. McKeough: I do not think there would be any harm in taking it out, but my draughtsman tells me: "Do you think it is all right to take it out?" If we take it out, then I agree to define the area on December 31, in any case. All right, I will move that in section 94, subsection 3, the words beginning on the second line "with the excep-

tion of the Metropolitan Toronto planning area" be taken out.

Mr. Deacon: It is already written here.

Hon. Mr. McKeough: We will make it Mr. Deacon's motion.

Mr. Chairman: Mr. Deacon moves that section 94, subsection 3 be amended by deletion of the words "with the exception of the Metropolitan Toronto planning area."

Shall this motion carry?

Carried.

Shall section 94, as amended, then, stand as part of the bill?

Carried.

Mr. Deacon: Section 95.

Mr. Chairman: Section 95.

The member for York Centre.

Mr. Deacon: I would ask the minister to clarify subsection 7 of section 95. It appears that the regional corporation could actually make direct subdivision agreements and supersede the responsibility and jurisdiction of the area municipality. And then it says the regional municipality may enter into agreement with persons relating to approval of planned subdivisions. Is that in every Act? Is it possible for a regional corporation to bypass a local area, a municipality?

Hon. Mr. McKeough: No, I think this means agreement. I remember this being questioned before. I am told this is in each of the Acts; it is not to bypass the area. They might have to do this relating to either water or sewage.

Yes, that is it. You see the regional corporation might want to enter into an agreement with the developer for the provision of facilities which were under his control, that is water or sewage. That is the reason.

Mr. Deacon: Would it not be wise to clarify this by adding the words "subject to the approval of the area municipalities to persons relating to approval of subdivision?"

In other words there has been some concern by the area municipalities that we are bypassing them here. Really, what you are saying is that you are only bypassing the areas where they have no power.

Hon. Mr. McKeough: Yes.

Mr. Deacon: And if we could have that clarified by some wording here. Is there any wording you could put in?

Hon. Mr. McKeough: There would not be any bypass because the final subdivision has to be approved by the local municipality. This simply gives the—you know, when the minister signs it, or ultimately when the region signs it—

Mr. Deacon: I see how you mean the wording of it.

Mr. Chairman: Shall section 95 then stand as part of the bill?

Carried.

Mr. Deans: Section 109.

Mr. Deacon: 101.

Mr. Chairman: Anything before 101? The member for York Centre.

Mr. Deacon: Mr. Chairman, there are many who feel that in time we will be wanting to strengthen the role of area municipalities with regard to people services. Now I mentioned when discussing the Muskoka bill, the question of there being provision for putting health units back into local communities where it seemed worthwhile and where it seemed useful or prudent.

What we are doing here is continuing to put more responsibility, continuing the practise of forming a large centralized unit in a region that is quite spread out, where there are a lot of separate communities separated by several miles; where there could be a much more effective personal relationship built up in the operation of local health units and welfare units. Certainly these might be set up if they could be operated on a local area municipality basis.

I would suggest, or ask the minister to give his views as to what attitude the area municipalities might expect in the legislation which might permit them, if they so wish, to have a breakdown into the local units. We have seen a lot of changes in trends in recent years. For a long time everything was going toward larger and larger units. But we are now witnessing a reverse trend, particularly in relation to people's services. There seems to be a recognition right across the country, not only in large centres but also in remote centres, that there is great value in the local involvement and the ability to communicate with people in the community, with the jurisdiction and the power being put back into the community.

I know the minister has some doubts about this but I would like to hear if he has any ideas that this could have merit in the future

stretched all over the new region from what he has seen. Has there been concern about the loss of the local identity, the community identity? I am anxious to see there is the opportunity, where the community can prove it can do a better job, that there is some chance of the power going back to the community to look after people's interests.

Hon. Mr. McKeough: This, of course, goes to the whole concept of regional government and when we published the Design for Development, phase II we had had discussions with all government departments and asked them to give us figures as to what they thought were the minimum sizes, or figures they could work with.

Certainly, the ultimate figure which was stated in the design for development is true as a minimum population of 150,000 to 200,000 people. That figure, as I recall, was very definitely supported by both The Departments of Health and Social and Family Services. Frankly, in terms of the health unit or in terms of regional welfare or district welfare, call it what you will, I doubt very much from my knowledge whether the two departments would agree that there should be a breaking down for health unit purposes or for welfare purposes below the 150,000 to 200,000 minimum population, particularly in an area such as York. It may be necessary in other parts of the province but not in a relatively well-populated part of the province like York county. Whether there has been any change in their thinking, if there has been they have not communicated it to us and I have not heard any discussion along those lines.

It should be said that I would agree to this extent—that, from my limited knowledge of this area, particularly in the welfare end, there seems to be in Metropolitan Toronto, for example, something of a movement to decentralize the administration of welfare—perhaps the health unit as well; I am not aware of that—rather than to run it all from city hall. I would expect that we might well see a continuation of that, when we are talking about 2 million people; we might even see it with the 150,000 people expected in York.

Mr. Deacon: I am very pleased to hear the minister outline that possibility, but what he mentioned, Mr. Chairman, was the fact that the department felt it is easiest to administer units of—

Hon. Mr. McKeough: No, I did not say that. I said that in terms of the health units—and this is probably a good example—I am not holding any department to these figures; and I am not particularly labelling The Department of Health with the 150,000 to 200,000 people.

There were a number of departments, all departments really, contacted on this, but let me use our own example. We have set a lower-tier municipality of 8,000 to 10,000 people. From our experience that is when a municipality can start to afford certain kinds of equipment, certain kinds of skilled personnel—for example, an engineer and/or an accountant. This is one of the reasons we talk about a viable lower-tier municipality starting at 8,000 to 10,000 people, and we are now going to achieve that.

By the same token, when you have got the health units of 150,000 people, or welfare services, you can start to afford certain types of staff which you cannot afford on a lesser basis. Of course I would have to point out to the member that this is one of the things we are trying to sort out in the whole regional process. This is one of the places where regional government is inextricably bound up with perhaps regional development.

Certain members opposite—and for that matter members on this side, I think—from time to time have made reference to the hodge-podge—perhaps that is too strong a word—of administrative units used by every department of this government which had varied considerably. What we are trying to do in some small way in the regional government programme is not only to sort out the local government boundaries, but also to sit down with government departments and see if they can adjust and make their boundaries co-terminus.

We are having some success in this. We are not going to achieve it completely. The health unit in York, Ontario, of course, is a good case in point.

Mr. Deacon: I commend the minister for that endeavour—to try to get these regions of government administration to become coincidental with one another to the greatest degree possible. But what I am trying to emphasize here is that in my view we must place the emphasis on the ability to serve the community.

It is not necessarily in the best interest of the community to have maybe an engineer, or certain equipment, and it will be decided the size of the community on that basis. Perhaps the community can rent the facilities and retain some extra assistance to meet a service need. The community may just be a

few hundred people, and though a small unit, be able to serve its people far better than any one of these larger units could do.

Number one point surely is the access by the people themselves to where the decisions are made, and hamlets can do a good job in some cases if they have resources available to them on call. They do not have to have a large staff.

What I am trying to emphasize to the minister here is the need for us to be designing our units and leaving provision for this regional government concept for units that might be a great deal smaller than we would consider easy for us to administer or to supervise, but which given local power and autonomy, could do the most effective job of serving the needs of the people. After all that is what we are after.

I think of experience in business where you have variations, great variations, in size of branches of an operation. One particular business I was associated with would have a fairly small branch, maybe just one man operating it in a certain community. He would not be able to have all the extra things to offer to his customers that men running a large branch in a large centre would have. But from the point of view of good service and pleasing the customers, he was doing a far better job than could ever have been done by making it necessary for those people to deal at a remote distance with a much larger centre.

I suggest to the minister that what we have to think about here, in regard to these health services, is the ability to fill the need of the people in the area; not the ability of ourselves to administer that region. I am pleased to hear him indicate the possibility of our changing the emphasis here; that our role in the provincial region is to be one of serving the local need and adjusting our own organization in such a way that it will best serve that local need.

Mr. Chairman: Any comments on any section up to 114?

Mr. Deans: On 109.

Mr. Chairman: Section 109.

Mr. Deans: In the last line of section 109, it says "or failing agreement, may be determined by the municipal board." I do not like "may". I would rather it was "shall". I will settle for "may be referred to the municipal board for determination." But when it says, "may be determined by the municipal board"; maybe it will not. I would like it to read properly. Will you accept "shall"? I would rather "shall", thank you; because determination has to be reached and it must be referred for determination.

Hon. Mr. McKeough: I will look at it and if it has merit, I will guarantee that that will be the first amendment I will put through on the amendment bill in the fall. I hesitate to accept that because—

Mr. Deans: Why?

Hon. Mr. McKeough: You get into—there are—I have said this before too; there are some legal constraints around the use of the word "shall."

Mr. Deans: Can I ask you another question? I will buy that. I am prepared to accept that the word "shall" may not be acceptable, but in order to guarantee that the board will deal with it, could it not say, "may be referred to the municipal board for determination"; which is an entirely different thing? You know that is another thing. That leaves the onus on the people involved to refer it rather than the onus on the board to reach a decision. The one says "it may be determined by the municipal board"; then again it may not. Which number are you looking for?

Hon. Mr. McKeough: "May be referred for determination to the municipal board." Referred by whom? By either party?

Mr. Deans: Yes, it may be referred by either party for the determination of the municipal board.

Hon. Mr. McKeough: I would want to look at that first, just from a legal point of view.

Mr. Deans: Yes I am sorry. I should probably have come down and sat and told you about all of these things.

Hon. Mr. McKeough: Fine!

Mr. Deans: Okay? On section 113—

Mr. Chairman: Section 113.

Mr. Deans: I had some complaints brought to my attention with regard to the fact that in establishing the York regional board of commissioners of police, three of the five people are appointed by the Lieutenant-Governor-in Council. This is certainly making the board lean very heavily on the appointed side and it would seem that in the determination of a suitable board of police, three of

the five should at least be from the elected side of the fence, rather than from the appointed side.

Mr. Deacon: I have an amendment on that.

Mr. Deans: Good, you can move it in a minute and we will be all set. Maybe he will accept it. I would think that three of the five people involved should come from an elected office. It is not right that the weight of the board should be determined by a government and I feel, particularly since it says that three members of the board, including a member appointed by regional council are necessary to form a quorum. I think it should be the other way. I think in all instances, it should be weighted in favour of the elected people in the region, and since my friend from York Centre is about to move an amendment, that you can indicate whether you will accept, I can shut up and we can get on with it.

Mr. Deacon: Mr. Chairman, it is our party's view also that this very important basis of the police commission in the operation should be such that the power is primarily a local power. We suggest here that there be three members in the regional council, appointed by resolution of the regional council, and there be two persons appointed by the Lieutenant-Governor-in-Council, and I move that clause a) of subsection 1 of section 113 be amended by deleting the word "two" and substituting the word "three", and that clause b) be deleted and that clause c) be designated as clause b).

I wanted to add also that any person appointed under clause b) hold office for no more than five consecutive years.

There is one more amendment on this: five consecutive years.

Mr. Chairman: Mr. Deacon has moved that clause a) of subsection 1 of section 113 be amended by deleting the word "two" and substituting the word "three", and that clause b) be deleted and clause c) be designated as clause b).

Mr. Deacon: There is another addition to this on five consecutive years.

Mr. Deans: Can I say a word about the—

Mr. Chairman: Is it part of this motion?

Mr. Deans: Yes.

Mr. Chairman: Well, perhaps we had better get the wording.

Mr. Deacon: The shorthand is slow.

Mr. Chairman: We have a lot of time.

Mr. Deacon: I am not sure if this is correct—we have a new clause b), that anyone appointed under clause b) hold office for not longer than five consecutive years.

Mr. Chairman: An addition to the motion as read—the motion by Mr. Deacon—the motion includes, that a new clause c) be added as follows: "That anyone appointed under clause b) hold office for only five consecutive years." Is that correct?

Mr. Deacon: It should be "not more than five years."

Mr. Chairman: "Not more than."

Now, does any hon. member wish to discuss the motion?

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman—

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: You will recall that during the debate on the Niagara bill, the same general approach was taken by this party in supporting this kind of development of the police commission. At that point we too had called for a police commission in which the majority of the members would be members of the regional council. We think that this is the best kind of situation because the elected persons who represent the region should be the persons in the majority in this kind of a situation.

Now as was said earlier, it is of course possible for one of the persons appointed by the Lieutenant-Governor-in-Council to be a judge of the county court.

There may well be some reason why a judge should be a necessary member of this commission. On the other hand, it might be, in the wisdom of the Lieutenant-Governor-in-Council, better to appoint two civilian persons, not necessarily of legal training or judicial background.

We believe that the former necessity of having a judge is no longer a requirement. However, the option to have one is of course available to the Lieutenant-Governor-in-Council. In further supporting the amendment made by the member for York Centre, it seems reasonable to me that these terms should be for a five-year length of successive years. I think that a person appointed to this kind of a post can add much to the develop-

ment of a police commission or any other body within that term.

However, it is worthwhile to have new points of view and changes in personnel on occasion. As a result it would seem to me that a term of five years would be a satisfactory balancing of the ability to get a certain amount of experience with the necessity of bringing some fresh persons in every now and then.

Basically though, sir, the point that we have made in the Niagara bill and the point that we make now, is that the majority of the police commission should be taken from the elected members of the council. As a result three members are appointed by the council and two others are appointed by the Lieutenant-Governor-in-Council. A balance can be struck to bring a wider view from the outside, perhaps, of that area. But the basic view and the majority view must remain within the elected members representing various municipalities within the York region.

I think that, as well, consideration should be given with respect to subsection 2 to ensure that a necessary change would take place if this first amendment was accepted. That change, of course, would be that three members of the York police board, including two members appointed by the regional council, are necessary to form a quorum.

If we are to be consistent in having, or in wanting, a majority of the members to be elected persons then, of course, we should be consistent eventually in having the quorum set in the same ratio.

I would hope that the minister would accept this amendment and I would call upon the members of all parties to approve it.

Mr. Chairman: Does the hon. minister wish to respond? The hon. member for Niagara Falls.

Mr. Bukator: Mr. Chairman, I would like to speak on this amendment and again we come to the experience of other municipalities pertaining to this very problem. My colleague has just described to this House the debate we had about the Niagara bill which provided for the election and appointing of people to the five-man commission.

I think when you appoint men to high offices their only concern is to give you proper policing. Maybe that is good, but when I read my local paper and find the headline stating: "Whopping Cost Increase For Police Forecast"; and many of the people, or several of the people, quoted in this account are people who supported regional government.

I recall my meeting with the Attorney General (Mr. Wishart) in St. Catharines when he met with the police chiefs, with the magistrates—yes, with the judges—to discuss the problem of policing the new metro Niagara, which would be similar to the county of York. They then asked the question about the merger—one particular police department for the whole new region of Niagara. And naturally they came to the question of cost and I broached the question through the Attorney General, asking him what it would cost for the added police—because everyone would have similar policing, and I guess they are entitled to that.

There were many areas in that time, and they must have similar conditions in the county of York where policing is only necessary occasionally. And in the more populated areas there is constant demand for policing and so the costs could be a little different in each area; but it did not work out that way.

Crystal Beach at that time, through their councillor, asked the question whether they could possibly take the provincial police out and bring in metro police. They said no at that time—at least that was the impression I received from the Attorney General—I am sorry he is not in the House. He felt that if this was the situation now it would continue. I have a clipping out of a Niagara Falls paper of May 21:

> The OPP contract for policing the village ends on December 31 of this year and the metro police force will take over the responsibility after that.

That is a 17-man police force that would be added to the cost of the police of that particular region.

The amendment is completely in order because if elected people are put in a position of responsibility and they do not do their job properly then they can be taken out of office in the very next election, but I would like to read portions of this clipping because I think they tell it much more briefly than I can. And these are men, remember, who supported regional government at that time.

This is a man by the name of Fred Goring, who I remember was very enthusiastic about regional government. He said:

"The police budget will make the school situation look like a game of marbles on a back street. I do not know how we are ever going to pay it," said Mayor Fred Goring of Niagara-on-the-Lake.

Mayor Franklin Miller complained from the very beginning that he could see they would

have to have an additional 18 policemen with another five automobiles for them to tie the system together. It would cost them $5 million for policing the metro area. Franklin Miller of Niagara Falls wondered if the provincial government would subsidize the cost of police amalgamation.

Mayor Mackenzie Chown, of St. Catharines, another man who was enthused about regional government, said: "Metro representatives should go to Queen's Park to request financial help on police costs.

"We are in for a rude awakening when we start looking at the budget," said Mayor Chown. "In 1971 the metro council will be responsible for financing and operation of the police force." Mayor Chown again.

"I hate to see the existing service suffer from a too rapid centralization," said Mayor Gary Wilson of Grimsby. And he too was in favour of the metro type of government.

I come back to my original argument of a year ago—that you have taken the responsibility out of the hands of the people who knew the problems. You have added these additional costs to them; you have added costs to the metro police force in the Niagara Peninsula, the two counties, that they never dreamed would happen. And I remember at that meeting hearing very well that absolutely nothing was said about the costs, because I tried to pin down the Attorney General at that time to the possible mill rate increase. I said, "All right. How much more is it going to cost each municipality for the added police?" And he said he could not tell me at that time simply because they would determine what would happen when they set up their new police commission. Well the new police commission feels they are doing a good job because all of the people of those two counties ought to have equal type of protection and that explains the added amount of money.

So I say to the hon. Minister of Municipal Affairs, who did appear before a group of people who were very upset because of the added cost to those two regions: I believe that if they had it to do over again, they would not have bought this kind of selling; this was partly cooked, incomplete. The police are going to cost an additional number of dollars—the province has said if they have 350,000 people, it is going to give them $1.50 per person—but certainly they are paying in nowhere near the added costs for the policing of that area.

The minister put it very bluntly to them the other night when he said, "We are giving you an additional $2.5 million to operate your affairs." They look for another $1.4 million, just to balance out the account. All right—$2.5 million with $1.4 million makes it $3.9 million, and these are dollars that have to be found by the taxpayers because this minister decided to impose on them something that was his dream and he thought would work.

Because we have appointed people and not elected people, and they do not understand the problem, this is what we have to deal with. This argument was put very well by the member for Sarnia (Mr. Bullbrook), the member for Kitchener, and the member for Downsview (Mr. Singer). I hope we see fit to support this particular resolution at least to have someone there who has the ear of the people who do the voting and the people who have to pay the bills.

Mr. Chairman: Does the hon. member for York Centre want to speak to this motion again?

Mr. Deacon: Well, if it has to do with the question of finances. Do the finances also come in here, or anything to do with the finances?

Hon. Mr. McKeough: No.

Mr. Chairman: Well the motion is purely on the composition of the—

Mr. Deacon: Mr. Chairman, I wish to speak specifically to my amendment that we place the power in the elected representatives; I hope the minister will do this. I think he should also recognize the fact that when people are appointed, as I believe the Minister of Energy and Resources Management did recently, any appointees can only serve for a period of five consecutive years. This gives the opportunity for some rotation in office; it means that if there is somebody particularly good, one can reappoint them after a period of time but there is not that same locked-in situation that so often prevails.

I would appreciate hearing the minister's comments on this question of appointed members and how we can ensure there is a lot more ability for a change in personnel so there can also be some room for change in people. We have certainly provided for a change in personnel and a control on the part of the elected representatives when we make three appointments from the regional council. Three members of the police commission, appointed by the regional council; and if we also make that amendment about the two appointees by the Lieutenant-Gov-

ernor-in-Council we are assured of a police commission that is alive to the changing times and conditions.

Mr. Chairman: The hon. minister.

Hon. Mr. McKeough: Mr. Chairman, I am not going to repeat the arguments which the Attorney General so well made a year ago in this House on precisely this matter. He made the same arguments on his own estimates from time to time. The position of the government has not changed; normally we have a three-man police commission, of which one is usually the chief magistrate of the municipality, the mayor; one is usually a provincial judge or a federal judge; and the third person now increasingly is a citizen—the latter two being appointed by the Lieutenant-Governor-in-Council.

Mr. Good: You have changed your thinking right there. You used to have a magistrate and a judge and the mayor.

Hon. Mr. McKeough: Yes, if you read the estimates—

Mr. Good: I will go a little further—

Mr. Chairman: Order! The hon. minister has the floor.

Hon. Mr. McKeough: When carried over to a five-man commission, as we did in Niagara and in Ottawa-Carleton in this legislation, then it would seem reasonable that the relationships three and two be carried forward, which is the same relationship as there is to two and three—or practically the same relationship. The government has not changed their opinion on local police commissions in the normal sense of the word under the normal legislation and we are not prepared to change this legislation, as a matter of policy, until we have changed the general legislation.

Mr. Deacon: Mr. Chairman, on this matter I am very interested in the comments the Attorney General has made which indicate he has been studying this whole question of the police commission and the relationship to the public and the broadening of the police commission. Has the minister discussed with the Attorney General recently the possibility of changing his attitude here? I thought that from recent discussions he definitely was changing his attitude.

Hon. Mr. McKeough: There was a headline in the paper I think this morning saying that he was not.

Mr. Chairman: Those in favour—

Mr. Deans: May I ask a question before this section passes, since obviously the government is not going to accept the amendment?

Interjection by an hon. member.

Mr. Deans: I get the message quickly. Section—subsection (b): "a judge of the county court of the judicial district of York designated by the Lieutenant-Governor-in-Council; and—" This is to be done on the first day of November, 1970.

I was under the impression—correct me if I am wrong—the judicial district of York does not come into effect until the first of January, 1971. Now how does one appoint a judge from that district in November, 1970, that does not become a district until 1971?

Hon. Mr. McKeough: Well exactly. Oh, the judicial district of York? The judicial district of York I suppose will come into being sooner than that really; it comes into being—

Mr. Deans: Does it?

Hon. Mr. McKeough: When it comes into being—

Mr. Deans: I hate to be niggardly, but—

Hon. Mr. McKeough: That is a good point, I do not know why we are saying November 1 as a matter of fact, because in Niagara we simply said "on passage of the bill." I do not know why we name a date.

Mr. Deans: Not very well drafted.

Hon. Mr. McKeough: Well, what do we do about it?

Hon. A. Grossman (Minister of Correctional Services): There is no earlier date in November.

Mr. Deans: Are you prepared to withdraw—

Hon. Mr. McKeough: No, I do not think it is necessary to do anything really. If the judicial district comes into being on January 31, I imagine The Interpretations Act would determine the only person we could appoint would be the judge of the county of York, which becomes the judicial district of York as of January—

Mr. Gisborn: Why are you guessing about the welfare of that district over there?

Hon. Mr. McKeough: Why am I what?

Mr. Chairman: Those in favour of Mr. Deacon's motion, please say "aye".

Those opposed, please say "nay".

I think the "nays" have it.

Mr. R. F. Nixon: (Leader of the Opposition): We will stack that vote too?

Mr. Chairman: This vote will require division. We will stack it with the others.

Mr. Deans: Subsection 3?

Mr. Chairman: Yes, we can entertain debate on subsection 3.

Mr. Deans: Would the Minister care to explain why it is the persons who are appointed by the Lieutenant-Governor-in-Council are paid and persons who are appointed by the regional government are not paid, remembering that the judge is one of the people appointed by the Lieutenant-Governor-in-Council?

Hon. Mr. McKeough: Beg pardon?

Mr. Deans: Bearing in mind that the judge will be one of the persons appointed by the Lieutenant-Governor-in-Council.

Hon. Mr. McKeough: The rationale behind this, and we think it makes sense, actually sprang from Metropolitan Toronto. Metropolitan Toronto, three or four years ago, and we would agree with this, said that people who serve on the planning board, on the board of health, on the police commission, presumably do so and do not therefore serve perhaps on some of the committees of the council for which, if they serve on the committees, they would receive no extra pay. And if they serve on the police commission they were not entitled to something extra. We have accepted this philosophy and agree that presumably the person who is appointed to a police commission would not serve on a committee and the committees are not normally paid something extra. In fact, they are not paid something extra. So we accept this philosophy that they are all equals and they all do their jobs.

Mr. Deans: Why is a judge then, who is paid by the province of Ontario, paid extra to sit on the commission?

Mr. R. Gisborn (Hamilton East): He cannot accept it anyway.

Mr. Deans: He cannot accept it?

Hon. Mr. McKeough: I think they can still accept police commissions.

Mr. Deans: Sure they can.

Mr. Chairman: The hon. member for York North.

Mr. W. Hodgson (York North): It is just another committee that he is appointed to. He will not be—planning board members or anybody else will not be paid—no committee member will receive pay, as you do on our economic council, if you serve on *per diem* rate. These will be on a yearly rate then.

Hon. Mr. McKeough: Right.

Mr. W. Hodgson: So this is the reason. I do not know what the fee will be. That will be up to the regional council.

Mr. Deans: I assume that the judge and other people—

Mr. Chairman: Anything on section 114? If not, the hon.—

Mr. W. Hodgson: Mr. Chairman, may I ask the minister. Is this entirely up to a regional council, the rate that would be paid to each member?

Mr. Martel: A dollar a day.

Mr. Chairman: Anything on section 114?

Mr. Deacon: Could I ask the minister under what section does this question of grants, that he discussed in his speech come?

Mr. Good: Section 119.

Hon. Mr. McKeough: For police purposes?

Mr. Deacon: Yes.

Hon. Mr. McKeough: Well, really that is not in the bill at all. The regional grant legislation will have to be amended to bring in York.

Mr. Deacon: It requires an amendment?

Hon. Mr. McKeough: Yes.

Mr. Deacon: Section 115.

Hon. Mr. McKeough: I have an amendment to section 115 which was suggested by the member from York Centre, arising out of some representations which were made to him. I move that clause (b) of subsection 3 be amended by adding at the end thereof: "Except that those members of the police force of a local municipality, whose retirement age was 65 years of age immediately before they become members of the York regional police force, shall continue until the

first day of January, 1975, at a retirement age of 65 years of age." With several of the police forces, Markham I think, there were some people who had these provisions and this will allow them to continue.

Mr. Chairman: Will the motion carry? The hon. member for Kitchener.

Mr. Breithaupt: On section 115. I am wondering, Mr. Chairman, whether the Minister can advise us as to the numbers of persons involved who will be continuing to form this police force. Secondly, since the first subsection states that any benefits of employment will carry on to the advantage of all of the members, what additional costs might be assumed by the regional government as a result of those costs.

Hon. Mr. McKeough: In theory, York has policing now. In theory this makes no change except that the number of forces that are there become one.

In theory, the additional dollar and a half to the $500,000 is found money other than the new chief's salary. It is not quite as simple as that because I think they are going to need a communications system undoubtedly. There will probably be more than one chief, I suppose, too, and some sort of staff, but it is just simply putting forth—there are no areas that are now covered by the Ontario Provincial Police, other than the highways.

Mr. Breithaupt: This really sets your base now and you will be able to improve upon that after reorganization?

Mr. Chairman: Motion agreed to.

Hon. Mr. McKeough: There are 179 police officers and 20 civilian staff, in answer to your question.

Mr. Chairman: Section 115, as amended; agreed to.

Are there any questions, comments or amendments to any section of the bill up to section 179?

Section 119—the hon. member for Waterloo North.

Mr. Good: This is the section where The Regional Municipal Grants Act comes into play in the New York regional government, right? Under section 119. So the $1.50 *per capita* police grant will be paid through that means. There are 150,000 people—so that will be about $225,000 a year in grants for police purposes. Now you mentioned all this will require is the police—

Hon. Mr. McKeough: I said $500,000 a minute ago.

Mr. Good: Yes, $225,000. That was the first thing I wanted correct—the additional funds put into the new region for police purposes through The Regional Municipal Grants Act.

Coming into a regional police force requires the up-grading I would think of salaries in some of the smaller police forces to meet the areas with the regional police force.

Hon. Mr. McKeough: I think you will find in York there has been common negotiating, or joint negotiating, among the police forces for some time. There is not nearly the problem in that respect that there was, for example, in Niagara.

Mr. Good: Now along that same line—this is the only section that I can find whereby there is any guarantee of additional funds going into the York region. There is no $50,000 grant per year for administrative purposes as there was in Muskoka. There is no $50,000 planning grant going in as there was in Muskoka; nor is there $100,000 towards the pollution control fund.

So the new region of York is going to be left pretty much on its own as far as financing goes.

Could the minister inform me on the basic increase of the unconditional grant which they are now getting—the average for the area—as worked out in comparison to the $7 plus the 50 cents, in lieu of fines, which they will get under The Regional Municipal Grants Act?

Before you answer that may I ask another question: Did the table which you gave the other day in the House show what they will be receiving under The Regional Municipal Grants Act compared with the population of 1968, is this what the comparison was?

Hon. Mr. McKeough: Yes. And the dollar amount, in answer to your question, is an increase from $750,000 to $1,983,000, or an increase of $1,227,000; which as I pointed out to the member for Oshawa (Mr. Pilkey), as a basis of comparison, is $1.2 million out of a total expenditure of $12 million last year for municipal purposes, local and county.

Mr. C. G. Pilkey (Oshawa): I have not checked that out yet.

Mr. Good: My thought here is—

Hon. Mr. McKeough: Trust me, trust me!

Mr. Pilkey: I have up to now.

Mr. Good: The whole basis of argument of The Regional Municipal Grants Act is the population base on which it is paid. And this was shown to be a real concern when it was applied to the Toronto metropolitan area in that York North—at least the borough of York—fared very poorly because the improper population basis was taken.

Now in this Act I see you are not even going to apply the modified federal, DBS population figures to the ratings here. The nearest, under clause 8, simply says of the population of the area "municipalities shall determine in such manner as the department considers proper."

Now do you not think that is pretty ambiguous, Mr. Chairman, that the whole basis of argument on how much grant each municipality gets is left to the discretion of the department? There was a certain amount of dissatisfaction about the DBS figures to be used and leaving the population basis of each area to the department to figure out may even result in more dissatisfaction.

Hon. Mr. McKeough: We may have the new census figures next year. I assume that this has been left open in this way, partially for that reason, and partially because we are not altogether certain that we will be able to use the assessors' figures next year. We would hope to.

I think we are leaving lots of room to use one or the other—whichever one in the department's view or the auditor's view—who has, I suppose, some say in this—is the most accurate figure.

Mr. Good: In other words this clause a) here will supersede the provisions of The Regional Municipal Grants Act as far as figuring out the population?

Hon. Mr. McKeough: Yes.

Mr. Good: Since The Regional Municipal Grants Act does not apply specifically to York, it will have to be amended before the end of the year?

Hon. Mr. McKeough: I think I am wrong there. I think this brings it into York and we will probably amend that Act in any case.

Mr. Good: Bringing it from here into there instead of the other way?

Mr. Chairman: Any further—the hon. member for Oshawa.

Mr. Pilkey: Mr. Chairman, in The Regional Municipal Grants Act, you had a table, if my memory serves me correctly, pointing out certain grants on the basis of density. How does that reflect in York, the new regional setup in this bill?

Hon. Mr. McKeough: I do not think I have that breakdown here but I think that a good—I am guessing—I think of the $1.2 million increase, about $500,000 would have accrued in any case and about $700,000 was related to sparsity; that is close enough. It was something about half and half of the $1.2 million. I think over half of that, let us say $700,000, arises because of the sparsity grant.

Mr. Pilkey: Let me ask another question, because I really think that this section of the bill is probably the most important in the whole bill.

The question I want to ask is, obviously as you put these regions together there are some municipalities within the framework of the region which are going to have a better standard of services than the other areas. It would seem to me that it would be perfectly legitimate if those areas that had a minimum standard of services wanted services comparable to the other areas. If that comes about or could come about, obviously there would be greater cost to those municipalities that had a high standard of services. Where in this bill, or where has the government come down on the side of supplementing that region if these costs escalate, and they could very well escalate in these areas. Or alternatively in those areas that have a low standard of service now, we keep them there. Now I just cannot visualize those areas staying on that minimum standard. I mean, if I were a resident in a broad region, surely the amenity in terms of services could be at a higher standard.

Now what is the government going to do if there is an escalation in cost, and is there any provision to provide costly services to these municipalities?

Hon. Mr. McKeough: No, other than the sparsity feature of the regional grant.

Mr. Pilkey: But surely if these units are to become economically viable, then is it not incumbent upon the government to step in and provide additional resources for these people—financial aid?

I really do not care how you do it. One way could be to provide the services. Sewage disposal plants, as an illustration—why could

not the government step in in that area, because it may require them? Waste disposal—I am talking about garbage disposal at the moment—and all of these things, it seems to me within the framework of the region is going to be much more costly. Yet the government sees fit to form the region. It seems to me that you fall far short on the financing of these regions, which is going to be awfully important if they are going to be able to provide the amenities that are necessary to make it a viable region.

And I make that comment again, as I did at the second reading, because I see nothing in this bill that provides the resources that are necessary. It is very interesting to have the government draw some boundary lines and say that is an economic region. And yet the economic facilities are not available.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, I would like to support the matter raised by the member for Oshawa—the need for additional help; and the question, particularly, of free services.

This area lying between Lake Ontario and Lake Simcoe and the Metropolitan region has special costs, far more than any other area, because of its proximity to Metro. It is largely an agricultural-recreational area, designated as that in the future, according to this plan, yet it will be burdened with a lot of additional police work because of its proximity to Metro.

If we look at the monthly reports of the police department in our area I notice that almost half of those affected by arrest and offences of various types are from the Metro area. Yet the cost of apprehending these people, carrying out the policing of the area, falls entirely on the region.

I think it warrants the minister providing special provisions over and above that which he has indicated might be forthcoming. I would like to hear the minister say something, or give us some detail as to what statistically is planned to take care of the special policing costs in the York region. Because of its proximity to Metro, because of the type of assessment that the region is intended to have in the future, because of the Design for Development programme, because of these various factors I would like to hear the minister say what he has in mind that will help alleviate the burden upon the remaining agricultural-recreational land of the region.

Hon. Mr. McKeough: As I indicated, the grants amount to an extra $1.2 million, which is something around 10 per cent of the total amount of money spent last year. To my way of thinking, that is not bad.

Mr. Deacon: Mr. Chairman, is not the minister referring to the total grant of all regional things, but not to do with the police part?

Hon. Mr. McKeough: That is right. The police is $225,000.

Mr. Deacon: Well, in connection with the all-regional things, we have seen what happened in the Niagara region where they are $1.4 million short even after an extra $2.5 million grant. It is as a result of the reorganization that there are extra administrative burdens.

I am talking about the extra policing costs that we have been facing. We have been carrying ourselves without extra help from the province. I think under this new plan we should be getting special provisions for it, because surely the minister in this regional government bill is trying to provide for the future, he is trying to recognize the extra burdens this area has in the future and the future needs that have to be met.

Mr. W. Hodgson: Mr. Chairman, I would like to support the member for York Centre on the special areas of this province. We have special police costs which other areas, other regions, I have been informed, not as close to Metro do not have. I would like the minister to take a look at this and see if we cannot get some assistance.

Mr. Deacon: Mr. Chairman—

Mr. E. W. Martel (Sudbury East): Come on, give us the good word.

Mr. Deacon: With regard to the other bills, we have had extra specific grants. Muskoka got an extra assist because of its special needs. The cost of policing will be carried by the province, and I think that we should have a similar commitment here in the York region, that the extra grant for the police cost will be far more than this $225,000, which is really a normal grant position. I might ask the minister to say why the specific grants are not similar to that in the Muskoka situation.

Mr. Deans: Mr. Chairman, I just want to go back for a moment to some of the comments that I made on the second reading with regard to the bill. At that time we opposed it, and we opposed it because we felt that we had come to the end of the road as far as accepting lines drawn by the department on maps, without adequate consideration being

given to the financing of the operations that had to be carried on within the boundaries.

It would seem to us on this side of the House that this might be an opportune time and a suitable place to experiment to some extent with the foundation programme that we offered two or more years ago. It seems quite evident, to me at least and to most of us on this side of the House, that within the next year or two at the very most, most of the valuable assessment in this area will have gone. The possibility of doing adequate planning with the revenue that they now have and being able to maintain most things that they undertake into the coming five or 10 years, knowing full well that a goodly portion of their assessment and revenue will be taken away from them by the minister in some future Act, or at least in amendments to this particular Act, makes me wonder how this unit can possibly be viable in the long run.

I would think that the minister might give some consideration at this point to trying out the suggestions contained in the municipal foundation programme in this particular municipality in order to determine where there may be some need for improvement. The method that is presently being used is a haphazard method of trying to guess what kinds of commitments and what kinds of costs will be incurred in the next two or three years and to meet it with grants that have proven to be totally inadequate to most of the municipalities that have been receiving them over the last 10 or 15 years.

There is no point in us continuing to kid ourselves in this House that by making a grant based on some totally inadequate formula—it never met any of the needs of past years—will in any way make it easier or make it possible for the community to provide the services that are so desperately needed.

Mr. Chairman: I should point out to the hon. member and some of the previous speakers on this particular section that much of the debate had been again on the principle of the bill rather on the operative section of the bill. Is there further discussion on section 119? The operative section.

Mr. Deacon: I was wondering, Mr. Chairman, where this money—

Mr. Chairman: Being 6 of the clock, I do now leave the Chair. We will resume at 8.

It being 6 o'clock, p.m., the House took recess.

No. 110



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Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, JUNE 23, 1970

The House resumed at 8 o'clock, p.m.

Mr. Chairman: Before we start the evening's activities, I would like to draw attention to a group of visitors in the Speaker's gallery this evening. We have a fathers' club along with their sons and daughters from the Kinghorn Senior Public School. We welcome them to the Legislature.

REGIONAL MUNICIPALITY OF YORK
(continued)

House in committee on Bill 102, An Act to establish the Regional Municipality of York.

Mr. Chairman: Now, where were we? I believe we had finished section 118. Is that right?

Mr. D. M. Deacon (York Centre): Are there any problems faced by the town of Markham with regard to the fact—

Mr. Chairman: What section are we talking on now?

Mr. Deacon: The Markham section—119. No. This is the police bill.

Mr. Chairman: I beg your pardon?

Mr. Deacon: This has still to do with the police.

Mr. Chairman: Section 118. There is a mark here in the book indicating we had finished. We are starting at 119?

Mr. Deacon: Did we finish all that?

Mr. Chairman: Any further comments, questions or amendments on this section?

Starting at section 119—

Mr. Deacon: Sorry then. I guess I will have to leave that Markham—

Mr. Chairman: Any comments, questions or amendments to anything up to 150?

Mr. Deacon: Yes. On section 122.

Mr. Chairman: On 122. Anything before 122?

The member for York Centre.

Mr. Deacon: The question is on subsection 11. In a comparable subsection, subsection 7, there is a right of appeal where an area municipality is not satisfied with the assessment as revised. Subsection 11 has to do with levies which would be apportioned among the areas, in which are included the valuations of all properties for which payment in lieu of taxes, which include a payment in respect of regional levies, are paid by the Crown in right of Canada or any province or any board.

There is no right of appeal in this one, and yet there is in subsection 7. Why would there not be provision provided there for appeal?

Hon. W. D. McKeough (Minister of Municipal Affairs): I suppose subsection 7 would imply a right of appeal in subsection 11. I think subsection 7 would imply a right of appeal on subsection 11, if the municipalities were not happy with the valuation under subsection 11.

Mr. Deacon: Is not subsection 11 quite a separate area? It is a matter of grants in lieu of taxes, and any levy based upon that, and—

Hon. Mr. McKeough: I think this is the section in which grants in lieu of taxes, as a matter of fact do become part of the total assessment, which is used for apportionment. I would think that under subsection 7, if they are appealing the apportionment, they have an implied right of appeal against the valuation which we might set on a certain property.

Mr. Deacon: Can the minister definitely assure the municipalities that they have that right?

Hon. Mr. McKeough: Yes.

Mr. Deacon: Yes, you can.

Hon. Mr. McKeough: Yes.

Mr. Chairman: Does section 122 stand as part of the bill? The next section to be discussed then—the member for Wentworth—is what number?

Mr. I. Deans (Wentworth): It is section 156.

Mr. Chairman: Anything before 156?

The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Yes, on section 133.

Mr. E. R. Good (Waterloo North): I have, on section 129, having to do with the method of phasing in the payment in the case of merged municipalities where it would cause substantial hardship—I presume substantial hardship. The definition is defined as a decision of the minister. Do you not think this is a pretty—I should not say cheap way, but where there is substantial hardship in the case of one section of a merged municipality, all you are doing is saying: "The rest of them are going to have to help pay your share and we will give you five years to pay it off?"

Do you think a little grant from the province in cases where you deem it to be substantial hardship would be a much fairer way? You are forcing something on them; you are dividing their municipalities and if because of surpluses and deficits built up they are faced with a sudden payment to the new area, you give them five years to pay it. I think a little money pumped into those situations by the province might be in order; and give a little assistance.

Hon. Mr. McKeough: No, as a matter of philosophy, I do not. If we are correctly defining a regional municipality as a community of interests in which, within that community, there is a sharing of both—if I can put it this way—the advantages and the disadvantages, I think that this levelling process within the community makes some sense. I think as a taxpayer in Chatham, and you as a taxpayer in the city of Waterloo, how we would have resented, for example, paying to the village of Forest Hill to do exactly the same thing.

I do not think we would have responded willingly to that provincial tax.

Mr. Good: Yes, but on a merger the fact that the one party is unduly dealt with—

Hon. Mr. McKeough: The same situation.

Mr. Good: That simply shows that the division of municipalities has caused the hardship, or the merger of parts of other municipalities. Maybe the assets have gone very strongly with the other areas and because of that the remaining part of the merging municipality is going to have to raise a substantial amount of sums very quickly. You give them five years. It is not their fault that their assets or deficits are so situated that they end up, under your structure, to be in a rather precarious position financially. You give them five years to pay it, but I would say some provincial funds would be much more in order to help the situation.

Hon. Mr. McKeough: Perhaps I have explained the wrong section on this; or the philosophy, perhaps the philosophy holds true. In this particular section—and if you read the first section, surplus or operating deficit and so on—any hardship will be caused by the action of the merged municipality or the existing municipalities in this year of our Lord, 1970, running down their surplus. That is what will cause the hardship.

Mr. Good: And that deals with the—

Hon. Mr. McKeough: —with transitions.

Mr. Good: All right. I accept that.

Mr. Deacon: Does that deal with 126?

Hon. Mr. McKeough: On 129. You were talking about 129.

Mr. Deacon: The financial hardships. The adjustments though, the transitional adjustments, are in 126.

Hon. Mr. McKeough: Which is transitions?

Mr. Deacon: Section 126.

Hon. Mr. McKeough: Section 126.

Mr. Deacon: Where is it that the special grants come in that the Minister talked about? Under what section?

Hon. Mr. McKeough: They would have come in under 119, The Regional Municipal Grants Act. The transitional statement came in under section 126, not section 129, I am sorry.

Mr. Chairman: Shall section 129 then stand as part of the bill?

Carried.

The member for Kitchener; on section 135, was it?

Mr. Breithaupt: On 133, Mr. Chairman.

Mr. Chairman: Anything before 133? All right, the member for Kitchener.

Mr. Breithaupt: I notice in this section that we are dealing with the ability of the regional councils which arrange temporary loans. I would call the minister's attention to the subsections 8, 9 and 10.

In subsection 8 there are penalties given for excess borrowing and the penalty is based upon the fact that a member of the regional council has knowingly voted for a certain decision. But in subsections 9 and 10 of that section, the "knowingly" situation is no longer set out. It would appear that in the first case where there is a penalty for misapplication of revenues, and in the second case where there is a penalty for misapplication of revenues by the officials, the word "knowingly" is not there.

I would think that those two sections in order to be consistent, and in order not to have a liability beyond the knowledge of the individuals involved, should both be amended to have the word "knowingly" placed therein.

I would accordingly suggest that the minister accept an amendment to amend subsection 9 of section 133 in the fourth line to add the word "knowingly" after the word "who"; then in the subsection 10 of section 133 to amend the second line by adding the word "knowingly" after the word "corporation".

I think that if the minister were to accept those two amendments he would have consistency within the section so that should some action take place in which the council or the officials did not knowingly as individuals involve themselves, there would not be the absolute liability that appears to be here.

Mr. Good: Mr. Chairman, that was the attitude taken by the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence), on The Business Corporations Act.

Hon. Mr. McKeough: Would the member move that?

Mr. Breithaupt: I have the amendment here, Mr. Chairman.

Hon. Mr. McKeough: I am told the provision is out of The Municipal Act, but it strikes me that The Municipal Act probably should be amended the same way.

Mr. Chairman: Mr. Breithaupt moves that section 133 subsection 9 be amended in the fourth line to add the word "knowingly" after the word "who" and that subsection 10 be amended in the second line to add the word "knowingly" after the word "corporation".

Shall the motion carry? Motion agreed to.

Shall section 133 as amended stand as part of the bill? Agreed.

Is there anything else before section 156? The member for Wentworth.

Mr. Deans: I want to know from the minister, first of all, why they chose June 1, since the bill was not introduced until June 3. In section 156 it says:

> In the year 1970, no local municipality in the regional area shall, after the 1st day of June, without the approval of the municipal board, dispose of any asset purchased at a cost of, or valued at, more than $5,000.

Now, the bill was not introduced until June 3 and therefore it would seem to me that would have been the earliest date that you might set.

Aside from that, what happens if they have done this: Supposing they had sold their assets or they have sold assets between June 1 and the time this bill receives royal assent on Friday—and it is not law until it receives royal assent—what happens?

Hon. Mr. McKeough: In the case of a merged municipality, the people who benefited perhaps from a reduction in the year's mill rate because of the sale of that asset which then did not go into the merged or new municipality would not be penalized next year, or it would be charged back to the people who had received the benefit this year.

I regret some of these sections—I would have to tell you that—and I think for understandable reasons. This is one of the reasons why we would not want to stretch out actual legislation or announcement of legislation over a long time. Because some councils have a happy faculty of spending off surpluses or other things. I think this is no secret to any of us in this House.

One of my colleagues, the Minister of Education (Mr. Davis), had no end of trouble last year because of the action of some—not all—township school boards who did their very best by their people; in some cases they went overboard and it will be eventually charged back.

Now as to why June 1—it probably should be June 3. I think when the draftsman drafted the bill, June 1 was the target date for introducing the bill—

Mr. Deans: I realize that it does not make any difference, but I just wanted to—

Hon. Mr. McKeough: That was the reason for June 1.

Mr. Deans: I was just concerned about how you cope with the situation after it has arisen—that was all. I somehow felt that—

Hon. Mr. McKeough: The date should be June 3.

An hon. member: It could be amended. I would be delighted to amend it.

Mr. Deans: It could be any date at all. It just seemed that it should not be before the bill was introduced.

Hon. Mr. McKeough: Actually the provisions are not nearly as important, I think, as the warnings which are in the provisions.

Mr. Deans: Right.

Mr. Chairman: Shall section 156 then stand as part of the bill? Motion carried.

Are there any other amendments, comments or questions on any other section of the bill?

Mr. Good: Section 158, Mr. Chairman.

Mr. Chairman: Section 158? Is there anything before that?

Mr. Deans: No. I was thinking along the same lines.

Mr. Chairman: Section 158?

Mr. Good: Section 158, subsection 7. Could the minister—

Hon. Mr. McKeough: I might tell the member that in subsection 3 which reads "subsection *z*," I am told that legislative counsel have already corrected the copy of the bill and that should read subsection 3—subsection 2 rather. *z* is substituted for 2, but it should read 2. They are doing that.

Mr. Deans: No wonder it does not apply; it does not exist.

I was just going to say to the minister—

Mr. Good: On subsection 7, could the minister explain how the present provisions of The Liquor Licence Act apply to the new municipalities as they enter a regional municipality—that is, the local option and things of that nature?

Hon. Mr. McKeough: They are frozen. I can put it this way: The situation which existed in High Park or Eglinton—whichever it was—was that it was a dry area when it was brought into Toronto and they have never had a vote; therefore it remains a dry area. This is the principle which has been followed through annexations over the years, and if that part of Markham which was going into Richmond Hill is dry—and I do not know whether it is or not—then that part of Markham would have to have a vote. Conversely, if that part of Markham were wet and Richmond Hill were dry, that part would still remain wet.

Mr. Good: The same geographic boundaries, and if a vote were taken they would have to define the old geographic boundaries?

Hon. Mr. McKeough: Yes.

Mr. Chairman: Shall section 158 stand as part of the bill?

Mr. Deans: No. One final question on subsection 8. Is there any particular reason why section 18 of The Municipal Act was not used in subsection 8? Section 18 deals with—as I read it and try to understand it—the same subject matter and is a little more explicit.

Hon. Mr. McKeough: I am sorry.

Mr. Deans: Yes, I am asking if there is any particular reason why section 18 of The Municipal Act is not used instead of changing it and making it subsection 8? Section 18 is considerably more explicit; it deals with annexed municipalities and it goes on to say that the bylaws of the annexing municipality extend to the locality or the annexed municipality and the bylaws then in force in the municipality being annexed cease to apply, except bylaws relating to such things as highways which are already covered in this Act.

Hon. Mr. McKeough: Right:

Mr. Deans: It is a much more complete section, it seems.

Hon. Mr. McKeough: Subsection 8 permits the widest flexibility—it is wider than section 18—it allows the new areas to re-do their own bylaws. And the note is to remember the Lakehead and the chickens. We got into a little bit of fun at the Lakehead because in that particular instance it was a bylaw that would not have come under this sort of section. The Lakehead had a bylaw prohibiting chickens or chicken raising or something, and in that part of Shuniah which was coming into the new city they had always allowed, as I recall, chickens or horse racing or something. And the then reeve of Shuniah, who I must say is the former Minister of Mines, was in high dudgeon about the whole thing. As I say, this subsection 8 is wider than section 18 of The Municipal Act for that reason.

An hon. member: For that reason? Okay.

Mr. Chairman: Shall section 158 then stand as part of the bill?

Section 158 agreed to.

Are there any questions, comments or amendments to any section up to and including section 179?

Mr. Deans: Section 159.

Mr. Chairman, to be consistent with my views of the EMO I wanted to say that I am disappointed to see this contained in this Act. I am convinced, and I spent some time trying to convince the Attorney General (Mr. Wishart) that this whole thing is totally unnecessary and to allow for expenditures of funds in this municipality to perpetuate what I consider to be a useless operation seems to me to be ridiculous. I just cannot, for the life of me, see why we would continue it.

I would rather see the money that might be spent here spent in providing a more adequate fire service, or spent in providing some other service that would be available to people on a full time basis rather than spent on people doing what they think may well be useful, but in actual fact something that may never, hopefully, be used, and even if it were to be used, to be totally inadequate when the time came to use it.

Hon. Mr. McKeough: I am sure the member would agree that if the job is to be done it had better be done at a regional level rather than at a local area level—

Mr. Deans: Better not to be done at all—

Hon. Mr. McKeough: —and this allows that authority to the region and although I hate to make—since I suppose in a few minutes I will be rallying the troops to in part vote against two amendments which purport to substitute the word "may" for "shall"—I have some hesitation in pointing out to you that section 159 reads "may" and does not read "shall," but I think it is my only answer. It is an emergency answer.

Mr. Deans: I would love to move that it be stricken but I do not think there is any point in it.

Mr. Chairman: Section 159 agreed to.

The member for York Centre—on which section?

Mr. Deacon: Section 173.

Mr. Chairman: Anything before 173?

Mr. Good: On section 161, the limitation of the one-tenth of one mill that the municipality makes for grants. I just bring this up in the light of the other bill that is coming in for Metro Toronto. This is not a new departure of government policy to allow Metro Toronto to decide. It is still going to be retained for all other municipalities and we will discuss the Metro Toronto problem when we get to it. But do you still intend to retain this limitation for all of the municipalities?

Hon. Mr. McKeough: We would like to leave it on for a year or two years and see how it works and then take it out. I have asked somebody to go and have a look at Ottawa-Carleton. It is too early to say whether it is a fact. I would like to take them all out, yes, but on the other hand it may be of some help to a new municipality to have some limitations.

Mr. Chairman: Section 161 agreed to.

The member for York Centre.

Mr. Deans: That comes a little later, section 165. I just want to be sure that nothing in section 165 negates the purpose of section 438 of the Act in regard to notice and notice to utilities and owners and the likes.

Hon. Mr. McKeough: No, that overrides it.

Mr. Deans: This overrides it.

Hon. Mr. McKeough: No, the Act.

Mr. Deans: The Act overrides that. Fine, thank you.

Mr. Chairman: Shall section 165 stand as part of the bill?

Mr. Breithaupt: With respect to the terms of—just as an aside—with respect to the terms of section 173, the sections of this Act prevails over any other Act, general or special.

Hon. Mr. McKeough: That is a good point.

Mr. Deans: Well, it does not override it.

Mr. Breithaupt: It would appear not.

Mr. Deans: Let us get it cleared up.

Hon. Mr. McKeough: Wait until I check with my lawyer.

Mr. Deans: Yes, I wish I had a lawyer to check with.

Hon. Mr. McKeough: I am not sure that I understand this, but when The Municipal Act does not apply, then section 165 can.

Mr. Deans: When it does not apply, then

section 165 can? It is just that you recommend a duplication of things, that is all.

Would it be possible, then, to add to this Act, the provision which says that:

> Except in an emergency or otherwise agreed between the municipality and the owner of such works that at least 24 hours' notice before the work is to be commenced notifying the owner of the works that such digging, trenching and excavating is to be done.

That was taken directly from the Act.

Hon. Mr. McKeough: From the Act?

Mr. Breithaupt: Well, the other way, of course—

Mr. Deans: Yes, sorry.

Mr. Breithaupt: —might be for the minister to allow, if the Act is to receive approval in committee, that perhaps the application of section 173 into the differences that might arise could be more carefully looked into by your staff. Then, if you had any comments or necessary corrections to make in third reading, they could be attended to. I think that while the amendment that my friend for Wentworth suggests would be a worthwhile addition in this case, it might better be a matter of checking through the Act to ensure that this catch-all section 173 does give you the kind of protection you are expecting to receive throughout the Act.

Hon. Mr. McKeough: Section 165?

Mr. Breithaupt: Yes, but it could be in other areas too. I am just suggesting that a check might be worthwhile.

Hon. Mr. McKeough: Could I undertake to take a look at this and either amend it on third reading or undertake to have a look at it in any case before the fall session.

It would not be operative until January 1. I am sure there are going to be things which we will find over the summer months which will need amending in this bill.

Mr. Chairman: Shall 165 stand as part of the bill?

Hon. Mr. McKeough: I will either do it on third reading or in the fall. But put in some protection; that is what you want.

Mr. Breithaupt: That is quite reasonable.

Mr. Chairman: Anything before section 173 then? Yes, the member for Niagara Falls.

Mr. Deacon: In 173, I think—

Mr. Chairman: Order, please. I believe there is a—

Mr. G. Bukator (Niagara Falls): I would like to speak on section 169.

Mr. Chairman: Yes, the member for Niagara Falls.

Mr. Bukator: The corporation of the county of York is dissolved on January 1, 1971. Being a former old county councillor, I find that this particular group of people, at least, should be commended to hear what the member for Ontario (Mr. Dymond) did not too long ago.

Give them some credit for the work that they have done in the last 100 years. I still believe that this regional government bill is brought in in a fashion that I would not have had a part in nor would have allowed had I had any authority in this House.

The people who are in county councils would have done a better job for you than this bill will bring about. I can see where you are going to get into much difficulty financially. That is what we are all here for: to look out for the taxpayers' dollars.

I said this before, and I say it to you again, it is like the man who decided to clean out his clothes closet. He threw out his old shoes, overcoats and hats that served him well. The minister has done that to the county councillors in the county of York. I see nowhere where you have given them any praise or credit.

Again I say I think that they could have done this job for you if you had broadened the terms of authority that you have given to regional government. I will not support this bill under those circumstances, if nothing else.

I do not think this minister, nor this government, have given sufficient time to the elected people of that area to properly implement a bill as large and as wide in scope as this particular bill is.

Mr. C. G. Pilkey (Oshawa): What about a referendum? Is there a chance of getting a referendum?

Mr. Bukator: Well, I will be happy to see how the member votes on this particular bill when the time comes.

Mr. Deans: Personally, I doubt whether this will happen.

Mr. Bukator: I would like to inform some of these supposed knowledgeable legislators in this House that county councillors have rendered more to this province than any of

them will, in the time that they will serve in this Legislature.

Mr. Deans: We opposed it.

Mr. Pilkey: What about a referendum?

Mr. Bukator: Yes if you do oppose it, it will be something similar to what they have done.

Mr. Deans: We did, you did not.

Mr. Bukator: No one knows where they go until they get there and the NDP themselves do not know where they are at. So this is nothing new.

Mr. R. F. Nixon (Leader of the Opposition): They do not know where it is at.

Mr. Bukator: And I say this. The county councils in this particular province—and the minister cannot deny that—have served us and served us well. I say, with more authority to these people, you would have had a much better administration at a lot less expense, but that remains to be seen. I hope that I do not have to come back here in another year and say, "I told you so"; but I believe that if it applies here, in the county of York, as it did in Welland and Lincoln counties, you have rendered a very poor service to the people at an added cost.

Mr. S. Lewis (Scarborough West): Why did you vote for the bill?

Mr. Bukator: We are just talking about the Niagara bill, which is $2.5 million more in expense.

I know, Mr. Chairman, you are looking in my direction as though I was off the beam. I am speaking up. I do not know how else you can refer to anything, unless you can refer to some experience of others. In Niagara you have given the municipalities $2.5 million more to help get the show on the road. They had you there recently, asking for $1.4 millon to help assist them in this time of financial crisis. I wonder where you are going to get that money other than from the people of the province?

If you are not getting it from the federal government and the counties do not have it, there is only one place you are going to get it from and that is the taxpayers. I am going to tell you that for the added costs to the government you are not going to get any better administration than you have now.

Mr. Chairman: Section 169.

Hon. Mr. McKeough: I cannot let that go by unnoticed. The member seems to feel that at some point or another I have not paid tribute to the work of county councils and in particular to the county council of York. I do so now.

The county of York, of course, has a glorious tradition, a great history. Nowhere in their history, in their tradition, are they to be more cemmended than for taking the leadership and asking for this legislation.

Mr. Deacon: Mr. Chairman, I do not think that that can go by either, because certainly they asked for regional government legislation but they did not ask for regional government legislation which would cut the boundary at 407 instead of leaving it at Steeles; which would not take care, by means of some sort of special additional provision in the way of financial assistance, the municipality in the same way that every other regional government has been provided for and has had provided to it.

Instead of taking away assessment, every other region had strong assessment added. So as we have argued before, let us not talk about the fact that they are getting what they wanted.

They are getting what you are giving to them and you refuse to give them what they need and what they want.

Mr. Chairman: Carried!

Section 173; the member for York Centre.

Mr. Deacon: I ask the minister, under section 173, is this the section that covers all regional library boards and does away with them and puts them under committees of council or what is the situation?

Hon. Mr. McKeough: Libraries are left alone, I believe. Yes, completely left alone.

Mr. Deacon: Everything is going to be unchanged with regard to library boards unless the municipalities decide otherwise.

Hon. Mr. McKeough: Yes.

Mr. Chairman: Shall section 173 stand as part of the bill? Carried.

Any comments, questions or amendments to any section up to and including 179? The member for Wentworth.

Mr. Deans: On section 177; okay, section 176?

Mr. Breithaupt: Could I ask a brief question with regard to section 176? What development is there presently with respect to

the regional co-ordination of fire services? It seems to me that there must be some close tie at the present time with Metropolitan Toronto. I am wondering if the minister could advise us the reason and the planning that he has for setting up an emergency fire service plan within that area?

Hon. Mr. McKeough: This is nothing more than a continuation of what I am told is already in effect, which is the mutual aid system.

Mr. Chairman: Shall section 176 then stand as part of the bill? Carried. Section 177? Section 178?

Mr. Deacon: In connection with section 178, the problem is being faced by Hydro employees around the province and particularly in the regional setups as to what their status will be. I would appreciate the minister describing what is going to happen under these commissions and how these people are going to be operating?

Mr. Deans: Before you do that, you might cover—I had it brought to my attention; tell me if they are right—it says in the Act, and it does say it, that the members of the council of the township of Vaughan—dealing with subsection 2 as it exists—on December 31, 1970, shall, for the year 1971, be deemed to be a commission established under part 3 of The Public Utilities Act for the township of Vaughan hydro-electric system.

My understanding of The Power Commission Act under which they would operate—or whatever it is called—is that you cannot be a member of a utility commission and a member of a council at the same time. What becomes of these people, who, on December 31, are still councillors in the township of Vaughan? Because it still exists. They have by that point been elected to the regional council. Do you get the message? Could you tell me what it is they are going to do?

Hon. Mr. McKeough: I am not sure that the problem is there, but I think that if they had any intention of running for the new council—which I am assuming many of them do—

Mr. Deans: Of course they do!

Hon. Mr. McKeough: —they theoretically could resign before that time. I will have to check that.

Mr. Deans: What becomes of this power commission that is being set up in King City, in the township of Vaughan? What becomes of it? Why is it necessary to have separate power commissions in the first place?

Why can they not just go ahead and set up a committee within the newly elected council to supervise and maintain the power features of the community? Why do they have a separate unit?

If they have to have it, you can see the problem—most of the councillors probably will be re-elected, they will then be ineligible to sit; and if they are ineligible to sit you have got to put new people on anyway. So it does not make any sense in my view.

Now perhaps you can answer it.

Mr. Breithaupt: I was going to raise that point with the minister as well, because it would appear that even though, as the minister said, they might resign; in fact if they did not they may unknowingly void their whole election process.

Hon. Mr. McKeough: Answering that part of the question first, I am told that this provision supersedes the other provisions mentioned by the member for Wentworth in The Power Commission Act—is that where it is?

Mr. Deans: The Public Utilities Act.

Hon. Mr. McKeough: The Public Utilities Act. And these two sections were specifically requested that way by Vaughan and King.

Now if I can explain the philosophy behind the whole of section 178. We have accepted I think, without saying so at this point, the submission made by the OMEA to ourselves and to Ontario Hydro. And their recommendation is—and this is probably what we will do in Niagara—extend them for another year. We extended them for the one year and we will probably extend them for a further year until what is appropriate is sorted out.

The OMEA suggested to us and to Hydro —and we are in the process of sorting out the details of this Hydro—but essentially we are accepting that recommendation as a matter of policy to carry on. But then suggest where a new form of government is set up, be it regional or district—this is what we did in Muskoka as well—that the Hydro be frozen, as it is for a period of a year by the bill, because Hydro is a much more precise science. The suggestion of the OMEA—and this is one of the details we are looking at—is that the chairman of—how many Hydro commissions do we have here? A number—the chairman or their designate of each of those commissions would form a committee with a chairman appointed, I think by the OMEA or by

the Minister of Municipal Affairs, or by Hydro—I have forgotten the details—and probably with a couple of appointments to represent rural Hydro users, people who are not part of the one appointment or the other.

For example, in York county all the people are on Ontario Hydro. And they would be told during that year to sit down and work out as quickly as possible an appropriate plan. This could be perhaps a continuation of the way it is. It might be an extension into part of the region of the local hydro commissions. It could be a regional Hydro commission. It is obviously going to vary depending upon the density of population, on the density of Hydro use, on the price of the depreciated assets which Hydro have to sell, or would then sell to the new commission, if it were a regional commission, or new area commissions, if they covered a larger area.

I think as a matter of principle we have accepted this—that we will take this extra year. I am rather grateful for this because this is one thing that does not have to be sorted out in the initial sense. We take this extra year and figure out what would be appropriate.

We asked the commissions in Niagara, for example, I say to my friend for Niagara Falls. I think there are about eight or 10 of them, and initially we had eight or 10 different answers. We did not do that very well I would have to admit.

Now we hope by putting them all together —and they are doing this actually themselves, and this is how the OMEA I think got the idea—by putting them together they will work out what is an appropriate plan. This will take a year in the case of Niagara; it is probably going to take two years to work it out. But that is the philosophy behind this section.

In the meantime these sections simply freeze things the way they are and extend the life of a commissioner for a further year if necessary.

Mr. Deans: Well there is just one further point before the minister leaves it.

Will the minister make sure there is nothing in this Act that will void the elections of any individuals, and would he send a directive out to the two municipalities making sure that they understand the situation?

Hon. Mr. McKeough: Yes.

Mr. Deans: Fine, thank you.

Mr. Good: Vaughan and King, Mr. Chairman; are they not operating under—

Hon. Mr. McKeough: They are operated under committees of council as I understand it.

Mr. Good: They operated under committees of council and all the other municipalities operate under a public utilities commission for hydro?

Hon. Mr. McKeough: Right!

Mr. Good: I see, fine. Well how could they—

Mr. Bukator: Mr. Chairman, it is refreshing to hear the minister say that Hydro utilities commissions or your Hydro commissions are working out their problems simply by sitting down—

Hon. Mr. McKeough: Well we hope they will.

Mr. Bukator: You had eight answers and now you have them at least sitting talking over their problems and they are going to come up with some answers for you.

I was a little concerned about the International Brotherhood of Electrical Workers and the Canadian Union of Public Employees—the two unions in these areas. There are a lot of people involved with jobs, such as they were, in the Niagara area, and wondering where they stand with their seniority and whatever applies to their position since it does not come under this particular Act; they will have to work their problems out from where they sit.

But I know the concern of employees who have been there for a long time; wondering where they are going to wind up; who they are going to be working for; if they are going to continue under the present method of commissions or something new.

But I am pleased that the minister said that in Niagara they will have another year to work out their problems and I was hoping that I could have persuaded you to do the same thing with regional councils. I will not leave that one alone until we get to the last section of this.

If it worked with the commission—surely it would also work with regional government.

Mr. Deacon: Mr. Chairman, there is a strange situation and I wonder how it will ever work out in the township of Vaughan and that portion of the township of Vaughan that is going into the town of Richmond Hill. Richmond Hill bought its Hydro assets about 13 or 14 years ago and has paid for them, as I understand it. It is all owned by the town,

operated by the public utilities commission and clear of debt, and their rates reflect that.

Now they are bringing in a portion of the township of Vaughan, but that portion of the township of Vaughan, which forms the strong concentrated market of the newly formed Hydro of Vaughan. Vaughan bought their hydro distribution system from the Ontario Hydro, I think, two or three years ago and have quite a substantial debt against it.

But the Vaughan people are wondering how they can possibly service or carry on in a practical manner in Vaughan with what is left over. Those in Richmond Hill say: "What do we do now to pay off the new debt that we are having to assume from the people in —when we are taking over this Vaughan system?"

And are we going to have separate rates within the same municipality? Is this the type of thing that is going to go on? Is there going to be any way of helping out what remains of the Vaughan Hydro, once a portion of it goes into Richmond Hill? Or does the continuing Vaughan Hydro commission have jurisdiction and get the continuing revenues from that portion of Vaughan that is going into Richmond Hill?

Hon. Mr. McKeough: Nothing changes for the year.

Mr. Deacon: Nothing changes?

Hon. Mr. McKeough: Nothing changes and the boundaries remain exactly as they are.

Mr. Deacon: So even though the municipality boundaries change the hydro boundaries do not change. Everything carries on.

Hon. Mr. McKeough: Right! And the problem which you describe is the sort of a problem which should be laid on the table during this year by the committee and sorted out.

Mr. Deacon: What a sorting!

Mr. Chairman: Section 178 as it stands is part of the bill?

Carried.

Anything on section 179? If not, the minister has an amendment for section 180.

Hon. Mr. McKeough: This is a rather lengthy amendment—it simply brings the separate schools under the same provisions as exist in 180. We left the separate schools out. I move that section 180 be struck out and the following substituted therefor:

180(1) notwithstanding section 92 of The Secondary Schools and Boards of Education Act and section 84 of The Separate Schools Act; (a), the polling day for the members of the York County Board of Education and the York County Roman Catholic Separate School Board in the year 1970 shall be the fifth day of October and the hours of polling shall be the same as for the municipal elections in the regional area; and (b), the minister shall, by order fix the day, times and places for the nomination of candidates for the York County Board of Education and for the York County Roman Catholic Separate School Board in the year 1970 and provide for the holding of the nomination meetings. And otherwise, the provisions of the Secondary Schools and Boards of Education Act apply to the election of the members of the York County Board of Education and the provisions of the Separate Schools Act apply to the election of the members of the York County Roman Catholic Separate School Board.

(2) Notwithstanding section 92 of The Secondary Schools and Boards of Education Act and section 84 of The Separate Schools Act, any reference in such sections to the 1st day of September shall be considered to be a reference to the 1st day of August and subject to subsection 1 all other dates in such sections shall be advanced by 30 days.

We had left out, inadvertently, the separate schools from this section which simply allows the minister to fix the dates, times, places, nominations. The election for the two school boards now can be on the same day as the regional council, which is agreed to.

Mr. Deacon: October 13?

Hon. Mr. McKeough: The sixth.

Mr. V. W. Snow (Hamilton East): The 5th.

Hon. Mr. McKeough: The 5th.

Mr. Deacon: October 5 here, but you have on the front of this Act, October 13.

Hon. Mr. McKeough: No, that is the day it comes into being. The 13th, it was the 12th and it was amended all the way through that they meet on the 13th.

Mr. Deacon: I am afraid, with the effective date, I got mixed up—

Mr. Breithaupt: There was one comment in your amendment, Mr. Minister. In the first

instance I think you refer to the York county separate board, and in the second two instances you referred to the York county Roman Catholic separate school board. I was just wondering if I did not hear the term "Roman Catholic" in your first reference, or whether, in fact, there had been a typographical error.

Hon. Mr. McKeough: Perhaps I have read it wrong. York County Roman Catholic separate school board; York County Roman Catholic Separate School Board; York County Roman Catholic Separate School Board. Yes, I must have left it out in the reading.

Mr. Chairman: Shall the minister's motion then carry.

Carried.

Shall section 180 as amended then stand as part of the bill?

Carried.

Are there any other comments, questions or amendments to any other sections of this bill?

If not this completes the general consideration of the bill. There are, however, a few votes on which divisions were requested to be stacked. Call in the members.

Hon. A. Grossman (Minister of Correctional Services): I think the opposition want to withdraw their objections.

Mr. Chairman: Call in the members.

Mr. Chairman: For the information of those who have just come in we have four amendments as moved by Mr. Deacon. I understand that all parties will not vote the same way in each of these so we will have to deal with each one separately. We will deal with the first one first.

Mr. Deacon's amendment to section 2.

Those in favour of Mr. Deacon's motion will please rise. Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 40, the "nays" 43.

Mr. Chairman: I declare the motion lost and the section carried.

Section 2 agreed to.

The next amendment is to section 32, subsection 1.

Those in favour of Mr. Deacon's motion will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 25, the "nays" 58.

Mr. Chairman: I declare the motion lost and the section carried.

Section 32 agreed to.

The next amendment is to section 53 by Mr. Deacon.

Those in favour of Mr. Deacon's motion will please rise.

Shall we accept the same vote?

An hon. member: Same vote.

Mr. Chairman: I declare the motion lost and the section carried.

Section 53 agreed to.

The last amendment is to section 113 by Mr. Deacon.

Those in favour of Mr. Deacon's motion will please rise.

Shall we accept the same vote as number one?

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 40, the "nays" 43.

Mr. Chairman: I declare the motion lost and the section carried.

Shall this bill as amended be reported?

Bill 102, as amended, reported.

Mr. Nixon: Mr. Chairman, will you report that vote?

Mr. Chairman: It was 44 to 41—43 to 40.

Mr. B. Newman (Windsor-Walkerville): For or against?

Mr. D. A. Evans (Simcoe Centre): Come on over here; you have no support over there.

Interjections by hon. members.

Mr. Chairman: Order, please!

Clerk of the House: The Honourable, the Lieutenant Governor recommends the following:

Resolved:

That the expenditures necessary for the northern affairs branch of The Department of Mines and Northern Affairs shall, until March 31, 1971, be paid out of the consolidated revenue fund.

Resolution concurred in.

THE MINING ACT

House in committee on Bill 69, An Act to amend The Mining Act.

Mr. Chairman: Are there any—

Order, please!

Are there any questions, comments or amendments to any of the first 10 sections?

The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Chairman, in connection with section 2, this Act sets up The Department of Mines and Northern Affairs; it extends the department to take in more than just the mining aspect of activity in northern Ontario. I gather that this department is going to be involved in some policy decision, and since this bill was introduced and debated there is a matter of northern development that has come my way.

It has been presented to the minister and I would like to present it here in brief form and find out what the department might do about this. It concerns the method of transportation and processing of zinc, copper and other concentrates. It is a brief presented by a friend of mine, a councillor in Timmins, Don McKinnon, to the particular minister.

It points out that at the preesnt time the copper concentrates in the Texas Gulf operation are being refined at the Noranda smelter in Noranda, Quebec; that the copper ore at the Noranda operation in Quebec is running low and even with the Texas Gulf copper concentrates that are going there, there may be some possibility that they will not even have enough ore. Mr. McKinnon suggests that Texas Gulf, in building their refinery, should be encouraged to build a custom zinc processing plant so that Ecstall Mining could work out a deal with Noranda mines to have the zinc concentrates coming from their subsidiary in northwestern Ontario, processed in the refinery that is to be built at Timmins.

> The processing through a custom zinc plant of concentrates from other mines might also be deemed feasible and encouraging. It is also the understanding that all zinc processing plants in Canada are at the present time working to capacity and there should therefore be no problem in having both Noranda and Ecstall Mining work out some arrangement on such a proposition. It is a known fact that this would be beneficial to both companies inasmuch as the profits that are made from the processing or smelting of minerals and/or concentrates are greater than the actual mining thereof. Seeing that Noranda Mines are nearing the termination of their mineral supply in northern Quebec, the proposal contained herein would no doubt extend the life of their smelting operation.
>
> Now to accommodate the arrangement and the proposal contained therein, proper transportation facilities would be required. This, we feel, could be achieved by the extension of the Ontario Northland Railway line from Timmins to Kukatush or vicinity. The distance is estimated at less than 50 miles.

This links up the Ontario Northland with the transcontinental CNR line down near the Foleyet area and there is, I understand, a railway from North Bay to Parry Sound. This could also be brought up to standard and put into operation so that there would be port facilities at Parry Sound. The cheap kind of freight rates of the Great Lakes could be involved. Of course, these points require some study and some looking into by the department.

But keeping in mind the various statements made by the Ontario government about finding ways to improve and encourage good economic conditions in the north and the reason that this department supposedly is being set up, I feel that the proposal contained in this brief deserves serious consideration. It is feasible and in accordance with government policies as they pertain to northern Ontario. The same would be beneficial to this area as well as the whole of the northland where the potential of other mineral discoveries is a distinct possibility.

The minister has had that proposal before him for some time and it certainly is an imaginative policy about opening up another section of the north and of tying in the present processing facilities that are available or will be available. It would make possible the development of the area in Timmins much more secure and it would, in turn, help the continuation and survival, I suppose, of Noranda mines smelter in Noranda, Quebec.

The minister introduced amendments last year through his Act to make this feasible. It would seem to me to be right in line with the thinking that he has displayed on previous occasions and I would like to know if he is going to consider this and whether we might be able to expect some kind of report back to us on it or some kind of action out of this department that we are setting up in this section.

There are a couple of other things that I would like to also deal with but perhaps I could get the minister's reactions first on this proposal.

All right—I think that the department could very well give consideration to extending

the provincial telephone lines to Kirkland Lake and Timmins. Other areas of the province have these.

Mr. Chairman: Order, please!

Mr. Ferrier: Yes, Mr. Chairman?

Mr. Chairman: I have been hoping that the hon. member would get back to section 2 of the bill. This bill has been approved in principle. We are dealing with the various sections of the bill. The operative sections and section 2, of course, deals with the name of The Department of Mines and references to the department so that the hon. member really is talking about the principle of the bill.

Mr. Ferrier: No, I think I am talking about details under this particular department that is being set up.

Mr. Chairman: The hon. member may refer to section 2 of the bill.

Mr. Ferrier: That is what I am talking about.

Mr. Chairman: In my opinion, he is talking about a principle for the activities of the department. This is just to name the department.

Mr. Ferrier: Well, if the—

Mr. Chairman: Section 2 subsection 1 sets forth the name of the department. Subsection 2 has another topic, reference to the minister and so on, but it has nothing to do with the activities of the department as such.

Mr. Lewis: He should have spoken under the recommendations.

An hon. member: Under the resolution—

Interjections by hon. members.

Mr. Chairman: The resolution of course has been concurred in. The hon. member really is not speaking to the committee stage of section 2. Is there any comment on section 2?

Any comment, question or amendment to any other section of the bill up to section 17?

Mr. Ferrier: I would like to ask one question. If this department—

Mr. Chairman: What section would the hon. member—

Mr. Ferrier: I am talking about section 2 or 3.

Mr. Chairman: The hon. member should be specific. We carried section 2. We are now up to anything after section 2.

Mr. Ferrier: All right. Well on section 3, I would like to know if the people that are going to administer this Act—if there will be bilingual northern affairs officers in the—

Mr. Chairman: That has nothing to do with section 3.

Mr. Ferrier: Well it is—

Hon. Mr. Grossman: You keep trying it.

Mr. Ferrier: Well it is a good point and the minister should react to it.

Mr. Chairman: Is there any comment, question or amendment to any section from 3 to 17?

Mr. Lewis: Under section 16, not precluding therefore for discussion of any of the previous sections, obviously.

Mr. Chairman: Order, please! Not which?

Mr. Lewis: Not precluding—

Mr. Chairman: Yes. Discussion of section 16 precludes anything prior thereto.

Mr. Lewis: I will wait until you call them section by section.

Mr. Chairman: No, we do not call them under the new procedure, I must point out to the hon. member.

Mr. Lewis: If that is the case, it is obvious then that I should go to section 4 and ask whether subsection 13(a) regarding an inspector's right to enter upon any lands for the purpose of gathering information, and so on, will allow for the use of bilingual inspectors, or people who are fluent in one or both languages?

Hon. A. F. Lawrence (Minister of Mines): It does relate, Mr. Chairman, to our existing staff of inspectors. I believe that we do have bilingual inspectors.

Mr. Chairman: Any further comment or question beyond section 4 up to section 17?

Mr. Ferrier: Yes, Mr. Chairman. I would like to ask under subsection 4 of section 6 whether the officers that will be staffing these northern Ontario offices are going to be bilingual in those sections of the province where there is a good section of French-speaking people, particularly in the north-east?

Hon. A. F. Lawrence: Yes, that is our intention, Mr. Chairman.

Mr. Chairman: Any further comments, questions up to section 17? If not, the hon. minister has an amendment to section 18.

Hon. A. F. Lawrence: Yes. I move that the bill be amended by renumerating sections 19 and 20 as sections 20 and 21 respectively, and by adding thereto the following section 19:

> The expenditures necessary for the purposes of the northern affairs branch of The Department of Mines and Northern Affairs shall until the 31st day of March, 1971, be paid out of the consolidated revenue fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

Mr. Lewis: How do you forget something like that in the original draft?

Mr. Chairman: Shall the minister's motion carry?

The hon. member for Scarborough West.

Mr. Lewis: Just by way of a question which is not as learned as some of the things my colleagues will be talking about under this clause.

How is it possible to draft an Act like this, with the intention the minister originally announced, without including a money provision to pay for the offices and undertakings implicit in the Act?

Hon. A. F. Lawrence: It is very easy.

Mr. Lewis: You just forgot. Is that what you are saying?

Mr. Nixon: That is what happens when you get a Toronto lawyer as minister of northern affairs.

Mr. Lewis: Well I hope *Hansard* records where that interjection came from. I would not have implied that for a moment.

Mr. Nixon: It came from the member for Brant in case there is any doubt.

Mr. Lewis: I would like to know whether it was just an oversight; was it just forgotten?

Mr. Snow: Where is that? Northern Ontario?

Hon. A. F. Lawrence: The matter was not drawn to my attention earlier.

Mr. Lewis: It was not drawn to your attention? Okay.

Mr. Nixon: His salary is paid under another vote.

Mr. Chairman: The hon. member for Timiskaming.

Mr. D. Jackson (Timiskaming): Mr. Chairman, I am a little bit surprised that he says this because surely this minister, under this vote and with this money, is going to be the liaison officer for northern Ontario. He cannot liaise his own department to get together—

Mr. Lewis: That is not a bad thought.

Mr. Nixon: Careful, or he will take the northern office out of your riding.

Mr. Jackson: —and point out the little mistakes that he is making already.

One of the points I would like to get back to is he says the reason for setting up this department and the reason for this need of money now is that the people of northern Ontario feel alienated because we do not have communication with Queen's Park.

Let me point out to him that one of the reasons that the people do feel alienated is the members themselves have never had the facilities to go to the people and say that we can solve some of your problems that come to us as members in the ridings of northern Ontario. We can give you the information.

Mr. Chairman: Order, please! The hon. member is not speaking to the amendment.

Mr. Jackson: Surely he is saying that he is going to spend money to set up information—

Mr. Chairman: The amendment has to do with the obtaining of moneys for the operation, and the amendment goes on to explain where the moneys will be found.

Mr. Jackson: And the money will be spent to set up 25 information offices—

Mr. E. W. Martel (Sudbury East): What is this money for?

Mr. Jackson: —through northern Ontario. Is that not right?

Mr. Martel: What is the money for?

Mr. Chairman: For the operation of the department.

Mr. Jackson: Twenty-five offices.

Interjections by hon. members.

Mr. Jackson: And I am saying to the minister that it might have been better spent if he had put some of it into setting up offices so that the members could have got to their constituents and give this information for—

Interjection by an hon. member.

Mr. Jackson: Again, I suggest to the minister that the biggest reason for these offices is to bolster up the Tory image in northern Ontario, where it is badly failing.

Mr. Nixon: Hear, hear!

Mr. Jackson: But contrary to the belief that is held in this House that we in northern Ontario feel alienated, I am sure that is true of all of Ontario.

So when he says he is building 25 offices in northern Ontario to bring Queen's Park to us, he should maybe set up 25 more in southern Ontario to bring Queen's Park to some of the people in western Ontario.

Mr. Lewis: He should charge St. James Town.

Mr. Jackson: In the minister's statements, he has said he is also going to set these 25 offices up so that he can listen to the problems of people in northern Ontario and do something about them. Surely over 25 years the minister and this government has heard all our problems time and time again? I cannot for the life of me see how the setting up of 25 offices at this time is going to serve the purpose that he says it is going to serve, when the government has been unable to do it over 25 years.

Mr. Martel: Never last 25 years!

Mr. Chairman: Order! The hon. member is not speaking to the amendment. The principle of this bill includes the setting up of these 25 offices.

Mr. Martel: Right.

An hon. member: We are voting money that is going to pay for it.

Mr. Chairman: Order, please!

This has been passed in principle. The amendment deals only with the payment of the money necessary therefor out of the consolidated revenue.

Mr. Nixon: There is no mention of the 25 offices anywhere in that bill.

Mr. Chairman: All right then, how can the hon. member refer to them?

An hon. member: You are the one who is referring to them.

Mr. Jackson: Look, Mr. Chairman, I believe I still have the floor as long as I stay on the point.

Mr. Snow: You have not been on it yet.

Mr. Martel: How would you know?

Mr. Pilkey: How would you know?

Mr. Jackson: How would you know—that is the trouble over there—for 25 years you have been sitting there saying you know.

Mr. Chairman: Order, order!

Mr. Lewis: We could be in the A.G.'s committee at this point.

Mr. Jackson: I would just like to ask a couple of questions.

Mr. Martel: Your friend is being discussed.

Mr. Snow: We heard that.

Mr. Jackson: The minister is going to set up 25 offices with this money and he is going to set up some satellite offices.

Interjections by hon. members.

Mr. Jackson: What percentage of the money is going to be spent on the 25 offices? And what percentage of that money is going to be spent on the satellite offices? And in what areas is he going to spend the money? How much of it is going to be for services provided to the people up north? How much of it is going to be to gather inforamtion?

Mr. Lewis: Right.

Mr. Jackson: And how much of it is going to be nothing more than propaganda?

Mr. Lewis: Right, that is a point!

Mr. Jackson: And when he says he is going to have immersion courses for these people, how much is it going to cost to have these immersion courses? I prefer to use the term he used earlier, indoctrination courses.

Mr. Lewis: Right!

Mr. Jackson: And how soon—now that he has convinced the people that we held up the bill—how soon will he get them into operation? And in fact, if he wanted them in by July, why did not he—

Hon. A. F. Lawrence: Is the hon. member saying that I have said that the opposition has held up this bill?

An hon. member: That is what—

Hon. A. F. Lawrence: When did I say that?

Mr. Jackson: It is in here.

Mr. Lewis: You certainly have memory failings in the House.

Hon. A. F. Lawrence: No, I never said that.

An hon. member: Of course you did.

Hon. A. F. Lawrence: No I did not.

Mr. Lewis: It is like what you were supposed to have said in first reading of the escarpment bill. We all went back to look at it—

Mr. Chairman: Any further discussion?

Mr. Lewis: Yes, well do not let us delay the passage through the House—

Mr. Jackson: You have got a guilt complex.

Interjections by hon. members.

Mr. Chairman: Does the hon. minister care to answer any of the out-of-order questions?

Mr. R. S. Smith (Nipissing): I have one short question. What is the minister's estimate of the amount of money that will be required from now until April 1 next?

Hon. A. F. Lawrence: $600,000.

Mr. R. S. Smith: And that is for the operation of the regional offices and the satellite offices?

Mr. G. Demers (Nickel Belt): Did I hear you say "What's half a million!"?

Mr. R. S. Smith: Does it involve any other programmes that may be initiated under this bill?

Hon. A. F. Lawrence: Our only estimated expenditure at the moment is for staff—

An hon. member: Did you know that that came from—

Mr. Chairman: The hon. member for Rainy River.

An hon. member: Is that for staff in the offices?

Mr. Chairman: The hon. member for Rainy River.

Hon. A. F. Lawrence: That is for staff and the Telex unit.

Mr. Nixon: And the indoctrination.

Mr. R. S. Smith: So it will be $600,000 for about eight months' operation, is that it? It will not be until September 1 or thereabouts —they will not get into operation until September 1?

Mr. T. P. Reid (Rainy River): When are these offices going to start?

Hon. A. F. Lawrence: Hopefully, very shortly after royal assent there will be a few appointments made to the senior staff. In any event within a couple of weeks we hope to have a number of the northern affairs people selected or we hope to be in a position to make offers to them for employment.

Mr. R. S. Smith: The cost of operation for about eight months would be about $600,000, so the cost per year will be just under $1 million, when you get into a full year's operation.

Mr. Nixon: It will be over $1 million.

Mr. Chairman: The hon. member for Rainy River.

Mr. T. P. Reid: Thank you, Mr. Chairman. Just to follow along on that point; these people that you mention—when can we expect them to be in the field, so to speak, or in the north? You say, within a couple of weeks, as soon as this bill receives royal assent, an offer will be made to some senior people.

Hon. A. F. Lawrence: We have our first training programme set for the ranger camp in Dorset in the middle of August.

Mr. T. P. Reid: The major which?

Hon. A. F. Lawrence: No, the ranger training camp in Dorset.

Mr. Lewis: Not the junior forest rangers?

Hon. A. F. Lawrence: No.

Mr. T. P. Reid: That is pretty far north.

Mr. R. S. Smith: That is not in northern Ontario.

Hon. A. F. Lawrence: There are those who think it may be.

Mr. T. P. Reid: When do you plan to open offices?

Hon. A. F. Lawrence: We hope by September 1 we will have a number of these offices in operation.

Mr. T. P. Reid: Can the minister, perhaps, give us some idea what the senior salaries will be? No idea? This is under negotiation, I take it.

Hon. A. F. Lawrence: It has not yet been approved by—now I am not just too sure of the name of the board. I am getting it confused myself; but I think it is the civil service classification board or something like that. These are the people who set these things in relation to the other salaries.

Mr. T. P. Reid: Will there be an assistant deputy minister or a deputy minister in charge of the northern affairs section?

Hon. A. F. Lawrence: No, it is a branch of the department. There will be a director of the department and three regional ops chiefs, whatever they want to call themselves. I am not too sure of the terminology.

Mr. T. P. Reid: One more question. Are all of these personnel—you have stated before that they are going to be drawn from within the present civil service?

Hon. A. F. Lawrence: That is our purpose.

Mr. T. P. Reid: When you say the present civil service, you mean all parts?

Hon. A. F. Lawrence: Yes.

Mr. T. P. Reid: So what you are going to do, in effect, is probably entice other people from other departments into setting up the department of mines and northern affairs?

I have only a short comment on that and that is that I had the opportunity to work for The Department of Industry in Ottawa for the federal government and when that department was set up they did somewhat the same. They drew into that department some of the best men from Trade and Commerce, Finance and other departments and offered them substantially larger sums to come into The Department of Industry. It caused a great deal of bitter feelings throughout the civil service as a whole and a great deal, for want of a better word, of noncooperation, because of the jealousy and the bitterness that existed after this move was made. I would suggest to the minister that, from what I hear with my ear close to the ground, the same is going to happen in regard to the branch of northern affairs. If he continues with this particular plan of action, if these salaries are not comparable with present salaries, he is going to run into the same problem.

Hon. A. F. Lawrence: Of course, this is the reason for this classification board, I assume, and we are having so much trouble with it at the moment; it is to make sure that it does fit in to the overall salary schedule being paid to people with similar qualifications within the north.

However, I would submit to the hon. member that he cannot eat his cake and have it, too. The last time we were discussing this matter in the House I thought he was belabouring me for calling this a "patronage pot" where we were going to be able to get party hacks in off the street and employ them.

Mr. T. P. Reid: Oh, that is not true.

Hon. A. F. Lawrence: Make up your mind one way or the other.

Mr. T. P. Reid: Just a minute now; I did not say that and the minister, just a few minutes ago, was saying I did not say that. I did not say that at all. The concern on this side is not so much that they are going to be party hacks. It is that they are going to be nothing but a propaganda machine to churn out the Tory propaganda to the people of the north. You know, we have some evidence to support that suspicion.

One only has to look at the current ads of The Department of Trade and Development in the papers today and in the past few weeks. I am sure the people of Ontario would be interested to know the total cost, some $800,000, of those ads that go out across the province. That is our concern. Not so much that you are going to get party hacks, because if you do that, the ones that are left in northern Ontario are nothing but bumbling incompetents anyway and can only help us out. That is not our concern. Our concern is the other kind, and there is true real concern.

Hon. A. F. Lawrence: I am glad to know the member is concerned.

Mr. Chairman: The hon. member for Sudbury East.

Mr. Lewis: Now you are going to get it!

Mr. Martel: Mr. Chairman, when I listened at the provincial conference with the municipalities, everything surrounding this department was so vague that day, and it still is. When we find that the minister moves an amendment tonight to include how we are going to pay the people, where the revenue

is going to come from, I become very suspicious that this was hastily thrown together. The Minister—

Mr. Jackson: Still is!

Mr. Martel: —was extremely hasty in drawing that together, because how do you forget the revenue? How do you forget the very stuff that is going to make this function—

Mr. Snow: You just have a suspicious nature.

Mr. R. Gisborn (Hamilton East): Out of panic and fear of the—

Mr. Martel: —the greenbacks in your bill, if there was real, genuine concern for the development of the north? But it was just a gimmick to try a little more window dressing—

Mr. Lewis: You do not even have—

Mr. Martel: What planning functions—I want to ask the minister, what planning functions—

Interjection by an hon. member.

Mr. Jackson: Please put that down in *Hansard* as a noise.

Mr. Martel: If you want the floor, I will yield and I will get up after you. What planning functions? That is the problem of the north. You know the problems and somehow we have to plan to resolve those problems. To send out 25 people scattered across four-fifths of the province in area, to resolve the problems without any planning functions, is a waste of time.

Mr. Gisborn: Nothing more than that.

Mr. Lewis: Right!

Mr. Martel: You know it and I know it. You are just trying to mislead the people, Mr. Minister.

Mr. Lewis: It is an ideological hare.

Mr. Martel: The idea that my colleague advanced—

Hon. A. F. Lawrence: Say it again. I did not hear it.

Mr. Martel: —that my colleague advanced a few moments ago was one that was advanced to me by two top civil servants of late—that you would be better providing the members with research staff and a secretary and an office where the people could bring their problems. They could have a direct link with us and through us, to you. Whether it be from our party or the Liberal Party or the Tory party, you would then have real communication.

Mr. Lewis: Right!

Mr. Martel: If you were interested in communication with the people of the north that is what you would do. You would provide services so that the members could give their people service and in return provide service to the government.

Hon. A. F. Lawrence: I would like to talk to those two top civil servants about that.

Mr. Martel: You are not kidding because—

Mr. Lewis: He said "lately" in civil service.

Hon. A. F. Lawrence: Ask them to come in and see me. I would like to discuss the problem with them.

Mr. Martel: Yes, they might not have jobs.

Mr. Lewis: Better you than Allan Grossman.

Hon. A. F. Lawrence: How can you suggest that?

Mr. Martel: I guess that I have got a nasty mind.

Mr. Breithaupt: Yes, nasty and suspicious.

Mr. Martel: Yes, that is how I can suggest it. I have reason to be suspicious when I see the men who make up this department and the haste with which it was thrown together and still, the mystery which surrounds it. I have reason to be suspicious.

I want to know if you are going to give this some teeth, some planning, in order to really get down to grapple with the problems. You know what they are. There is a case for planning to resolve the problems. For someone to disseminate a little bit of information, with a smiling Bill Davis on the front or Bob Welch, like those brochures that are downstairs as you walk in the entrance, and Allan Grossman, the Minister of Social and Family Services—

Hon. Mr. Grossman: Changed my portfolio, have you?

Mr. Martel: Yes, you can send that out from Queen's Park.

An hon. member: Is there not any department?

Mr. Martel: No, you do not need a department.

Mr. Gisborn: They are very poor pictures, too.

Mr. Martel: They are there. They are fine pictures; fine people, too.

Hon. Mr. Grossman: Is there a good one of me?

An hon. member: Well, considering who it is.

Mr. Martel: I would ask the minister to give this—

Hon. Mr. Grossman: What vote is this on, Mr. Chairman?

Mr. Martel: Under your amendment. I would hope—

Mr. Chairman: Section 18, provision of funds out of the consolidated revenue fund.

Mr. Nixon: It pays for the propaganda.

Mr. Martel: You are not giving any now?

Mr. Chairman: Order! The hon. member will address his remarks to the chair.

Mr. Martel: Finally, Mr. Chairman, I would hope that the minister would give us some answers tonight to these problems.

Mr. Chairman: Does the hon. minister wish to reply to the out-of-order comments?

Hon. A. F. Lawrence: All I wanted to say was this was discussed on second reading.

Mr. Lewis: By way of a point, Mr. Chairman, the minister has now introduced a money provision into the bill. He has indicated for the first time that he is going to have roughly $600,000 for eight months; $1 million for the year. Can he provide for the members of the House how he breaks down that $1 million? Surely it was a figure which has some division—how much for the officers, how much for the secretaries, how much for printing, how much for renting a building and what have you? How have you allocated the money so that we have some sense of the kind of information that would be provided and by whom?

Mr. Chairman: Order, please!

I have permitted this debate to continue for some time. I suggested to the committee that in my view it was out of order. I must point out that the identical resolution has been concurred in prior to the reading of the bill. This is surely the principle of the bill which has been discussed previously. I have permitted some discussion, but surely it has gone on long enough now.

Mr. Martel: But he left an important part of the principle out.

Mr. Chairman: We are dealing with all the amendments to sections 18, 19 and 20 of the bill.

Mr. Lewis: It would have been difficult to discuss this during the principle of the bill because the money provision was not a part of the bill on second reading.

Mr. Chairman: No, but the whole operation of the department, the purpose of the department, its scope.

Mr. Lewis: No, not—

Mr. Chairman: This is all part of the bill which was approved at second reading.

Mr. Lewis: I am not quibbling with that, Mr. Chairman. I am asking in a very specific way for the details of the allocation of the $1 million which the minister has now indicated is covered by this section. And I think it would be fair enough for him to give us a breakdown of those funds. I think that would satisfy the request that has come from this side.

Mr. Martel: He cannot do it; that is the whole trouble with it.

Mr. Lewis: Now surely that is reasonable; that is directly on the clause.

Mr. Chairman: Does the hon. minister have anything further to add to that?

Hon. A. F. Lawrence. All I want to say is I am sure the hon. member appreciates the space requisition comes from the present Public Works, not from us. The $600,000 is strictly the salary requisition for the northern affairs officers, the regional people, the director and the secretarial help.

Mr. Jackson: Mr. Chairman, could the minister tell us how many persons he envisages having as his staff in the beginning?

Hon. A. F. Lawrence: Fifty-five will be the complement of this branch.

Mr. Jackson: Are these made up of the 25 original officers plus the satellite officers?

Hon. A. F. Lawrence: Yes. There is some misunderstanding here about these satellite people. The people in the satellite offices will be people in other departments, still part of the other departments; they will not come under the jurisdiction of the northern affairs.

Mr. Jackson: Well then, Mr. Chairman, is the minister saying that there will be more than one person in each of these offices that he is setting up?

Hon. A. F. Lawrence: Is the member referring to the so-called satellite offices or the northern affairs offices?

Mr. Jackson: Northern affairs offices.

Hon. A. F. Lawrence: In the northern affairs offices there will be a northern affairs officer, plus stenographic or secretarial help.

Mr. Martel: It would be fine if you provided that for the members too.

Mr. Ferrier: I have one question that I would like to ask on this section. I understand that you are going to join these offices to Queen's Park by a Telex system. Have you not considered the possibility of making telephone lines available to Queen's Park and if you have, why have you not adopted this? Some of the areas have phones. Not only this department, but a number of other provincial departments probably could save money for the government in the long run if they would put these in.

Hon. A. F. Lawrence: Yes, this is under very active consideration. The Telex section of it, though, has the added advantage that it is a written thing which can be kept as record.

Mr. Chairman: Shall the motion carry? Carried.

Shall the bill as amended be reported?

Carried.

Bill 69, as amended, reported.

Mr. Martel: Imagine, $1 million dollars is all we have been short for 25 years.

NIAGARA ESCARPMENT AND ITS VICINITY

House in committee on Bill 79, An Act to provide for the preservation of the Niagara escarpment and its vicinity.

Mr. Chairman: Are there any comments, questions or amendments to sections 1 or 2?

Mr. Deans: Yes, Mr. Chairman, section 1.

Mr. Chairman: Section 1.

Mr. Deans: I want to make an amendment to the definition section because I do not believe that it adequately covers all of the matters that ought to be contained in this bill. In the report of the mineral resources committee to the Minister of Mines, it dealt with the matter of wayside pits and I find that the minister for some reason or other has not seen fit to include this in this section of the bill, in the definition, in order to—

Hon. A. F. Lawrence: Before the hon. member moves his amendment I wonder if I may speak to that. It may save some time. This bill is not a result of the report of the mineral resources committee nor does it embody most of the provisions of that. As a matter of fact, this bill is in spite of the mineral resources committee report in effect. Wayside pits are not covered; all sorts of things are not covered in this bill. I am not too sure that I am aware of any wayside pits that would fall under that definition in the mineral resources committee that is the meat of the matter that we are after in respect of this bill.

Mr. Deans: I think that the minister will agree as we talk about it that there is the need for a provision covering the wayside pit operation. I want to explain what we are talking about. The wayside pits are those ones that are brought about by road reconstruction and construction and the scraping and digging that is required in order to provide the fill to build or rebuild roads.

We know, the minister knows, and I know that there are roads proposed and roads that presently go over the face of the escarpment, and in order to guarantee that there will be no destructive acts taken by the developers of new roads that are proposed and the existing roads that are maintained, I think within the definition section of this Act there must be specific reference made to the need to reclaim and to recover the mess that is left in many instances.

This is why I want to see it in this bill and it specifically refers to those areas pertaining to the Niagara escarpment. What I want to say is that the report that I mentioned before raised the problems that were involved in not having adequate legislation to cover this particular problem. The whole purpose of this bill is to guarantee that the Niagara escarpment is not decimated, that its beauty is maintained and preserved and—

Mr. Nixon: Decimated?

Mr. Deans: Nice word. Desecrated, pardon me!

And that there would be provisions provided for the reconstruction and the guaranteeing of the maintenance of the beauty of the area.

What I want to do on section 1 of the bill is to amend it by adding to it section (e), which says:

> Wayside pits means a temporary pit, quarry, borrow or fill removal operation other than within a highway right of way carried on solely by or for a public road authority engaged in highway construction or reconstruction.

I so move that amendment.

Hon. A. F. Lawrence: Mr. Chairman—

Mr. Deans: You have to wait until he finishes.

Mr. Chairman: I must put the motion to the committee. Mr. Deans moves that clause 1 of Bill 79 be amended by adding thereto the following sub-clause.

> Wayside pits means a temporary pit, quarry, borrow or fill removal operation other than within a highway right of way carried on solely by or for a public road authority engaged in highway construction or reconstruction.

Is that right? Now, comment on the amendment.

Mr. Deans: Let me just comment on it. I think it is fair to say that there must be as much attention paid to this kind of an operation as there is to any other kind of operation in the escarpment area. There are proposed in the escarpment area a goodly number of road construction and reconstruction projects. If this is not encompassed in this bill, the probability is that much of the mess from the removal will be left and it will not be properly taken care of and reconstructed. I think the minister could quite easily accept the amendment.

Mr. Chairman: Does the minister care to reply?

Hon. A. F. Lawrence: Yes, my understanding is that this is not necessary at all. It is completely redundant in that a mine means a mine as defined in The Mining Act. The definition is included in the subsections 12 and 13 of section 1 of The Mining Act. They are extremely wide and they would include wayside pits. That is my understanding. Shall I read the definition for you? It is pretty wide.

Mr. Deans: If you could read the part that refers—

Hon. A. F. Lawrence: The noun "mine" includes:

> Any opening or excavation in or working of the ground for the purpose of winning, opening up or proving any mineral or mineral-bearing substance and any ore body, mineral deposit, stratum, soil, rock, bed of earth, clay, sand, gravel or cement or place where mining is or may be carried on in all ways; works, machinery, plants, building—

and so on, and so on. It is half a page. The next one is subsection 13 and the verb "mine" and the word "mining" include:

> Any mode or method of working whereby the soil or earth or any rock, stone or quartz may be disturbed, removed, washed, sifted, roasted, smelted, refined, crushed or dealt with.

And so on, and so on. The advice that I received early in the game when this was being discussed was that this definition section would include these wayside pits.

Mr. Chairman: Those in favour of Mr. Deans' motion will please say "aye".

Those opposed will please say "nay".

I think the "nays" have it.

I declare the motion lost.

Is there any discussion on section 2 of the bill?

Mr. Breithaupt: In respect to section 2, Mr. Chairman, I note that it is defining the areas geographically within this section. I was just wondering if the minister could advise us, since I do not recall whether the areas as described herein are described, are those covered by Professor Gertler? Are these all of the areas?

Hon. A. F. Lawrence: I think much wider.

Mr. Breithaupt: I just wondered.

Mr. Chairman: The hon. minister has an amendment to section 3.

Hon. A. F. Lawrence: Yes, I have an amendment to section 3, Mr. Chairman. I move that subsection 2 of section 3 of the bill be amended by striking out, "immediately before this section comes to force", in the second line, and inserting in lieu thereof, "on

the 6th day of May, 1970". So the subsection shall read as follows:

> Subsection 2: Where a person is operating a mine in the protected zone on the 6th day of May, 1970, subsection 1 does not apply until ninety days after this section comes into force.

The explanation, Mr. Chairman, for moving this is that the first reading of this bill was given on May 6, 1970. I am rather concerned that in the interval between when first reading was given and when this bill may receive Royal assent, which I hope will be Friday, there is a possibility that some operations have been started, or that there still may be, either tomorrow or Friday, an attempt to start some operations in an attempt to circumvent this very section.

An hon. member: Head them off at the pass.

Hon. A. F. Lawrence: You are right.

Mr. Chairman: Shall the motion pass? The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, with respect to the motion which the minister just put, I understand the minister, or at least the department, has undertaken aerial surveys to chart the areas that have been—what should I say—developed with respect to quarries and pits to determine the precise stage at which these operations were at the time of the introduction of this bill. I presume that the minister has had some indication that some operators somewhere within this region are going to start up or have every intention of starting up?

Hon. A. F. Lawrence: There have been indications that this is a very distinct possibility that they have in the last couple of days, or they will in the next couple of days, unless this is circumvented—

Mr. Chairman: The hon. member for Windsor West.

Hon. A. F. Lawrence: —because then, you see, they would have 90 days in which the Act would not become operative.

Mr. H. Peacock (Windsor West): Two questions, Mr. Chairman. The first is in respect to this amendment. How will the minister determine whether the person was operating a mine on or before? I gather it applies to before May 6.

The second one is: was the radio report correct at the time of the introduction of the bill which quoted the deputy minister of mines as saying that every present operator was pretty well assured—I am paraphrasing the words of the radio news broadcast—of receiving a permit to continue operations?

Hon. A. F. Lawrence: In answer to the first question: It has been my intention, on this forthcoming weekend, to have the whole of the escarpment photographed aerially so that on the operative date, namely Friday, hopefully, when Royal assent may be given—

Mr. Peacock: May 6 is the operative date.

Hon. A. F. Lawrence: All right, but the operative date originally was intended to be this Friday—that we would have evidence, indisputable evidence as far as we were concerned, of the extent of the operations along the escarpment.

In 99.99 per cent of the cases this still will be sufficient. In certain circumstances, however, which we think we have covered we have already had inspectors or geologists out in the field. I am satisfied that we know —in the cases where there may be doubt— what the situation was on May 6. I am not particularly worried in respect of the particular circumstances that we may have to worry about later as to the state of the operations as of May 6. I have found that most of the industry is co-operating and we will have the aerial photographs completed, hopefully, so that there will be enough evidence for us in respect of most of these circumstances.

Mr. Peacock: The activity on May 6 could have been minimal. It could have been, according to your definition, which the minister cited earlier, Mr. Chairman, simply the removal of topsoil. Is that correct?

Hon. A. F. Lawrence: I am sorry?

Mr. Peacock: The activity which would qualify this operation of the mine on May 6 could have been little more than the removal of the topsoil.

Hon. A. F. Lawrence: Yes. The other point the hon. member brought up was existing operations.

No, first of all, due to one misleading newspaper report, which interestingly enough was picked up by a radio wire service, there were very misleading statements made in respect of eight existing quarries which were referred to at the time that I introduced the bill. The newspaper story, which was repeated in the radio broadcast, and which was quite incorrect, indicated that I had said

that there were eight existing quarries that were going to be closed down.

What I actually said was that there were eight existing quarries or pits on the face of the escarpment or close to it which were in this 300-foot prohibition area, and which certainly would be affected. But I never at any time indicated that they would be closed down.

What the deputy minister said, I do not know. The evening of the day in which I introduced the bill I had to leave the city. I am afraid I did not know that the deputy minister was quoted as saying anything, but it might well have been an attempt to clarify the wrong report that appeared in one of the Toronto newspapers which was picked up by the CBC and other radio wire services.

Mr. Nixon: Mr. Chairman, one question in connection with the amendment. Is there any machinery in what follows from the amendment that the minister has brought forward, or actually in subsection 2 in general, which would permit the minister or the commissioner to compensate those companies which had been conducting bona fide operations, and did have substantial commitments in capital investment, which under the provisions of this bill would not be able to continue? Is there any machinery for compensation as far as those particular operations would be concerned?

Hon. A. F. Lawrence: Not that I am aware of. No.

Mr. Nixon: Might I ask that consideration be given to this, because certainly what I have said should not be misconstrued. We support the principle of the bill. We cannot permit quarrying and mining to take place upon the face of the escarpment or operations that would deface it in any way. We disagree with the limit of 300 yards—or rather feet; it should be 300 yards!

We feel that you have been conservative in setting that limit.

On the other hand, is the minister aware of certain bona fide operations, which in fact will be dispossessed by the passage of the bill and which according to the provisions there are no possibilities of any compensation or assistance; simply by the passage of this bill they are summarily dispossessed?

Hon. A. F. Lawrence: Of the eight existing pits or quarries on the face, or within the 300-foot limit that we are aware of, each one of them at the moment can continue to operate if they move some of the plant and move some of the direction of their workings. So I do not know of any existing operation that will be arbitrarily or summarily put out of business because of this.

There are some of them that I am quite concerned about in respect of how they are doing it and where they are doing it and what they are getting from what they are doing. But in each case there are alternative deposits available to them away from the face, or in some cases they can move their storage piles or their production flow away from the face.

With the removal of some of these things and with proper site control plans, each one of them, on cleaning up and on changing the direction of what they are getting, can live with this Act we feel.

On the other hand, there may be one or two of them that may find what we suggest to be quite uneconomic. But from a geological point of view, I am given to understand each one of these can—that alternative deposits are available. In the case of one of them, other lands have already been purchased by them in any event. I am satisfied that what they were doing has pretty well been exhausted at any rate.

Mr. Nixon: Has the minister received any claims for compensation, as a result of the provisions of this bill?

Hon. A. F. Lawrence: I have had a letter hand-delivered to me today, and I had a conference with the solicitors involved from approximately 8:15 to 8:45 tonight, of an intended operation in which an operator had purchased or had contracted to purchase certain lands which he will not be permitted to proceed with.

Mr. Nixon: If I might just make the point. It is, I think, a fallacy for us or anybody else to consider these companies as the villains of the piece. I think if there are any villains—and I use the word rather loosely—it is in the fact that the administration in this Legislature did not take appropriate action at a much earlier date to protect the natural resource. It seems to me that the minister is going to have to give careful consideration to claims that will be forthcoming, I would predict, from those companies that are adversely affected by the provisions of the bill; because we are, according to the title of the bill, preserving the escarpment and its vicinity—of course we are preserving it in the name of all the people.

I feel substantially that the minister is going to have to entertain these claims, if

they are forthcoming, in a fairly positive manner. After all, these people were acting under the law of the land as it then was. While we as individuals might feel that it was with improper appreciation of the natural beauty, they looked upon it of course as a source of aggregate which they could sell at a profit for the development of their own business enterprise.

I do not think we can say these people in a sense have not acted in the best interests of the community and therefore it was a risk that they should have been aware of, because of course there was no warning and this legislation is summary and sets a cutoff date which I think might very well leave the government with some responsibility toward some payments to those people who are dispossessed.

Mr. Breithaupt: Mr. Chairman, I would just like to speak on this comment of my leader as well. It seems to me that it is not sufficient for the minister simply to say that these eight quarrying operations can live with the Act. I think that by this Act he has positively imposed for the good of the province of Ontario certain conditions on this development of operations by certain businesses. It seems clear that while the development of certain areas could well be handled by these quarries, still they were not planning to do things in this way at this time. Surely they have been disrupted to some extent in what their normal planning development was. They surely also have some cost as a result of using various equipment or plant or various other storage piles.

Mr. Gisborn: Have you had any complaints from the industry?

Mr. Breithaupt: No, I have had no complaints at all.

Mr. Gisborn: Why do you not let them scream for themselves?

Mr. Breithaupt: I think the point is simply made that we should be prepared to cover the dislocation as a natural result of this kind of legislation.

Interjections by hon. members.

Mr. Breithaupt: It may be. It does not say it is not valid.

Hon. A. F. Lawrence: If no one else wants to comment on that particular aspect of it, I would just like to say first of all, that I do not think it has really been any secret that the people of this province, the government, the individual members and the collective members of this House have been concerned for some time about the future of the escarpment.

I think in the prevailing mood of public opinion today, of the need for more restrictive environmental control and the growing awareness in southern Ontario of the need of a greenbelt and park and recreational area, that anybody within the industry who has been moving along this line over the last few years obviously has been doing so at his peril. I think the very fact that the Minister of Mines set up a mineral resources committee to go into general restrictive legislation in this whole field two years ago was ample warning to people within the industry. I think the fact, that the Minister of Mines over the last year has attempted to bring people from the industry into his office and talk to them and tell them that, obviously, general controls are coming and protective measures were needed for the escarpment, was ample warning.

I think the setting up of the Gertler report shows there are innumerable indications of public awareness and governmental awareness over the last few years of the need for controls in this field, so that at this moment I really cannot begin to shed crocodile tears over people within the industry who, after all, have been utilizing natural resources that must belong to the people as a whole.

There may well be cases. But, in any event, I emphasize, Mr. Chairman, to the members of the House that this again is transitory legislation, which is an attempt to gain information, to put a freeze on something and to impose some measure of control over existing operation. I emphasize again that it is transitory legislation and when—

Mr. Nixon: The same thing would apply to Lake Erie shoreline.

Hon. A. F. Lawrence: When general legislation is presented to the House, as I hope it will be before too long, it may well be that something may have to be done along this line. But, at the moment, I think those in the industry were well aware that something was coming. I think anyone who has moved into this field in the last little while has done so in the light of the sure knowledge of public opinion, and they have moved at their peril.

Mr. Nixon: This includes all of these eight does it?

Hon. A. F. Lawrence: Yes.

Mr. Nixon: They have been in just a few years.

Hon. A. F. Lawrence: No, no, I am not saying that.

Mr. Nixon: Well, that is the gist of your argument.

Hon. A. F. Lawrence: No, no; I am talking very generally.

Mr. Nixon: Be careful of the crocodile tear line.

Mr. Chairman: The hon. member for Scarborough West.

Mr. Lewis: Mr. Chairman, I must say we too find it difficult to weep copiously for some of those companies. It is not, in fact, like the Lake Erie shoreline where the government has persistently refused to indicate what its policy would be. With the Gertler report and the Prime Minister's (Mr. Robarts) statement some time ago it became apparent that there was to be a crackdown on the escarpment, and any self-respecting company might have made provisions for it.

I have an amendment—

Mr. Nixon: Why not sell it to another company? Is that the solution?

Mr. Lewis: I have an amendment, Mr. Chairman, which deals with section—I guess it is subsection 1 of section 3. I am, frankly, not sure, sir, how to proceed, given the amendment to subsection 2. Should subsection 2 be carried? I assume it probably would and, then, I would move an amendment to the section unamended?

Mr. Chairman: In fairness, I did not call subsection 1. What has the hon. member to present?

Mr. Lewis: I have an amendment which would replace subsection 1 of section 3 on reorder section.

Mr. Chairman: In view of the fact that I did not call subsection 1 of section 3, when we dispose of this motion, I will entertain the hon. member's amendment.

Shall the minister's motion carry?

Motion carried.

Now, since I did not call section 1 previously, the hon. member may discuss that.

Mr. Lewis: Right. Mr. Chairman, this is not meant to be unduly argumentative. The minister will recall that, on second reading of the bill, we on this side felt very strongly about the position that Gertler had taken on the so-called inner zone on the need for absolute control of the protective area. The minister made some comments in reply on second reading about the number of feet and number of miles which might at points be covered. We want to propose an amendment, which embodies part of the language of Gertler and provides an assurance which is absolutely iron-clad. So I would move, Mr. Chairman, that section 3 be amended to delete clause 1 and that the following be substituted therefor:

(1) No person shall open a mine in that part of the protected zone within one mile on either side of the escarpment face or a line established to indicate its approximate position, when it is buried by glacial debris, as designated by the regulations under this Act;

(2) No person shall open a mine in those parts of the protected zone known as the Milton outlier and the Georgetown outlier, as designated by the regulations under this Act;

(3) No person shall open and operate a mine in any part of the protected zone, other than the parts specified in subsections 1 and 2 unless he is the holder of a licence issued by the minister.

(4) The minister shall not issue or renew any licence to any person, except upon such terms and subject to such conditions as may be prescribed by the parks integration board, and any licence issued shall expire on the 30th day of June in any year, but it may be renewed on application therefor to the minister.

Section 2, as it is presently constituted—I am sorry, subsection 2—Mr. Chairman, would then become subsection 5.

Now, perhaps the Chairman should try to read that. I have one following word.

Mr. Chairman: Mr. Lewis moves that section 3 be amended to read as follows:

Subsection 1 is deleted and the following substituted therefor:

(1) No person shall open a mine in that part of the protected zone within one mile on either side of the escarpment face or a line established to indicate its approximate position, when it is buried by glacial debris, as designated by the regulations under this Act.

This is the new section 2, then, or subsection:

(2) No person shall open a mine in those parts of the protective zone known as the

Milton outlier and the Georgetown outlier, as designated by the regulations under this Act.

(3) No person shall open or operate a mine in any part of the protected zone, other than the part specified in subsections 1 and 2, unless he is the holder of a licence issued by the minister.

(4) The minister shall not issue or renew any licence to any person, except upon such terms and subject to such conditions as may be prescribed by the parks integration board, and any licence issued shall expire on the 30th day of June in any year but it may be renewed on application therefor to the minister.

And the existing subsection 2 will become subsection 5. Right?

Mr. Lewis: Thank you, Mr. Chairman. I know that the minister referred to, I think it was, section 9 or clause 9 when he answered on second reading. We want to enshrine in the legislation, irrefutably, the principle that the protected zone cannot be violated by anyone under any circumstances, and we want to change the wording from the use of the word "permit" to the use of the word "licence" because inevitably, as the word "permit" is used in this legislation, it has very little by way of limitation, whereas the word "licence" can be given prescribed limitation—in this instance, a prescription which requires the parks integration board to set out the regulations rather than leaving them to the minister himself; and a date on which licences would expire, so that we could be confident of a renewal clause rather than the use of a permit which could be in perpetuity.

Mr. Chairman, we have tried to reflect the language of the Gertler report which is used on page 90 under the title, "Special Positions for The Inner Zone," and about which it may be said that he felt more strongly perhaps than any other section of his report. He was more categorical about this problem on the escarpment than anything else about which he wrote, other than the designation or provision of funds. I think that these alterations to the section would allow for the safeguard; it would also allow for some control on licensing provision and would give the bill, even in its transitory state, the substance it requires before any final legislation which the minister would wish to bring down.

Mr. Chairman: Any further discussion on this?

Mr. Nixon: I do not know whether the minister is going to speak or not, Mr. Chairman, but I like the amendment very much. I think it puts a lot more power in the bill and it is my intention to support it. I have felt that in section 5, for example, the minister has attempted in very broad language to assume the responsibility of what is in the best public interest to preserve the scenic beauty, and so on. This kind of approach is well and good but I agree with the member who has just spoken that it would be better in this bill if there were very specific dimensions given to the area of complete protection. I would very strongly recommend that the amendment be accepted, and if it is not accepted now I would predict that in amendments in subsequent years it will become a part of this protective bill and one that we would support.

Mr. Good: Mr. Chairman, on this point, I think the minister made it quite clear at the time of second reading that the reason this bill was very vague was that it was being put through very hurriedly. I think this has been brought to everyone's attention by the Federation of Ontario Naturalists. They were very much disappointed in the bill that nothing more definite was—

Interjection by an hon. member.

Hon. A. F. Lawrence: Read their last bulletin.

Mr. Good: I have it here.

Hon. A. F. Lawrence: I have it too.

Mr. Nixon: We will read the bad parts, you read the good ones.

Mr. Good: It depends on what colour glasses you want to read it with.

Hon. A. F. Lawrence: Read it to us then. We have got all night.

Mr. Good: All right.

In the opinion of the Federation of Ontario Naturalists, the extractive industry with some notable exceptions has displayed a lack of environmental ethics.

While the Act is vague and does not include many of the recommendations suggested by Professor Gertler in his Niagara escarpment study, it does provide some control over the extractive industry until more effective legislation is introduced.

It is exactly what I say: They recognize it for what it is—a vague piece of legislation. And your excuse for it being a vague piece of legislation was that you did not have time to pin it down. Well, I told you at the time of

second reading that under appendix 4, Professor Gertler had practically written the legislation for you.

Hon. A. F. Lawrence: Well, the hon. member says I need glasses.

Mr. Good: The amendment now incorporates—

Interjection by an hon. member.

Mr. Good: I believe I had the floor, sir.

Hon. A. F. Lawrence: Well, I think the hon. member is misleading the House.

Mr. Good: The hon. member for Scarborough West has brought in an amendment which incorporates the recommendations of Professor Gertler.

Hon. A. F. Lawrence: Are you going to read the whole thing or are you not?

Mr. Good: I think there was absolutely no excuse for the bill not being drafted including these recommendations in the first place, which is what all of us on this side had said at the time of second reading. We do not accept the excuses that you had to do it so hurriedly that you could not incorporate these recommendations. We support the amendment.

Mr. Chairman: Any further discussion? The hon. minister.

Hon. A. F. Lawrence: I might as well clear up one th'ng at a time.

I am reading from the press release dated June 10, under the heading of the Federation of Ontario Naturalists. In total the release reads:

Outdoor news for immediate release.

QUARRY CONTROLS IN THE NIAGARA ESCARPMENT

The Ontario Legislature recently gave second reading to Bill 79, An Act to provide for the preservation of the Niagara escarpment and its vicinity. While the Act was vague and does not include many of the recommendations suggested by Professor Gertler in his Niagara escarpment study, it does provide some control over the extractive industry—

Mr. Nixon: That is what he read.

Hon. A. F. Lawrence: To continue:

—until more effective legislation is introduced.

Mr. Breithaupt: That is what the hon. member read.

Hon. A. F. Lawrence: Paragraph.

In the opinion of the Federation of Ontario Naturalists, the extractive industry with some notable exceptions has displayed a lack of environmental ethics.

According to Gerald McKeating, executive director of the federation, there are no controls at present regulating the extractive industry on the escarpment and that Bill 79, though of a transitory nature, should be passed before the Legislature adjourns for the summer recess.

McKeating further stated that the Ontario government has been excessively slow in implementing the recommendations of the Gertler report. Announcements over the past few weeks by the government stating what they intend to do to implement the report are indeed welcome. But it is about time that announcements were transferred into effective action. The implementation of controls on the quarrying industry along the escarpment is a step in the right direction.

An hon. member: Hear, hear!

Hon. A. F. Lawrence: Who needs glasses?

Mr. Nixon: Trying to make it less vague.

Hon. A. F. Lawrence: Who needs their glasses fixed?

Hon. Mr. Grossman: It depends on what colour glasses you are wearing.

Hon. A. F. Lawrence: In respect of the amendment by the hon. member for Scarborough West, which is now apparently supported by the Leader of the Opposition—

Mr. Nixon: That is right.

Hon. A. F. Lawrence: On the one hand, in one of these sections the Leader of the Opposition indicates that serious consideration should be given in respect of compensation.

In the next subject matter, as it was debated in the House, the hon. Leader of the Opposition indicates that the total ban on the mining industry should be for one mile on either side of the escarpment. I am not particularly worried about the hon. member for Scarborough West because I think he made his position clear, but the Leader of the Opposition's position leaves me rather confused. Would the Leader of the Opposition

mind indicating to me—and I do not know and my officials do not know at the moment, due to the lack of controls over this thing and the lack of knowledge that exists—how many pits and quarries, how many mining operations are carried on in that one-mile, two-mile actually, strip on either side of the escarpment? Does this—

Mr. Lewis: On a point of order.

Hon. A. F. Lawrence: Does this not enter into the picture at all in respect of this?

Mr. Chairman: Point of order.

Mr. Lewis: I rise on a point of order because, perhaps, in giving only one copy, which is my failing, it was not clear. The clause says very clearly, "shall not open a quarry"—

Hon. A. F. Lawrence: I might—

Mr. Lewis: All right. Then there is no particular conflict with what has been discussed in the House this evening. We talked about things which were operative, not those which will not open.

Mr. Nixon: If I might speak; perhaps the minister and his advisors who are missing this information should seek to ascertain what the information is. If the minister thinks for one moment that in the next 10 to 20 years, we are going to clean up pollution, that we are going to provide recreation areas and that we are going to preserve our natural advantages without it amounting to some public cost, then he is naïve, irresponsible and has no right to be a member of this ministry.

I would say to you, Mr. Chairman, his response was irresponsible in the extreme and that he is in a very difficult position indeed in the bill that he has brought before us, which has been described by those who are knowledgeable in the field as vague and meeting only a part of the basic requirements.

Hon. A. F. Lawrence: I am saying I know what is covered by the —

Mr. Nixon: And I am saying, if we are to preserve it we must consider paying for it.

Hon. A. F. Lawrence: You do not know what you are talking about when you start talking about a mile on either side and about the Milton outlier and, which of the other ones?

Mr. Lewis: Georgetown.

Hon. A. F. Lawrence: Georgetown. There are many others, of course, and there are other sections in the northern part. Do not try to cover up your ignorance.

Mr. Chairman, I do not think the Leader of the Opposition should attempt to cover up his ignorance—

Interjections by some hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: —by a little bit of blustery verbal hot air. That is all it is. All I am asking is—

Mr. J. Renwick (Riverdale): It is not bluster at all.

Hon. A. F. Lawrence: —that when a total ban is imposed on a strip one mile on either side of the escarpment, does the hon. member have any idea of the economic as well as the aesthetic implications of what he is talking about?

Hon. Mr. McKough: That would take you right over to St. George.

Hon. A. F. Lawrence: I am not so sure he does. What is there—

Mr. Nixon: Are you under the misapprehension that they would close down within that ban?

Hon. A. F. Lawrence: What is there, for instance, one mile out from the base of the escarpment that would require a total ban on any new mineral development?

Mr. Nixon: An area which we want to preserve for recreation.

Hon. A. F. Lawrence: From the base of the escarpment out?

Mr. Nixon: Parks and roads.

Hon. A. F. Lawrence: This would take it far beyond the—

Mr. Nixon: Are you going to vote for or against the amendment?

Hon. A. F. Lawrence: I am voting against it, because I think it is ridiculous.

Mr. Nixon: Why do you not say so?

Hon. A. F. Lawrence: I am saying so. I am saying that that particular amendment is irresponsible.

Mr. J. Renwick: Absolutely ridiculous.

Hon. A. F. Lawrence: I am saying, Mr. Chairman, that it is irresponsible—

Mr. J. Renwick: You are an irresponsible minister.

Hon. A. F. Lawrence: —because not only does the mover not appreciate some of the implications and consequences of it, but also —which is much worse because of the position he attempts to hold in this House—the leader of Her Majesty's official opposition is even more irresponsible about it.

Mr. J. Renwick: That is a lot of nonsense.

Interjections by some hon. members.

Mr. Chairman: Order!

Mr. Breithaupt: Mr. Chairman, I think that something should perhaps be said with respect to some of the most recent comments of the Minister of Mines.

He has mentioned that the amendment that has been placed by the member for Scarborough West shows a lack of awareness as to the need of the situation. It would appear to me that, if this recommendation is a serious one made by Professor Gertler, and if this in fact is the most developed of his recommendations, then his department must surely have been able to find out, since the report has been given to us, exactly what would be involved in the area that Professor Gertler sees as vital for the protection of the escarpment. If your department, sir, is not able to find out for you that information, then I suggest you get yourself some new advisers.

Mr. Lewis: Mr. Chairman, one other point. Back on second reading we advanced the contention in this party that this bill was in the hands of the wrong minister, because the job of the Minister of Mines was to give encouragement to the mining industry, not to preserve the character of the natural environment. It is noteworthy that in answer to us tonight in terms of the amendment, you could not help but bring yourself to say that we had to understand the situation in "economic" and not only "aesthetic" terms.

Hon. A. F. Lawrence: That is right.

Mr. Lewis: Let us say to you, Mr. Minister, through the Chairman, that the Gertler report is primarily interested in maintaining the escarpment as a recreational resort not, as it now becomes clear, devastating it as a mining resource to satisfy the minister.

Mr. J. Renwick: And camouflaging it.

Mr. Lewis: If you were serious about it, you have got the report in front of you. You know what the man says about the inner-zone. No one studied it more carefully than he did. All we have done is to embody the most simple, elemental safeguards, which he asserts in his report, into your legislation and your retreat from that safeguard betrays your intent, which is very simply to move in economic terms—to use your word—to the area of the escarpment within one mile of the face and to allow mining and quarrying operations. That is precisely what you have in mind. And if you did not have it in mind then you would accept the amendment happily, because it conforms exactly with the whole tone, the direction, the whole objective of the Gertler report and your stated wish for the legislation. It is extremely suspect that you would vote against that kind of amendment.

Hon. A. F. Lawrence: No, I am saying the suggested amendment is quite irresponsible in that there may be places where the one-mile limit should be even wider. As a matter of fact we have done—

Interjections by hon. members.

Hon. A. F. Lawrence: All right, on the other hand—just a minute, let me finish—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: Just let me finish.

Interjections by hon. members.

Mr. Chairman: Order, please.

Hon. A. F. Lawrence: Just—

Mr. Lewis: I will rise on a point of order.

Hon. A. F. Lawrence: Sit down and stop being so rude. I can keep talking as loud as you can if you are going to be that rude. I have sat down in the face of this boorishness about six times tonight already. I will keep on talking—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: I can keep it up as long as you can and I intend to.

Mr. Chairman: Order!

Hon. A. F. Lawrence: On the one hand, Mr. Chairman—

Interjections by hon. members.

Mr. Chairman: Order, please! The hon. minister had the floor but the hon. member for Scarborough West has risen on a point of order.

Mr. Lewis: Well, it was superseded by a point of privilege.

Hon. A. F. Lawrence: My point of privilege, sir, is that tonight on six different occasions I have been shouted down by the members on the other side of the House.

Interjections by hon. members.

Hon. A. F. Lawrence: I have—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: Every member of this House, sir, whether—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. A. F. Lawrence: Every member of this House, whether he is a minister of the Crown or not, should certainly have the right to be able to take part without some of the shouting matches that have been going on here tonight, as far as trying in no other way—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Martel: You brought it on yourself.

Hon. A. F. Lawrence: Seven times tonight—

Mr. Chairman: If I might speak to the point of privilege. I agree that the rules for the operation of the Legislature do indicate that the Chairman or the Speaker shall maintain order at all times. That one member shall not interrupt another member while he is making a speech—this is one of the rules. But I must point out to the members of the committee that as far as this Legislature is concerned, the interruption of another member is a commonplace thing.

Mr. D. C. MacDonald (York South): Particularly when he provokes it and invites it.

Mr. Chairman: And I really cannot rule that there is a point of privilege in that respect because there is a great deal of interruption going on from time to time. The Chairman and the Speaker would have a terrible time trying to eliminate all the interjections.

Hon. A. F. Lawrence: Naturally, sir, I respect your point.

Mr. MacDonald: He is just trying to provoke.

Mr. Chairman: Now, the hon. member for Scarborough West had a point of order.

Mr. Lewis: No, I would not want to intrude any further on the quivering sensibilities of the minister.

Mr. Chairman: The hon. minister has the floor.

Hon. A. F. Lawrence: Before I was rudely interrupted, sir, I said on the one hand there are occasions when the one-mile limit is not good enough. On the other hand, there are many places and many circumstances in which a one-mile total ban is far too much, that there are circumstances—for Bruce Trail purposes, for park and recreational purposes, and so on—the thousand and one circumstances that must be considered. When the responsibility for permitting or not permitting this type of operation near the escarpment must be considered. There are occasions when the economics of a locality—and I am thinking now more particularly of the northern part of the Bruce let us say, where a diversified economy and employment potentials are very drastically required by the people in that area. We want to encourage industry and a diversification of the economy in the area.

My point is that these compromises can be worked out, and can still preserve the essential face of the escarpment as well as preserve an area 300 feet back.

I am concerned that a total absolute prohibition for one mile on either side of the face is far too drastic.

Mr. Chairman: Is there any more discussion on the amendment before the committee? The hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I was not in the House when the amendment was first put and therefore I am not going to repeat what obviously has been said. I want to at least put on the record the references in the Gertler report to the various points which are covered in that.

These have been done? The actual page references have been put on? Then I will not take up the time of the House to do it.

The point which came through from the minister very clearly is that the government

has procrastinated on the question of preserving the escarpment. The procrastination has taken place because they had this report in their hands for about a year and a half from the time they received it until there was any mention of it or any submission made by the government last fall. And now they are not prepared to accept the specific recommendations. The minister says he is not in a position to give any specific information.

The government has had this report in their hands referring to the extractive industry at great length and great detail for just about two years; it will be two years in July. If the minister at this point, after two years, is not able to come before the Legislature and delineate more specifically the area, then we are entitled to take the results of the studies which have been made and their specific recommendations. If the minister wants to depart from those recommendations, he has to give the kind of reasons which will appeal and he has not given any.

What he wants is to preserve within his department and under his say-so the question of what will be preserved of the Niagara escarpment and what will be open. Once a permit is granted, if the minister persists in the permit system, he is going to have great difficulty in ever revoking a permit, no matter what he says. The revocation of the grant of a permit, no matter what you have done, is going to lead you into expensive compensation if it is revoked; or grave difficulty if you think that you can revoke a permit that has been granted and under which people have expended capital, without paying compensation.

It seems to me that what the minister can very well do is to say, "All right, we will accept the specific recommendations, carefully thought out as a result of a study instituted by the government." If, at some years in the future, he can give good reason for coming to the House and saying that for an economic purpose in the north—and do not think for one moment that we in this party are not aware of the economics of the extractive industry as well as its necessity for this part of the province—if he can come and say that it is essential and on balance this should be done in this specific case, or this specific instance, or in these areas as a result of the work that has been done, then you can get and expect a reasonable judgement about what the problem is.

What we are saying in substance are two things. We do not accept the proposition that this minister is the one who should make the decision about this kind of a problem for the reasons that the member for Scarborough West gave a few minutes ago and which were reiterated by this party on second reading; that your job is to promote the mining industry. The job of this bill and the purpose of this bill is to preserve the Niagara escarpment from the encroachments of the mining industry. And to leave it in the hands of the minister, to not accept this amendment, is simply to say that the minister is riding roughshod over these recommendations for reasons which he has not given.

It would appear to us that in that period of time we question the good faith of the ministry if they are not prepared to move and adopt these specific recommendations. They are clear, they are precise and they can be ascertained. If there are problems a year or two from now, then you come back; but our main job is to protect the escarpment, to stop now the encroachment on the escarpment, to call a halt. And the way to call a halt, and the only known way to call a halt in this kind of an operation, is to lay down the specific areas within which anybody breaks the statute at his peril. That is the way to do it; that is what has to be done.

In the pause which follows after that, when the minister has an opportunity to make his decisions, when the government has an opportunity to make its decisions about the relative interests that are concerned, then it may be open for the minister to come back to the House. But until that time comes I think he has got to accept this amendment.

I do not see why he feels he must dig his heels in, because he has made a kind of a decision which is not supportable on the basis of the information which is available to the government. The government does not have any better information than the Gertler report; it just does not. And we are not going to sit here and say that somewhere in The Department of Mines or in the ministry that they know better than the Gertler report, because they just do not.

What makes the Gertler report so fascinating is that it is a very thorough study of the whole area which was not known to the people of the province and not known to any department of the government, and it seems to me that having looked at the bill and looked at the way in which the minister chose, not only in this section but in other sections, to have studies made and to have recommendations made and then to ignore them is an indication to us that this minister

is not the minister who should be responsible for the carrying out of the purposes of the bill to the extent that he is going to be.

Then there are going to be legislative prohibitions along the lines of the amendment which has been put forward. Surely the minister can stand the bill down, consider it, come back and adopt the amendment which has been proposed. It is the sane thing to do. It is based upon study, not based upon ignorance. What the minister is saying in substance is that because we do not know, without any definite principle or policy upon which we are going to base our decision, we are going to continue to allow the encroachment of the extractive industries on that very part of the Niagara escarpment which we are in great shortness of time trying to protect for the heritage of the province.

Mr. Chairman: Any further discussion on the amendment?

Hon. A. F. Lawrence: I merely want to say, Mr. Chairman—and I will repeat it because perhaps the hon. member was not here—that it is his judgement that apparently he feels Gertler is more aware of the problems and the implications than the government is of the problems and the implications. I deny that. In my judgement—

Mr. J. Renwick: Where is your study?

Hon. A. F. Lawrence: In my judgement this is not. Also in the judgement of this ministry and this government the one-mile total ban on either side of the face of the escarpment is unnecessary and too drastic. There may be occasions when a ban should be more than one mile.

Mr. Gisborn: Make it "at least."

Hon. A. F. Lawrence: And we have extended it by means of permissive legislation up to two miles.

On the other hand, the essentials of the escarpment and its face and the face of the outliers can best be protected by an absolute ban of any operations on the face and 300 feet back and we think that this is sufficient. If it is not sufficient then in the more permanent type of legislation which will be coming at a later date it will be rectified.

Mr. Lewis: That is not good enough.

Mr. Martel: Mr. Chairman, could I ask the minister one question? Would he present the facts to us on which he based this legislation? Would the minister present the facts to us, as he is basing his decision against the recommendation of Gertler?

Hon. A. F. Lawrence: Well, I am relying on the technical advice—

Mr. Martel: Well, would you reveal it to me?

Hon. A. F. Lawrence: —to me from within the total concept development; from people who are as involved and as aware and as concerned as members of that committee. Some of them are members of that committee, as a matter of fact. It came from geologists both within and without the government service; people in the academic field as well. We have had a great deal of assistance and a great deal of advice from this sector.

Mr. Martel: Those are not the facts.

Mr. Chairman: Those in favour of Mr. Lewis' motion will please say "aye".

Those opposed will please say "nay".

In my opinion, the "nays" have it.

A division will be required; is it the wish of the committee that the divisions be stacked?

Call in the members.

Those in favour of Mr. Lewis' motion will please rise.

Order.

Those opposed to Mr. Lewis' motion will please rise.

Hon. J. H. White (Minister of Revenue): We want to hear this.

Clerk of the House: Mr. Chairman, the "ayes" are 31, the "nays" 49.

Interjections by hon. members.

Mr. Chairman: Order! I declare the motion lost. Section 3 shall stand as part of the bill.

Mr. Lewis: Some people in the government ranks I have never seen before.

Hon. Mr. Grossman: You had better bring out the "Last Post" again.

Mr. Chairman: Section 3 as amended shall stand as part of the bill.

Are there any questions or comments to sections up to section 3?

Interjections by hon. members.

Mr. Deans: Mr. Chairman, section 4.

Mr. Chairman: Order!

Mr. Deans: Section 4.

Mr. Chairman: Section 4.

The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I have two amendments to section 4 subsection (b). I move that subsection (b) of section 4 be amended by adding, after the word "use" in the first line, the words "or the proposed use."

Hon. Mr. Grossman: Oh come on!

Mr. Breithaupt: Great start.

An hon. member: Tell me what he is intending.

Mr. Deans: It may well be very important.

Hon. J. R. Simonett (Minister of Public Works): How can the Liberals support that one?

Mr. Chairman: Mr. Deans moves that subsection (b) of section 4 be amended by adding, after the word "use" in the first line, the words "or the proposed use".

Any comments on the motion?

Mr. Deans: Mr. Chairman, I hardly think it is necessary to explain to the minister why the introduction of "proposed use" is necessary.

Mr. Chairman: Order.

Mr. Deans: I think that probably it is acceptable. Is it?

Mr. R. K. McNeil (Elgin): Let us just call the vote.

Hon. Mr. Grossman: Same vote.

Mr. Deans: It is not the same vote. It is acceptable.

Mr. Chairman: Those in favour of Mr. Dean's motion will please say "aye".

Those opposed will please say "nay".

Interjections by hon. members.

Mr. Deans: The minister accepted it. I know he did.

Mr. Chairman: Order! Order, please! The chair did not give the hon. minister an opportunity to reply.

Hon. A. F. Lawrence: Mr. Chairman, I think really that the suggested amendment is quite redundant, because it is obvious from the purpose of the section that—

Mr. Good: Why did you vote for it?

Hon. A. F. Lawrence: —this is the type of information that we are asking for and it would certainly be included in subsection (h). But I can see no reason for not including it, if the hon. member and the members of the House honestly feel that it should be going in. I would be prepared to accept the amendment.

Mr. Chairman: In view of the fact that the chair failed to give the hon. minister an opportunity to respond to the motion—

Mr. Breithaupt: Strike two.

Mr. Chairman: —we will cancel the voiced vote and the hon. minister is prepared to accept the motion.

Shall the motion carry? Carried.

Hon. Mr. Grossman: Now you fellows can say you won one vote tonight.

Mr. Chairman: Does the hon. member have another amendment to this same section?

Mr. Lewis: That is what you call the corporal's rump.

Hon. Mr. Grossman: The corporal's what?

Mr. Chairman: Order.

Mr. Deans: Mr. Chairman, I move that paragraph (g) of section 4 be amended by adding thereto, before the word, "and", in the last line the following:

> The proposed screening of the site by means of planting and the use of overburden and safety features and the depth of excavating in relation to water table.

An hon. member: Can you send the minister a copy?

Mr. Chairman: Mr. Deans moves that paragraph (g) of section 4 be amended by adding thereto before the word, "and", in the last line the following:

> Proposed screening of the site by means of planting and the use of overburden and safety features and the depth of excavating in relation to water table.

Mr. Deans: Again I do not want to engage in a lengthy explanation of the need for this, but I think the minister would recall in the 1970 industrial mineral report No. 33, dealing with site development and rehabilitation of pits and quarries, that there is a specific reference on page 2 to site planning. It deals, quite exclusively, with the matters that we propose should be added to the section in the bill.

The whole matter of the screening by use of planting and the use of the overburden and safety features are matters that are contained in this particular section, as recommended to the minister by the committee dealing with that particular topic. I feel that it adds to the bill. It guarantees the rehabilitation of the area. It guarantees that there will be no hazard involved or no discomfort to those persons who live in the immediate vicinity. I believe it should be a part of the bill. I could go into, if the minister insists, the details of the recommendations, but I prefer not to.

Mr. Chairman: The hon. minister may now respond.

Hon. A. F. Lawrence: Thank you, Mr. Chairman.

No, this amendment would not be acceptable. You are talking here about the depth of excavating in relation to the water table. In the normal situation in respect of the general legislation—I had better say, that hopefully will be coming before the House sometime soon—certainly the water table is a very crucial part of our determination of what is going to be affected and what may not be affected but here we are dealing with the escarpment. Heaven only knows where the water table may or may not be in relation to some of these excavations adjacent to the escarpment. I think this would be information that, if it is required, we have the necessary jurisdiction and authority to ask for it; but to specifically refer to and require water table information is simply, in my mind not acceptable.

Mr. Deans: If I may then, in answer to the minister. Let us accept the fact that it may well be that to improve the water table the requirement may be a little difficult at this particular time. I do believe both the other proposals in the amendment ought to be acceptable; the proposed screening of a site by means of planting, the use of overburden and the safety features. I feel that the minister did not deal with them, but obviously he must approve of them or he would have said no—

Hon. A. F. Lawrence: No, well I am sorry.

Mr. Deans: —that he would see the need for those.

Hon. A. F. Lawrence: No, I think here we are really engaged in semantics in a lot of ways in respect of safety features. Obviously this would be looked at, but it is also looked after in other sections of The Mining Act, not in respect of this. The use of the overburden, I think that is redundant here. It is covered in other parts of this section. Proposed screening on the site—the whole purpose of the rehabilitation is to require this. Progressive and ultimate rehabilitation are the words used in (g). I think that this is quibbling with words that does not add anything at all to the bill.

Mr. Deans: Let us find out then. Let us deal with a specific instance. The Ontario Housing Corporation is proposing to build a satellite development around an existing quarry on Saltfleet Mountain. Unless there are provisions in this Act for screening, unless there are provisions in this Act to ensure the safety of the operation, how can you then proceed to build a residential development surrounding it?

It seems, particularly in regard to the screening by means of planting, that this is of vital necessity in most areas. It is a vital part of the operation and should be specifically referred to and not left to some guy walking around to decide whether it is adequate or otherwise. It has got to be a definitely stipulated part of the programme of rehabilitation for the areas surrounding the quarry. This ought to be right in the Act to guarantee that it takes place.

Otherwise you are going to end up with all different kinds of proposals put forward as to screening and its adequacy as it affects the residences surrounding it and the people who live in the area. Not only that, but the blot that it makes on the landscape. I think that this has to be a part.

Hon. A. F. Lawrence: I merely reiterate, and I hate to get into this repetitious argument, Mr. Chairman, but I merely say that screening and planting in some cases are not the proper rehabilitation aspects that we are looking for. Safety features are not covered in this Act. They are covered in other sections of The Mining Act. They are not in here. I think this is redundant excessive language, that is all. It is not required by any stretch of the imagination.

Mr. J. Renwick: Mr. Chairman, I do not know why the minister accepts one minor small amendment and feels that is the limit of his capacity to absorb any suggestions which are made from us in this part of the House. What we are talking about is not what is going to be in the statute about something that has to do with safety. We are talking about whether the site plan will be

a comprehensive plan covering all aspects of the site plan. In other words, that the person who is going to do the quarrying and extract the materials is required to give a comprehensive plan of all the matters that should be covered in it.

Surely the minister does not have to stand up and say it is a tiresome argument. When we suggest that a quarrying company is coming to the minister for what he wants to call a permit—he is not going to be able to change many of the features afterwards because he uses this strange method of a permit; again quite contrary to all the recommendations which have been made.

Hon. A. F. Lawrence: So you call it a licence.

Mr. J. Renwick: The minister is going to say to them, "Now where is your site plan?" and they are going to say, "Here it is here." All we are saying is, will the minister have it incorporate safety features and will he have it incorporate screening requirements? Now if the minister can point out one quarry on the Niagara escarpment which to his knowledge will not require screening, then perhaps we will withdraw the amendment. There is not a single quarry in that escarpment that is going to be open in the future that, if he wants to preserve the recreational aspects of that area, will not require screening.

He has got the report in front of him, but again he kicks it in the teeth and he comes back in here as if he has got some secret source of knowledge that gives him the opportunity to say, "It is covered somewhere else." Where, in what Act, is there a requirement about the safety of an open-pit quarry; what are those requirements, what are the details, and is any quarry operator required to provide and furnish the minister's department with a site plan incorporating the safety feature? If there is, please let us know.

Hon. A. F. Lawrence: All right. The safety features in any mining operation are covered under another part of The Mining Act. They are presently under review by a committee of this House, as the hon. member should know.

Mr. J. Renwick: We know.

Hon. A. F. Lawrence: There is nothing secret about my knowledge of it at all. But I would suggest that there are gaps in the hon. member's knowledge, obviously. There are certainly many quarries—

Mr. J. Renwick: Where?

Hon. A. F. Lawrence: —that will not require screening—

Mr. J. Renwick: On the escarpment?

Hon. A. F. Lawrence: —simply because it is impossible; you may be talking about a pit but not a quarry. And my knowledge is not secret, but I would suggest to you that you are blatantly showing your ignorance of the subject.

Mr. J. Renwick: Well where is the report?

Hon. A. F. Lawrence: Many of these quarries will not require screening because it simply will not be able to be done.

Mr. J. Renwick: Has the minister read this?

Hon. A. F. Lawrence: Yes, I have read it.

Mr. J. Renwick: Would he read it again?

Hon. A. F. Lawrence: Many of them will not be able to be screened. This is my point.

Mr. J. Renwick: In other words, with the Minister of Mines having held this portfolio as a non-expert—which is the theory of the government—he asks for a report which sets out in detail the site planning requirements and does not accept them. There is not one single example in here, with respect to site screening, where it is eliminated.

Hon. A. F. Lawrence: That is not true. I am saying there is.

Mr. J. Renwick: Whereabouts?

Hon. A. F. Lawrence: Take a look at the picture of the Prime Minister of Canada swimming in the St. Mary's pool, which is an old quarry. It is not screened.

Mr. J. Renwick: It should be screened. Anyone knows that.

Hon. Mr. Grossman: If Trudeau was swimming in it, it should be screened. That is what he means.

Mr. J. Renwick: This report states—

Hon. A. F. Lawrence: The member does not know what he is talking about.

Mr. J. Renwick: Oh no, wait a minute, Mr. Chairman. The Minister of Mines thinks he can come in and wave the wand and the reports which he calls for do not mean a thing to him. That is what he said.

Hon. A. F. Lawrence: Did I say that?

Mr. J. Renwick: Yes. He is not interested in the site plans; he is not interested in the Gertler report; he is now not interested in this report.

This report says that there may be some places which are distant from centres of public use where screening may not be required, but there is nothing in this report that indicates an elimination of screening.

If the minister persists in it we will accept the amendment to drop out the water table. We will put in the site screening if required, we will put in the safety features as prescribed by The Mining Act, if he thinks that is going to do it. But you have got to have safety and you have got to have screening, otherwise once again he is commissioning reports for what purpose I do not know. This government has not done anything about it for years and suddenly he comes in here and carries out his studies and then just ignores them. There is not anything in his bill that has adopted what these reports had to say and the minister knows it. He is wasting our time.

Mr. Chairman: All those in favour of Mr. Deans' motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost.

Section 4 as amended will stand as part of the bill.

Any comment to sections 5, 6, 7 or 8? The hon. member for Hamilton East. Section 5?

Mr. Gisborn: Mr. Chairman, section 5 is the section that allows the minister to refuse the issuance of a permit, and we might read it to lay the grounds for my contention:

> The minister may refuse to issue a permit where, in his opinion, the operation of the mine would be against the interest of the public in preserving the character of the formation that includes the Niagara escarpment, and the availability of its natural attributes for enjoyment by the public.

Now if the minister will reflect back on my comments during second reading of the bill, I was quite concerned about the fact that in section 4, which provides for the issuing of a permit by application accompanied by the following which is (a), (b), (c), (d), (e), (f), (g), and (h); and in those provisions there was nothing there to say what the minister would consider, or what his criteria would be, in issuing a permit.

Now we have section 5, which provides for the minister refusing to issue a permit and I wonder if the minister could give us any criteria as to why he would not issue a permit?

Hon. A. F. Lawrence: Why I would not issue a permit?

Mr. Gisborn: That is right. Section 5 deals with the reasons—it talks about the preservation of the Niagara escarpment, its formation and its character, and for those reasons in his opinion he would not issue a permit.

I referred to section 4 during the remarks on second reading—that all it provided for was what the applicant would have to provide for the minister in seeking a permit. We have no idea what criteria the minister has laid down, what they have to live up to, what would be in his opinion good solid reasons for refusing a permit.

Hon. A. F. Lawrence: Well let me attempt to answer that in a rather roundabout way, if I may. The procedures, as I envisage them: First of all when an application comes in, the local municipality would be consulted —No. 1. And if the proposed operation takes place in any area which would be against any land-use legislation or any official plan of any of the municipalities, then obviously that takes precedence over this Act as far as the negative aspect of it is concerned and no permit would be issued.

As well, if there are factors in the minds of the local municipal council in respect of, let us say, transportation difficulties or road problems which might in some way detract from the recreational use of the escarpment. You know, I just cannot run through the whole list of things that could come from a municipal council in respect of this opposition to an aggregate industry establishing in a given locality, but there may be all sorts of reasons, and we would certainly listen to the municipal council and the municipal people in respect of that.

No. 2, the water resources commission would be consulted and if they had any objection then that would be extra.

The Department of Municipal Affairs would certainly be consulted. My colleagues, the Minister of Energy and Resources Management (Mr. Kerr), and the many branches within his department would be consulted. The parks integration board; The Department of Lands and Forests, in respect of future parkland or park acquisition. The local conservation authorities would certainly be consulted.

And as well, there may be citizens' groups, for instance, such as the Bruce Trail committee; and if any of these people objected and had what we considered to be valid grounds for objecting—in other words, if they were able to say that this property was included in their plans in respect of the Bruce Trail, this would be valid grounds for refusing a permit.

Does that satisfy the hon. member?

Mr. Gisborn: Yes, that—

Hon. A. F. Lawrence: In other words I have answered your question in a negative way. I have given you some of the considerations that would apply.

Mr. Gisborn: That then starts to give us some idea of what considerations the minister would give. Then what we are talking about in the opinion of the cabinet, really, is what would be the—

Hon. A. F. Lawrence: That is right.

Mr. Gisborn: Some place it should say that maybe.

Hon. A. F. Lawrence: That is right. It would be patterned somewhat along the lines of the request for information and opinions which the Minister of Municipal Affairs requires when he gives approval of a plan of subdivision. Something similar to this. Local people are consulted and various agencies and departments of government are consulted.

Mr. Chairman: Shall section 5 stand as part of the bill?

The member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I have an amendment to section 5. What I want to propose is that we substitute for the word "minister" the words "the Lieutenant Governor-in-Council, on the recommendation of the parks integration board", in both places where it is referred to in section 5.

The reason for the amendment, without repeating the argument which was made before except very laconically, is to ensure that the cabinet accepts the responsibility for the permits which are issued. We doubt very much whether or not the Minister of Mines or any minister holding a special particular interest portfolio should be the one who makes the final decision as to what permits will or will not be granted and what the terms and conditions that should be attached to those permits might be.

I have not altered the word "permit". The comment was made in our earlier amendment that they should be annual licences and not a permit subject only to revocation or suspension by the minister because of the difficulties of dealing with that matter. I did not want to clutter up the argument that we wished to put to the House, that if as was stated, in these—

Hon. A. F. Lawrence: Permit can be for a term, certainly, too.

Mr. J. Renwick: The permit may be. It is different from an annual licence. No question.

Hon. A. F. Lawrence: You had better read some of the reports.

Mr. J. Renwick: No question. It could be for a term certainly, but there is nothing in this Act which indicates the minister has given any consideration whatsoever to that use of the term "permit". Now a licence—

Hon. A. F. Lawrence: Did you read the report of the mineral resources commission?

Mr. J. Renwick: Yes, I did. I may have missed that part of it. I am very sorry. I will read it again tonight. Mr. Chairman, in the statement which the Minister of Correctional Services read on behalf of the Prime Minister on Wednesday, May 6, in the course of it and on page 9, he says the implementation of the escarpment programme will be co-ordinated through the Ontario Parks Integration Board and he stated administration will be carried out by the departments involved. What I am saying is that this is not a matter of day-to-day administration. The question of what quarries will be opened and the terms and conditions under which existing quarries will operate are matters that are of fundamental importance to the purposes of the preservation of the Niagara escarpment.

They bring into prominence conflicts of interest as to the varying competing uses. A multiple-use development for the Niagara escarpment, which in the long run is what is required in that area, should be the decision and the responsibility of the cabinet. It seems to us to make very good sense that the very board which the government selected to do the co-ordination—and, of course, it was the Gertler report—suggested a separate board.

The decision of the government is to use the Ontario Parks Integration Board and therefore it appears to us to make very good

sense that when we are talking about where, in his opinion, the operation of the mine would be against the interests of the public in preserving the character of the formation that includes the Niagara escarpment and the availability of its natural attributes for enjoyment by the public, that that is a matter which should singularly be the responsibility of the cabinet.

We were pleased, as the minister knows, when he amended The Mining Act to transfer the question of the grant of licence exemptions of ore processing from himself as the minister to the cabinet. I would like the minister to say whether the government would not accept this amendment as being within the tone and the spirit of what we are trying to do about the Niagara escarpment and accept the amendment to provide that the Lieutenant-Governor-in-Council, on the recommendation of the parks integration board, will make the final decision about what is or is not in the public interest. Surely that is a responsibility which the government should assume and no single minister should attempt to usurp.

Hon. A. F. Lawrence: Mr. Chairman, in opposing this amendment, may I indicate just briefly that the situation is completely different in respect of the processing provisions in section 106 of The Mining Act. Under the procedure that I have already indicated will be followed here, the various interested sections of the government will be consulted in advance. They are going to be part of the issuing procedure if, in fact, there is going to be any issuing procedure whatsoever, over the next calendar year, in respect of the permit.

I have already indicated that the parks integration board will be one of the arms or agencies of government, or within government, that will be consulted. Therefore, it seems quite redundant to me, again, to insert that provision especially when we have already dealt with it earlier in respect of the amendment by the member for Scarborough West. In respect of whether it should be the Lieutenant-Governor or whether it should be a minister who grants a permit such as this, there certainly is a difference. The permit has to be issued in the name of a single minister. The permit-issuing procedure, if we are going to have one, if in fact there are going to be any permits issued—which is really what I am saying—during the life of this mandatory measure, will certainly include procedures whereby the various sections of government and departments of government will be brought into that procedure.

Mr. Chairman: Ready for the questions?

Mr. J. Renwick: Mr. Chairman, I just want to make the comment that the first and substantial part of the question of the public interest is a question of the refusal to issue a permit. I think that the whole question of every permit should come before the cabinet as such, if not the Lieutenant Governor. If the minister wants us to introduce a sub-amendment to the proposed amendment, specifically providing that after the cabinet has approved it the minister may sign the permit, we are quite happy to do that.

What we are saying is the responsibility for the decision is not the minister's. It is quite wrong for the minister to say that he is the one who is going to decide whether or not it is in the public interest to preserve the character of the formation and the availability of the natural attributes for the enjoyment of the public.

Under what conceivable version of departmental responsibility does the minister presume to say that?

Hon. A. F. Lawrence: It is part of the British parliamentary process.

Mr. J. Renwick: It is not a part of the British parliamentary process for the Minister of Mines to decide what is in the public interest—

Hon. A. F. Lawrence: Certainly is.

Mr. J. Renwick: —about the availability of its natural aspects for the enjoyment of the public when his own government has said that the parks integration board is to co-ordinate it, and you can have the day-to-day administration of it. This is not the administration of it.

Hon. A. F. Lawrence: Sure it is.

Mr. J. Renwick: These are substantial decisions which when once made are irreversible for practical purposes.

Mr. Deans: Right.

Mr. J. Renwick: You are not granting a valuable permit. Any decision relating to it, in the terms or conditions under which this encroachment may be made upon the rights of the public for immediate private purposes, even though it may have an economic benefit to the province, is a matter for the cabinet to decide.

I think it is presumptuous. I was going to say that we would not call any more votes but I cannot possibly concede in the light

of the minister's argument that this is the way in which this government continues to conduct this part of its business.

Mr. Nixon: Mr. Chairman, since the member for Riverdale has indicated that his party may want to divide the House on this, I want to state our position. Essentially what the hon. member is saying is what has been said by many others, including people in this party, during second reading of the bill and discussion outside this House. It is difficult to conceive of the administration of this bill that preserving the Niagara escarpment is left under the jurisdiction of the Minister of Mines whose main responsibility it is to make available the mineral resources of the province for their development.

This argument has been put forward many times and was certainly mentioned by our party and the NDP during second reading of the bill. The member for Riverdale has seen fit to bring it forward as an amendment, the basis of which I think is simply to be critical of the fact that this minister, whose responsibilities are not associated with the protection of let us say the aesthetic virtues of any formation, mineral or otherwise, should not have the continuing responsibility.

I feel that the point has been well made in the discussion of the bill in principle. However, if the amendment is going to be put to the House on a division we will support the amendment.

Mr. Chairman: Those in favour of Mr. Renwick's motion will please say "aye."

Those opposed, will please say "nay."

In my opinion the "nays" have it.

Call in the members.

Hon. R. S. Welch (Provincial Secretary): Are you going to stack this vote?

Mr. J. Renwick: Well, Mr. Chairman, I do not quite know how much annoyed we will be with the minister. I think perhaps we had better have this one and then we could perhaps decide if there are any further ones to stack.

Hon. Mr. Grossman: I think you have already expressed your annoyance with the minister.

Mr. P. D. Lawlor (Lakeshore): You do not know how annoyed we are.

Interjections by hon. members.

Mr. Chairman: Mr. Renwick moves that section 5 be amended by deleting the word, "minister," and substituting the words, "Lieutenant Governor-in-Council," on the recommendation of the parks integration board.

Those in favour of Mr. Renwick's motion will please rise.

Those opposed to the motion will please rise.

Interjections by hon. members.

Mr. Chairman: Order!

Clerk of the House: Mr. Chairman, the "ayes" are 29; the "nays" 50.

Mr. Chairman: I declare the motion lost.

Interjections by hon. members.

Mr. Chairman: Order! Are there any comments, or questions to sections 6, 7 or 8?

The hon. member for Hamilton East.

Mr. Gisborn: Mr. Chairman, I think section 7 points out the ineptness of the drafting of this bill and the redundancy of the two previous sections we just carried. Section 5 provides how the minister can refuse to issue a permit. Section 6 provides how he can revoke a permit and section 7 tells us he has the right to do either one. Section 7 says:

> Subject to section 8, before refusing to issue a permit under section 5 or before revoking a permit—

Interjections by hon. members.

Mr. Chairman: On sections 6, 7 or 8. If the hon. member has comments on section 6 he may proceed.

Mr. Gisborn: Section 6, revocation of permit says:

> The minister may revoke a permit issued under this Act if the permittee has contravened this Act or has failed to comply with the terms and conditions of the permit.

I say he just has not got that right; it is subject to further sections. I will speak on 7 when we get to it.

Mr. Chairman: Any further comments on section 6? Any comments on section 7? The hon. member for Hamilton East.

Mr. Gisborn: I think section 7 points out the redundancy of sections 5 and 6 because, as I said previously, section 5 provides for the minister to refuse the issue of a permit. Section 6 provides for the minister to revoke a permit. Section 7 says:

> Subject to section 8, before refusing to issue a permit under section 5 or before revoking a permit, the minister shall refer the matter to the commissioner for a hearing and report.

And then subsection 2 of section 7—and I have some comments about the principle involved there—says:

> Pursuant to a reference by the minister under this section, the commissioner shall hold a hearing as to whether the permit to which the hearing relates, should be issued or should be revoked, as the case may be, and the applicant or permittee and such other persons as the commissioner specifies shall be parties to the hearing.

Section 7 makes 5 and 6 redundant in my opinion because he then does not have the right to make up his mind that the permit is refused or revoked. You automatically have to submit it to the commissioner for a hearing.

That is one thing that I think is wrong. He should explain to us what he means by the other two sections when it automatically has to go before the commission.

The thing that bothers me also is subsection 2 of section 7, where the commissioner shall hold a hearing and the applicant or permittee and such other persons as the commissioner specifies shall be party to this hearing.

What would happen in this case when the municipality was involved? How would an officer of the municipality, on direction from the municipality, have the right to intervene or participate in the hearing? How would a citizen of the community or any other organization, as you have mentioned before—conservation authorities or such—have a right to sit in on a hearing on the refusal or limitation of a permit? I wonder if the minister would answer some of those questions.

Hon. A. F. Lawrence: Yes, Mr. Chairman. The principle is, I think, fairly simple. When the minister revokes a permit or refuses to issue a permit, the matter shall be referred to the mining commission. Presumably when that happens and if the applicant does not want to continue, that is does not want a public hearing, he then revokes his application or permit. That is not in there, but I think it goes without saying. I do not think it needs to be in there. The principle behind it—and I think it is embodied in the McRuer report—is that these are matters of policy for which the ministry must be responsible. The provision is in there so that there can be an assurance that there can be a public hearing in respect of a matter which can affect the rights of citizens.

Under the provisions of The Mining Act, when a mining commissioner holds a hearing, interested parties should receive notice of the hearing. Interested parties certainly, in my mind, would include such citizen groups as the Bruce Trail committee, in an event of this nature, conservation authorities and certainly the municipality.

Does that answer the question?

Mr. Gisborn: No, it does not, Mr. Chairman. Section 7 says:

> The minister shall refer the matter to the commissioner for a hearing and report.

If the minister wants to refuse or revoke a licence, he so notifies the industry or the extractor. The extractor listens to his reasons and says, "Okay, I am guilty; you will have to take the licence until I comply with the regulations". What is the necessity of it going to a hearing?

Hon. A. F. Lawrence: Just the feeling about what some people may term proprietary rights; at that stage of the game, there should be the right to a public hearing if the applicant—

Mr. Nixon: You are not admitting any proprietary rights, surely?

Hon. A. F. Lawrence: Proprietary rights is not the right term, but where there are interests involved, I think we have the responsibility to make sure that the minister is not acting in a capricious way, if you want to put it that way. This is a guarantee recommended in the McRuer report, that there should be some type of public hearing by a semi-judicial officer which is what the mining commissioner is.

As my friend is probably aware, we used to call him the mining judge until constitutional difficulties arose. We now call him the mining commissioner, but in effect he is a semi-judicial officer. He holds a hearing and at that hearing it is incumbent upon him to make sure that all interested parties receive notice of it. He then makes his report back to the minister and the minister, in consultation, presumably, with his cabinet colleagues, comes along with the final determination of the matter.

It is a guarantee that where the interests of people are affected there should be a public hearing to make sure that all of these interests, all the people who have these

interest, have a right to say something in public. As I say, I do not think this is a new principle either. I cannot think of a single instance at the moment where this principle has been embodied but I know there are some. I can dig them out for you, but it cannot be tonight.

Mr. Gisborn: I will leave that point to be argued by persons more learned in law. On subsection 2—the last sentence: "The applicant or permittee and such other persons as the commissioner specifies, shall be parties to the hearing." That does not follow the explanation given by the minister, that of course he would allow or invite the municipality, opposition from the municipality or the public to be there. It does not say that at all. It says other persons as the commission specifies shall be parties to the hearing. I do not think that it does allow the public to have access to the hearing on the applicant's right to continue operation at all. I would leave it to some of the more learned people on this kind of legislation to argue the point.

Mr. J. Renwick: Mr. Chairman, the point I want to make is along the lines that my colleague has made. I think it is significant that the minister's interjection was that it is a proprietary interest, even though as the Leader of the Opposition interjected that there was no—

Hon. A. F. Lawrence: I corrected myself.

Mr. J. Renwick: Yes, I think it was significant that he required the correction. Why is there not a provision in this Act, if the minister is going to look after the public interest of the people of the province of Ontario, that before any permit is granted there will be a hearing before a commissioner in order to allow all the persons who have a public interest, or an interest different from those who are making the application for the licence, to appear and state their views? Because what we are talking about here is a reversal of the philosophy of government to give the preeminence and the predominance to the public interest, to introduce, as the report stated, a new philosophy in relation to resource development in the province, to recognize the public interest.

Why is it that the Tory government is always so wedded to the property interests, that whenever they endeavour to introduce the public interest, the right of the citizen, or endeavour to establish the Niagara escarpment in perpetuity for a predominantly public purpose with the only exceptions being carved out for the private interests, why is it that they bring in a bill, leave it with the Minister of Mines, then have the commissioner of mines carry out the hearings and then only carry it out if the minister is going to revoke or refuse a permit?

Why not have it the other way? Why not accept, not the words of McRuer but the substance of what he was talking about, the substance of the commission which was granted to him, which was to look after the rights of the citizens of the province, not the rights of the quarry operators. They have a legitimate interest, but when this minister comes before us and calls McRuer in aid on the basis that the minister can refuse a permit and have a hearing before he refuses the permit but that he will not provide the same opportunity before any permit is granted in the area, then I think he has got to fundamentally rethink his philosophy. And of course it is too late for the Tory government to do that. Because they are so wedded to this limited view that they try to corrupt and to warp the recommendations of McRuer even in a bill like this. Under what conceivable basis would the commissioner of mines be the person who is to establish—

An hon. member: The commissioner of mining.

Mr. J. Renwick: The commissioner of mining. Why would he be the person who is to decide to recommend to the minister the public interest? Can the minister not understand that the bill is fundamentally wrong in this principle, if not on the principle of section 5? Can he not see what Gertler was trying to say, what the mineral resources committee was trying to say to the government was, "Yes, in substance we agree with you that the Niagara escarpment is valuable in perpetuity to the people of the province of Ontario." That is what he was talking about; that any grants or permits to carry on quarrying operations are an encroachment on that and are justifiable only if the reasons are given. I simply say to the minister we do not have all the time in the world to draft continuous and constant amendments to bills which are flawed in every section.

I am asking the minister: what is his reason that there should not be a hearing before the mining commissioner, if he insists on having the mining commissioner carry out this hearing in every case, before he grants a permit of any kind in the Niagara escarpment?

Hon. A. F. Lawrence: I am glad the member finally got around to asking the question.

It is simply because it is not my intention for the balance of this calendar year—that is, hopefully until the general legislation comes in—that there will be any permits granted for new operations.

Mr. J. Renwick: I am delighted, Mr. Chairman. I take that to mean when the legislation for the whole province comes in that we will find that this provision is reversed.

Hon. A. F. Lawrence: Most decidedly.

Mr. J. Renwick: That is right, and if I may say so, we will take some small credit over here for having changed the minister's mind.

Hon. A. F. Lawrence: What? Are you kidding?

Mr. Chairman: Are there any other comments? The hon. member for Lakeshore on section 7.

Mr. Lawlor: After that hullabaloo I think it should be said: Do you know, the whole bill is an abortion shot through with supreme arrogance on the part of the minister. Why incorporate it if he is not going to utilize it? What is it there for at all?

Hon. A. F. Lawrence: Because it is suspending operations, that is why.

Mr. Lawlor: Come off it! You set up a whole thing which is directly counter to McRuer; you set up your own inbred operandi; you put your mining commissioner who cannot in any way be objective at the core of the thing; you propose legislation of this kind to us and then you stand up and say you are not going to bring it into any operative—

Mr. J. Renwick: That is right. What right has he got? What is he planning to go for?

Mr. Lawlor: I never saw anything so ridiculous.

Mr. J. Renwick: Mr. Chairman, I want to reiterate the point. The minister says the people of the province can make an application for licence and then he says he is not going to exercise the power. It is absolutely ridiculous.

Hon. A. F. Lawrence: I am saying for the existing operation we require these things. And I have always said that this is transitory legislation. It would not even be necessary if we were able—

Mr. MacDonald: The minister is transitory, that is the point.

Hon. A. F. Lawrence: Transitory legislation would not be required if we had the general legislation. I said that in my opening statements.

Mr. Lawlor: Maybe the minister will be just transitory.

Mr. J. Renwick: Well, Mr. Chairman, of course that is not what the bill says. The bill says that no person shall open a mine unless he is the holder of a permit and then there is the—

Hon. A. F. Lawrence: Open or operate.

Mr. J. Renwick: Or operate. I will take the minister's word about the existing ones because he is not going to revoke any of those licences in the next six months. We know that. He does not need to have legislation to do that. What we are saying is—

Hon. A. F. Lawrence: Certainly I do.

Mr. J. Renwick: —that no person shall open a mine, and then you make a provision that a citizen may make an application for a permit. Then the minister says we are going to pass the statute but we are not going to make any use of it. How ridiculous can you get? You came here at half past 12 to tell us that you are going to pass a statute that you do not need?

Hon. A. F. Lawrence: I need it.

Mr. Chairman: Any further comments on section 7? Any comments on section 8? The minister has an amendment for section 9.

Hon. A. F. Lawrence: Mr. Chairman, there was a typing and grammatical error in section 9. I gave notice on second reading. Palaeontology is misspelled and we added the words "in Ontario" when we should not have in the title of—

Mr. Lawlor: Well, you ought to know all about palaeontology.

Hon. A. F. Lawrence: —of the Geological Survey of Canada. So that I move that subsection 2 of section 9 of the bill be amended by striking out "Silurian Stratigraphy and Paleontology of the Niagara Escarpment in Ontario", in the third and fourth lines and inserting in lieu thereof, "Silurian Stratigraphy and Palaeontology of the Niagara Escarpment in Ontario."

So that the subsection shall read as follows:

"(2) for the purposes of this section, the Amabel—"

Hon. J. P. Robarts (Prime Minister): Sounds like a speech by the member for Scarborough West.

Hon. A. F. Lawrence: "—the Amabel and Lockport formations are as defined in Geological Survey of Canada Memoir 289, 1957, entitled 'Silurian Stratigraphy and Palaeontology of the Niagara Escarpment in Ontario'."

Hon. Mr. Robarts: I agree.

Mr. J. Renwick: Well, Mr. Chairman, we are opposed to that amendment.

Mr. Chairman: Shall the motion carry? Carried.

Shall section 9 as amended stand as part of the bill? Carried.

Any comments to any other section of this bill?

Mr. J. Renwick: Mr. Chairman, we have one amendment on section 14.

Mr. Chairman: Anything before section 14?

Mr. Gisborn: Yes, on subsection 2 of section 11. Will the minister explain what section 626 of The Mining Act means?

Hon. A. F. Lawrence: I am sorry, I will have to get that section right here. Just two shakes, will you please.

Mr. Martel: You should be prepared for this legislation when you bring it in.

Hon. A. F. Lawrence: I should be. Can I have RSOs under M, please?

Interjections by hon. members.

An hon. member: Section 626 was the vote 10 years ago.

Interjections by hon. members.

Hon. A. F. Lawrence: I am quite willing to admit that I fail to see that section 626 of The Mining Act has any reference whatsoever to the thing.

Hon. Mr. Robarts: I suppose we will take the minister's opinion and vote on that.

Hon. A. F. Lawrence: I really do apologize to the House, Mr. Chairman. I really fail to see what reference that section of The Mining Act has to do with this at all.

Hon. Mr. White: Let us pass it and, if it is not adequate, we will change it on third reading.

Hon. A. F. Lawrence: I am sorry.

Mr. Lawlor: Is this why we extended the sitting of the House tonight?

Hon. A. F. Lawrence: I have let my officials go home.

Interjections by hon. members.

Hon. A. F. Lawrence: May I ask the House to permit me to explain it on third reading? I cannot explain it now.

Mr. Chairman: The hon. member for Riverdale had an amendment to section 14?

Mr. J. Renwick: Yes. I think we could stack this amendment.

Hon. Mr. Grossman: Where do you want to stack it?

Mr. J. Renwick: That the title of this bill be deleted and the words, "An Act to provide for the Regulation of Quarries on the Niagara Escarpment and its Vicinity", be substituted therefor.

Hon. Mr. Robarts: We have it all sorted out on this side. You have not yet.

Interjections by hon. members.

Mr. Chairman: Order, please!

It is indicated on this motion that it was moved by Mr. Lawlor.

Mr. J. Renwick: Well, if you like—

Mr. Chairman: I do not care how "well" at the moment. If the motion carries, it should perhaps have the correct name on it. The hon. member for Riverdale.

Mr. J. Renwick: Well yes, if you insist, Mr. Chairman.

Mr. Chairman: I insist. Mr. Renwick moves that the title of this bill be deleted and the words "An Act to provide for the Regulation of Quarries in the Niagara Escarpment and its Vicinity", be substituted therefor.

Mr. J. Renwick: Mr. Chairman, I just want to make the one point on this. We in this party on occasion oppose bills in principle. Then we find that the Tory party —and, of course, the Minister of Mines himself would be one of the first to do it—goes out and tells the public that the New Democratic Party has voted against The Niagara Escarpment Protection Act. It is very difficult for us to oppose a bill in principle and then to have someone say, "Oh, yes, you voted against the protection of the Niagara escarpment."

Hon. A. F. Lawrence: You have been fighting us all along.

Mr. J. Renwick: If we could perhaps explain just exactly what, in the short title to the bill, the purpose of the bill was, namely, to regulate quarrying in the Niagara escarpment, then maybe the game might be a little more equal. We had it the other day, you know, because there is no reference to the word "woman" in Bill 83.

Mr. Jackson: Like the Medicare!

Hon. Mr. Robarts: Stick to this bill.

Mr. J. Renwick: In Bill 83, there is no reference to the word "woman" until you get to the short title.

An hon. member: Right!

Mr. J. Renwick: And, therefore, they will be saying we voted against the protection of women's rights.

Hon. J. Yaremko (Minister of Social and Family Services): Well, you did, you did.

Interjections by hon. members.

Mr. J. Renwick: That is why we moved the amendment. If you are not careful, we will have to have it on a vote.

Interjections by hon. members.

Mr. J. Renwick: But the point that I am making is, will the ministry please be accurate in the short titles they give to their bills?

An hon. member: It is not elsewhere in the bill.

Hon. A. F. Lawrence: This is very accurate, as the hon. member for Scarborough West indicated earlier in the evening when the hon. member was not in the House. He was attending to other duties downstairs, I mean; I am not implying that he is not looking after his duties.

The aggregate industry on the Niagara escarpment is something that has to be regulated for and it is essential in relation to the protection of the Niagara escarpment, so that this is protecting the Niagara escarpment—

Mr. J. Renwick: That is what we say. You are going—

Interjections by hon. members.

An hon. member: The NDP made the Niagara escarpment.

Hon. A. F. Lawrence: It is a simple title, that is all.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Chairman, may I say that indeed I did draft the amendment originally and it was incisively and deliberately meant. This bill, its purport, its intent, its tenor, has nothing to do with the Niagara escarpment directly. If it has anything to do—and precious little it has to do with that—it has to do with some quarrying operation. In no way has it to do with the simple concept of the inner zone. The minister has not even attempted in those great areas of the escarpment to set up the zones where he could do so, where he has the outfacing. He is saying that because of glacial content under the soil he cannot determine in certain areas just where it would start. That is his excuse and because of that one factor he deliberately eschews adopting all the rest of the hundreds of miles which could be deliberately set forth here and now.

Hon. Mr. Robarts: The member's 19th century language delights us, but it does not persuade us.

Mr. Lawlor: He made no forceful—

Hon. Mr. McKeough: What has this got to do with section 14?

Mr. Lawlor: —or valid intent. He had this bill—

Hon. Mr. McKeough: We are back on the principle of the bill.

Mr. Lawlor: —in his lap for over two years and he has done nothing about it, not even made his proper geological surveys up to this time.

Hon. Mr. McKeough: Nonsense!

Mr. Lawlor: And where he does not need them to that extent, we know where the facings are and he has not even moved in on that. What precisely has he done, apart from some licensing provisions here and a little talk about site plans with respect to quarrying operations? What else has he done for the Niagara escarpment in the course of bringing this into being?

Mr. Lewis: It is a credit to my side.

Mr. Lawlor: This is a quarrying bill and has nothing to do with the escarpment as such.

Mr. Chairman: All those in favour of Mr. Renwick's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

An hon. member: You are so right.

Mr. Chairman: I declare the motion lost.

Shall the bill as amended be reported?

Carried.

Bill 79, as amended, reported.

Hon. Mr. Yaremko: It will still not get you the women's vote.

Mr. Lewis: Single-handedly you are giving us the women's vote.

Hon. Mr. Welch moves that the committee rise and report a certain resolution and three bills with certain amendments and ask for leave to sit again.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House begs to report a certain resolution and three bills with certain amendments and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, later on this morning we will carry on with the order paper, starting off with the second readings which we have already indicated to the House.

Mr. J. Renwick (Riverdale): Mr. Speaker, just before the House adjourns could the House leader give us some indication of the order in which the bills will be called?

Hon. Mr. Welch: I think we will do them in the order they arrive. I could repeat the orders that we have marked. This is not the order paper that will be printed later this morning, but on your present order paper—15, 16, 19, 20, 23, 24—

Hon. J. H. White (Minister of Revenue): Bingo!

Hon. Mr. Welch: Do not move your chips until we check the numbers—25, 26, 27, 28, 29, 30, 32, 34, 35, 36, 38, 39, 40, 41, 42, 44 and 45.

Interjections by hon. members.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12:45 o'clock, a.m.

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Third Session of the Twenty-Eighth Legislature

Wednesday, June 24, 1970

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, JUNE 24, 1970

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Later today we will have visitors with us in both galleries. In the east gallery there will be students from Churchill Heights Public School in Scarborough and from Humber College of Applied Arts and Technology of Etobicoke. In the west gallery we will have students from the Immanuel Christian School in Aylmer; and in both galleries students from the Chedoke Public School of Hamilton.

Statements by the ministry.

The hon. Minister of Health.

Hon. T. L. Wells (Minister of Health): Mr. Speaker, further to the statement made last week in the Legislature by my colleague, the hon. Minister of Public Works (Mr. Simonett), regarding the acquisition of the former Camp Picton air base, I am now happy to tell the House that a large portion of the base will be used by my department to develop a new and forward-looking programme for the mentally retarded. This project will be developed over a three-year period and will accommodate approximately 600 residents.

There are a number of attractive houses on this base which will be used to develop a residential training programme for approximately 300 mildly and moderately retarded in a village-like setting. Every effort will be made to provide a home-like environment for the residents who will live together in small groups.

Larger centralized living quarters on the base will lend themselves to programmes and activities for the more severely retarded. In making the necessary renovations to these buildings Mr. Speaker, particular attention will be given to the space required for maintaining an active training programme for the more severely retarded group of residents.

Well-equipped recreation and school facilities that are presently on the base will be able to serve both of these facilities, this total complex. The accommodation, Mr. Speaker, will be put into service as quickly as renovations can be carried out and the necessary staff selected and trained.

Mr. Speaker, I feel that Camp Picton represents a major addition to the resources which our department already has in providing a forward-looking programme for the training of the retarded in this province.

Mr. Speaker: Oral questions.

Mr. R. S. Smith (Nipissing): Mr. Speaker, on a point of order.

Last week, the Leader of the Opposition (Mr. Nixon), asked a question of the Minister of Lands and Forests (Mr. Brunelle), in regard to the sale of some crown lands in Grant Township to an American citizen. At that time, the minister indicated, and I will quote from *Hansard* of June 16, 1970, when he was referring to the land:

> It is located on the Sturgeon River and this same person owns 289 acres of land adjoining it. This area is land-locked. It is poor land; it has no timber value; it has no fish and wildlife value. It is just within a few feet of some falls; the banks are 15 feet high; it is rocky.

He went on further on supplementary questions to describe the property as, "inaccessible and has no recreational value".

Since that time, Mr. Speaker, I have obtained some aerial photographs of the area which show the growth, as well as the topography and it indicated to me that this was not the case. Numerous people have been into the area since then and have examined it and have found that the area which was sold for $15 an acre to the American citizen seems like land that would—now I have a description here, just a second.

> The land is accessible by road with a few minutes—within a few minutes walking distance. It is covered with timber and abounding in wildlife and there are areas within the 60 acres which could be used for cottage sites and for recreational purposes. It hardly seems like the land has no recreational value. The area is well wooded with black and white spruce, red and white pine—

Mr. Speaker: I think the hon. member need not go into complete details. If he would state his point of order clearly now.

Mr. R. S. Smith: Mr. Speaker, I am trying to indicate to you that the House was misled in the description of the property. The land sale which went forward with the approval of the cabinet was not as presented to them. The land has a great amount of wood growth. There are signs of much wildlife in the area and the people who have assessed the value of the land in the area indicated that it is worth at least five times for what it was sold.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, further to that point of order: The aerial photographs reveal that the section of land acquired by the non-residents, announced by the Minister a few days ago, gives the new owner access and ownership to both sides of the Sturgeon River. I would submit to you, sir, that it is the responsibility of the Premier himself to investigate why this sale of land was authorized by the cabinet.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I would be very happy to do that, but I would really like to understand whether it is the official attitude of the official opposition that we should not sell any land in this province to anyone other than a resident of the province? Are we then to invite retaliation, for instance, so an Ontario citizen cannot buy land in Florida or in the Caribbean—What sort of a proposition are members opposite putting forward?

I would be happy to investigate this particular situation, but I just wonder what policy the members are proposing. Are they proposing that we sell no land in this province to anyone other than a resident of this province? Is this their position?

Mr. V. M. Singer (Downsview): Sit down and you will hear!

Mr. Nixon: Mr. Speaker, since you have permitted the Premier to get in on this as an interjection; in reply to his question I would say it would be the unalterable policy of the Liberal Party not to sell crown land to anyone but residents of Canada.

Interjections by hon. members.

Mr. Nixon: If he knows of crown land or whatever—it would not be crown land in Florida, but publicly owned lands—that are available in Florida, then I would be surprised because no plausible jurisdiction is going to sell its best recreational facilities and lands to non-residents.

Mr. Speaker: Well the hon. member's point of order developed into a miniature debate. The hon. minister responsible for this statement is not present. I am sure he will take up the points as soon as he is aware of the comments.

Oral questions.

Mr. Nixon: Mr. Speaker, I have a question of the Premier. Does the province of Ontario, and particularly the provincial police, have any responsibility for the investigation of the bombing last night of National Defence headquarters in Ottawa?

Hon. Mr. Robarts: Mr. Speaker, I rather doubt that we have, although I would have to check with the Attorney General (Mr. Wishart). But as I read and hear the reports of what happened, it happened within the confines of the city of Ottawa and certainly the provincial police have no jurisdiction there. It also happened on a property owned by the Crown in the right of Canada and I might assume that the mounted police, as the law enforcement agency of the federal government, would be involved rather than the provincial.

Mr. Nixon: I have a further question of the Premier on another matter, Mr. Speaker. Does he know when the organization which he has called Project 70 in this House will report to the government, or to the Legislature, on its investigations into the non-medical use of drugs in Ontario and the requirements for special facilities, particularly for young people, in the major urban centres? Will this report be available before summer; and if so does the government have any special plans to undertake assistance, particularly in the young people in the province, to help them in coping with the menace of the drug problem?

Hon. Mr. Robarts: This report was to have been made by the end of this month and as far as I know that timetable is still in effect. Until we have the report we are not in a position to announce what we are proposing to do.

Mr. Nixon: A supplementary question: Assuming that the report does come down in the next few days, by the end of June, the Legislature will not be in session, but would it be the government's intention to use the recommendations of the report immediately, since the problem is apparently going to be substantially increased in severity during the summer months?

Hon. Mr. Robarts: Well the mere fact that the Legislature is not sitting, Mr. Speaker, would in no way influence or affect our desire

or ability to take action on whatever recommendations the report may contain.

Mr. H. Peacock (Windsor West): A supplementary, Mr. Speaker: What special programmes has the Prime Minister called for during the summer months in respect to curtailment of drug abuse following his announcement of a crash programme against drug abuse on March 12?

Hon. Mr. Robarts: Mr. Speaker, we have been over this territory before. To get back to the question asked by the Leader of the Opposition, we helped to finance this study, which was a crash study designed to draw some conclusions from what is going on in this area of Metropolitan Toronto in order that we might draw some principles that would be applicable in other parts of the province.

Mr. Peacock: That is all the government has done since March?

Hon. Mr. Robarts: That is all we have done in that area. We have had quite a few meetings between educational people and health people, but we are waiting for an analysis; it was a crash programme.

Mr. D. C. MacDonald (York South): We are waiting, period.

Hon. Mr. Robarts: We put a limit on the time for reporting, which was the end of this month; and this we will do.

Mr. Nixon: Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management. Can he report to the House what decisions were made at the joint United States-Canadian meeting on Great Lakes pollution which evidently he attended in the last few days? Particularly what plans are to be made for clearing up the potential oil spills in the Great Lakes?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I attended the meeting yesterday morning; it was adjourned at about approximately 12.30.

During that period we dealt with the recommendations contained in the last report of the International Joint Commission dealing with oil spills, as referred to by the hon. member; phosphates and detergents and the dumping generally of phosphates into the Great Lakes basin. We also dealt with the recommendations of the IJC as far as drilling was concerned in the Great Lakes, particularly Lake Erie; and we discussed contingency plans for oil spills from commercial shipping and any drilling operations.

As far as Canada was concerned, and this included the province of Ontario, we agreed generally with the recommendations of the IJC report. A contingency plan is being worked out and it has been in the process of being worked out between Ontario and Canada and, I think will be completed very shortly. As far as oil spills are concerned it is now a matter of dovetailing or joining that plan with the United States so there is one overall plan in the event of a spill.

The only problem, really, that Ontario had regarding the recommendations in respect to drilling, was the recommendation of the IJC report that all drilling be prohibited in the western basin of Lake Erie. As the hon. member knows, we have at the present time issued a number of licences for that area—I believe about 55,000 acres—and there are some leases that will expire this year: there are one or two that run as late as 1976. So it will be a matter of negotiating those particular leases; it is simple not to renew any leases or licences.

But certainly the meeting and delegation were satisfied with Ontario's programme of plugging any oil wells at which trouble may develop, its contingency procedures in the event of any spills from those wells, and the history, for example, of the operation of drilling in Lake Erie since 1913. We feel that we will be able to meet all the recommendations contained in the IJC report.

Mr. Nixon: A supplementary question: Is the minister prepared to go forward with a provincial ban on the use of phosphate detergent; or is he going to wait for the Canadian-American agreement, which it appears will impose a ban in 1972?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows, a recent amendment to the Canada water bill, an additional section, provides that the limit of phosphate in all detergents sold in Canada will be 20 per cent by this August, with a ban by, I believe, the end of 1972. That is the recommendation of the IJC report.

We feel that this is the best and quickest vehicle now available to limit phosphates in detergents. This has been the result of many discussions, many meetings, with the industry. Ontario, at the last federal-provincial conference, along with other provinces, agreed with this submission of the Canadian government. That is really why it is part of the Canada water bill.

Mr. Nixon: A final supplementary, as far as I am concerned: Is it true to say that effective detergents without any phosphates in them at all are now available at competitive prices in this province?

Hon. Mr. Kerr: They are available, Mr. Speaker. I do not know what they cost but they certainly are available; I am using them every day, or my wife is.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, a supplementary of the Minister of Energy and Resources Management.

A question with regard to prices: Is the minister aware that prices for non-phosphate detergents are running a good deal higher than the phosphate detergents at the present time? Is this a matter of economics or is this simply a matter of taking advantage of the situation?

Hon. Mr. Kerr: I am surprised really, Mr. Speaker, that the hon. member has said that. I was under the impression that the heavy phosphate detergent was more expensive, although I know they are running sales—two for one sales, and things like this, possibly trying to get rid of them. I think it is a question of economics; I think it is a question of the extent of sales, the degree of sales. I think that certainly at the present time the non-phosphate detergent is not selling anywhere near the extent that the phosphate detergent is, regardless of the content of phosphate.

To my knowledge, the big chains really are not selling non-phosphate detergents to any extent. This is one of the complaints that I had from one of the manufacturers, that the big chains will only take the product on consignment. Of course, this is difficult for some of these small companies.

But certainly I feel that with the eventual ban, the non-phosphate detergent will sell—there is no question about it—much better than it is now.

Mr. Speaker: The hon. member for Windsor-Walkerville, a supplementary?

Mr. B. Newman (Windsor-Walkerville): Yes, Mr. Speaker, of the same minister: Is the minister undertaking any type of an advertising campaign to counteract the concerted effort on the part of the phosphate manufacturers to dispose of their present stocks?

Hon. Mr. Kerr: Mr. Speaker, we are assisting the industry, the embryo industry which is selling non-phosphate detergents, in every way possible. We are not really, as a government, entering into any campaign for any particular product, but we are making public statements, of course, quite regularly, regarding the advantages of low-phosphate or no-phosphate detergents.

I have on a number of occasions inquired from some of the grocery stores and chains: "Why are you not handling more of this product? Mac's Milk, as the hon. member knows, has a product now that it is pushing quite extensively, and I understand they are having some success. This is selling now and they are even coming out with a bigger box and they are able to promote it in a little more sophisticated manner as the high phosphates have been promoted in the past.

I think the no-phosphate or low phosphate detergent, the low phosphate industry as such, is getting a lot of help by way of free advertising from various media, particularly the newspapers, and other forms of advertising. I think that, certainly with all the discussion regarding the advantages of low phosphate detergent, if they are available on the shelves they will sell.

Mr. B. Newman: A further supplementary, Mr. Speaker: Is the minister aware that the phosphate detergent manufacturers are attempting to put as much phosphate pollution into our waters over the next short period of time as they would in a normal year, unless some type of definite action is undertaken by the minister?

Hon. Mr. Kerr: Mr. Speaker, I cannot understand why they would do that unless they are trying to get rid of phosphate.

Mr. B. Newman: By disposing of their stocks now.

Hon. Mr. Kerr: They only have a little over a month.

Mr. Speaker: Does the Leader of the Opposition have further questions? The hon. member for York South.

Mr. MacDonald: I have a question of the Provincial Secretary, following my question of two or three days ago. Is the Provincial Secretary in a position to report to the House on what grants have been given to various citizens groups across the province for the development of their activities? Particularly, can he indicate what proportion of this year's appropriation is already allocated?

Hon. R. S. Welch (Provincial Secretary): Yes, I can, Mr. Speaker. If you will just give me a few minutes—I have that list but I have not got it here with me. I will send for it, though, before the end of the question period and give the member that detail.

Mr. MacDonald: I have a question of the Minister of Public Works. With regard to the minister's gradual disbanding of all tradesmen's groups within the public service, is it accurate, at the moment, that of the four plasterers on staff, one is retiring, two have been given notice and only one is going to be retained?

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, I will have to take that as notice and I will have an answer for the hon. member tomorrow.

Mr. T. Reid (Scarborough East): Is the Prime Minister aware that a developer, Bernard Protter Limited, acting on behalf of the Ontario Housing Corporation, paid for a chartered jet flight, Halifax to Toronto, costing apparently over $4,000, in order to fly Mayor Robert White of Scarborough to the June 18 council meeting of the Scarborough council so that he, Mayor White, could vote in favour of this developer's multi-million dollar application before the council?

Hon. Mr. Robarts: Mr. Speaker, I guess I read the same news report as the hon. member, although it did not quote the $4,000 figure; I was not aware of that.

Mr. T. Reid: Should such a developer using such business practices represent the government of Ontario?

Hon. Mr. Robarts: Mr. Speaker, I do not know what allegations the hon. member is making against the developer. I do not know what the allegation is as to what he did that was right or wrong.

Mr. Peacock: Is he adding it to the cost of the project? That is the question.

Hon. Mr. Robarts: I think it really must be a matter for the official himself.

Mr. T. Reid: A supplementary if I might: Do I understand then that the Prime Minister considers it quite proper for a private developer representing the government of this province to shuttle mayors back and forth so they can vote in favour of their development?

Hon. Mr. Robarts: I think the hon. member would have to demonstrate that if the man had not been shuttled back and forth he would have voted other than he voted. He is making all kinds of allegations about this man's motives that I know nothing about.

Mr. T. Reid: A supplementary—

Mr. Speaker: This has been pursued sufficiently and the hon. member is not asking a proper supplementary question, in any event. The member for Peterborough has the floor.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I could direct a question to the Minister of Energy and Resources Management, if I can get his attention. I wonder if he could tell me whether it has been a policy of the department to cease publication of a placard, which was quite extant last year, which states "Article 27(1): It Is an Offence to Pollute", and indicates the fine for pollution; whether the department has decided to no longer produce that placard; and whether it has cut down on its production of the pamphlet "What the Citizen Can Do About Pollution"?

Hon. Mr. Kerr: No Mr. Speaker, I understand that a lot of these pamphlets are in short supply, particularly the last one to which the hon. member referred. We are, of course, reviewing all of these pamphlets particularly, more on a departmental basis so that there will be no conflict between say conservation and OWRC or waste management and things like that.

I would assume—and I will check and make sure that is so—that all placards or all pamphlets that have been issued in the past that are still appropriate today will continue to be so published.

Mr. Pitman: As a supplementary, Mr. Speaker, would the minister regard the placard, "It is an offence to pollute" as being particularly apropos at the present time?

Hon. Mr. Kerr: Very good, particularly in the Peterborough area!

Mr. Pitman: They are not using it!

Mr. Speaker: The member for Kenora.

Mr. L. Bernier (Kenora): Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Has the minister any further information as to the source of mercury pollution in the Winnipeg River?

Interjections by hon. members.

Hon. Mr. Kerr: Mr. Speaker, to think I was here until a quarter to one this morning! No, I have not any further information of any more mercury pollution in the Winnipeg River.

Mr. Speaker: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, in the absence of the Minister of Tourism and Information (Mr. Auld), a question of the Prime Minister. In view of the problems of student summer employment and in view of the tourist attraction of this building, could the Prime Minister encourage his colleague to have the staff of guides increased so that this building could remain open on Saturdays and Sundays throughout the summer months?

Hon. Mr. Robarts: Mr. Speaker, I will refer that question to the Minister of Tourism and Information.

Mr. Speaker: The member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, a question of the Minister of Agriculture and Food: In view of the mysterious death of several cattle near Stouffville, attributed to algae poisoning in a 50-acre lake, is the department carrying out research to determine the cause of the poison condition and what can be done to protect livestock in other parts of the province from suffering a similar fate where algae in farm ponds and lakes occurs?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I will take that question as notice.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy and Resources Management regarding the theory outlined in the Toronto *Daily Star* of June 10 that constant, 100 per cent use of the Hearn plant would permit almost complete combustion and therefore negligible air pollution. My question is: Is this a valid theory and is the minister looking into it?

Hon. Mr. Kerr: Mr. Speaker, I also read the article referred to by the hon. member. I believe it was by a former alderman in Toronto.

This theory, of course, is quite different from the popular theory as far as the burning of fossil fuels is concerned, particularly at the Hearn plant. I have asked for an opinion from people in my department. My sort of, shall we say, preliminary or interim information is that the article really is not that technically or scientifically sound.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Speaker, I have a question of the Minister of Transport: Does the Minister of Transport involve himself in what appear to be the discussions between Nordair and Trans-Canada about the allocation of local service in western and southwestern Ontario, is there going to be a public hearing in connection with it? And could the minister also tell us whether he now has any knowledge of the date of the public hearing for the Transair-Trans-Canada application before the federal board?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the hon. member has really put two questions to me. The first is with respect to the application by Nordair, if it is a formal application as yet, for routes in southern Ontario. I am unaware of any formal application for those routes by Nordair. I read in the paper that Nordair and Trans-Canada were discussing those routes. As far as my knowledge is concerned, there has been no formal application as yet by Nordair to the transport commission for those routes.

I might finish off by saying if there be, I would expect that we would be interested in it.

With respect to the situation involving Transair and the regional routes that were accorded it by the decision of the Canadian Transport Commission between Winnipeg and Toronto with intermediate stops, it was as a result of appeal from that award to the minister that the decision was given that this matter was to be reviewed, and on subsequent questioning it was elicited that the review would be by way of the public hearings that we had sought.

If I recall aright, it was stated that these hearings would not be before September 1.

Mr. J. Renwick: Mr. Speaker, by way of a supplementary question in connection with the Nordair problem: Will the minister advise Trans-Canada and Nordair that the province of Ontario has a specific interest in any decisions or discussions which take place prior to any hearing before the board in connection with the allocation of air routes in western and southwestern Ontario, or elsewhere in Ontario?

Hon. Mr. Haskett: Mr. Speaker, I can assure the hon. member that both Nordair and Air Canada are aware of the province's interest in all of the routes within Ontario, particularly these routes in southern Ontario.

Mr. J. Renwick: Mr. Speaker, by way of supplementary question: Will the minister advise Air Canada and Nordair of the interest of the province in the allocation of those routes?

Mr. Speaker: May I say to the hon. member that is the same question he asked before. The hon. minister has answered in the manner he thinks is fit, therefore the member for Hamilton Mountain has the floor.

Mr. J. R. Smith (Hamilton Mountain): I have a question of the hon. Minister of Health.

What effect will the proposed facilities at Picton for the mentally retarded have upon the long waiting list at the Cedar Springs institution for mentally retarded children?

Hon. Mr. Wells: In answer to that question, we hope of course that as we add new facilities and they become available they will reduce our waiting list; it is our policy and indeed our aim to reduce the waiting list for the retarded, and hopefully this will happen. I cannot tell the member in exact terms what will happen to the Cedar Springs waiting list at this point in time, but we will certainly be doing everything possible to reduce that list.

Mr. Speaker: The member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the provincial Treasurer. Has any gasoline company that operates in the province of Ontario reduced the price of gasoline to the consumers since it has been three weeks since the value of the Canadian dollar increased four per cent?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, I would have to take that question as notice and find out for the hon. member. At this point in time I really do not know.

Mr. Speaker: The member for York South.

Mr. MacDonald: I have a question of the Attorney General. It is a three-part question: Has the Attorney General received a report from the police in Ottawa concerning the explosion at defence headquarters? Has Ontario considered offering a reward for the capture of the persons involved? Is Ontario going to consider legislation controlling the sale and possession of dynamite as has been instituted in the province of Quebec?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I am not aware that that report has come in yet—at least it has not reached my own personal desk—and I cannot give an opinion on the question of policy on the restriction or prevention of sale of dynamite. That would have to be discussed with government. We will take that under consideration.

Mr. MacDonald: What about my second question, if I may — whether or not the Attorney General is considering the offering of a reward for the capture of the persons?

Hon. Mr. Wishart: It has not been done as yet. We do this after a time as a rule if we have difficulty getting information. This is something I would take under consideration.

Mr. Speaker: A supplementary? If not, the member for Waterloo North has the floor.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Minister of Agriculture and Food. In view of the fact that the province of Quebec is able to prevent Ontario eggs from going in and being sold there, why is the minister unable to prevent the flooding of the Ontario market by broiler chickens from Quebec?

Hon. Mr. Stewart: Mr. Speaker, I was not aware that the province of Quebec had prohibited Ontario eggs moving into the province of Quebec. I notice that there are reported rumours that this is likely to take place to a limited degree. We have not as yet had any positive evidence that this has taken place. We understand that the organization established to handle those eggs produced and marketed in Quebec, is allowing the importation of eggs into the province from various sources under contract and under orders from it to dispose of the eggs. We are aware that they are backing up at the present time in Ontario.

Mr. Good: What about the second part?

Hon. Mr. Stewart: The second part of the question, of course, relates to the fact that the Ontario Broiler Chicken Marketing Board is simply a marketing board for those products produced in the province of Ontario and does not have the powers of agency marketing which the Quebec egg board has been able to achieve for their egg producers. This of course is a matter that is at the discretion of the broiler chicken producers, and if they wish to establish that type of an agency

there may be the right to do as the Quebec people have done regarding eggs.

However, I think there is a grave matter of constitutionality under The British North America Act which has not been determined as yet concerning the importation of eggs into the province of Quebec by regulation which might in time prohibit those eggs being imported there. The same of course could apply to the importation of chicken broilers into the province of Ontario from other jurisdictions.

Hon. A. Grossman (Minister of Correctional Services): Sounds like the egg situation is all scrambled up.

Mr. Speaker: A supplementary?

Hon. Mr. Stewart: Oh they will straighten it out.

Mr. M. Gaunt (Huron-Bruce): A supplementary to the minister: Has the Broiler Chicken Producers Marketing Board approached the Farm Products Marketing Board asking for similar powers to the Quebec Egg Board?

Hon. Mr. Stewart: I cannot answer that question, Mr. Speaker; I do not know.

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid (Rainy River): I have a question of the Minister of Energy and Resources Management. Is the minister aware that the Manitoba government is planning to sue two firms for polluting its waters, one in Ontario and one from Saskatchewan? Is he aware that a bill is before the Manitoba Legislature which would ensure the government has the power to so sue these companies?

Hon. Mr. Kerr: Mr. Speaker, I was aware that the Manitoba government was contemplating action against some of the sources of pollution in that area of northwestern Ontario and I had understood that one of the plants was in Ontario. I am also informed that insofar as the right to sue or the possibility of any success in such action is concerned, it is just about the same as ours. In other words, their right in this type of action is about the same as Ontario's at the present time. This, of course, may be the reason there is a bill before the Legislature. I was not aware of that. I have not seen the bill. I would be interested in seeing a copy.

Mr. T. P. Reid: By way of supplementary, Mr. Speaker—

Mr. Nixon: Okay, the Minister of Correctional Services can stop smiling now.

Mr. T. P. Reid: —if the Manitoba legislation is effective and gives them the power to sue polluters in this regard, is the Ontario government prepared to introduce comparable legislation to also give it the power to sue polluting companies?

Incidentally, I will send the minister a copy of the bill. I have one downstairs.

An hon. member: They are awfully strong cameras.

Hon. Mr. Grossman: I cannot hear the member. The lights are out!

Hon. Mr. Kerr: Mr. Speaker, that, of course, would be a policy decision. I would assume from what the hon. member is saying that this legislation is to be retroactive, if it has any connection with the pending or existing action—

Mr. T. P. Reid: I did not say that.

Hon. Mr. Kerr: —against the two companies. This, of course, is an extreme type of remedy; it is distasteful for the most part. Certainly there is some consideration being given to the possibility of legislation as far as future damage of this type is concerned.

Mr. Speaker: The member for Sudbury East.

Mr. E. W. Martel (Sudbury East): A question of the Minister of Municipal Affairs: Because some of the district welfare boards are having considerable difficulty collecting funds from various municipalities, thus necessitating considerable borrowing at high interest, would the minister consider an amendment which would force the payment, at least on a quarterly basis, by the various municipalities to the welfare boards?

Hon. W. D. McKeough (Minister of Municipal Affairs): I will give some thought to that particular problem.

In terms of other payments, I think, after a certain amount of hesitation, if I can put it that way, the principle of quarterly payments from the municipalities to the school boards is being reasonably well accepted. I think that principle, or something like that principle —and presumably there would be some benefit in uniformity—perhaps should be carried over into some of the other statutes as well. I will take a look at that in particular.

Mr. Martel: Mr. Speaker, possibly the minister could use his good offices at the present time to get one of the municipalities in the Sudbury welfare board to contribute its 60 per cent share—I need not elaborate which it is—which it holds back until the end of December every year. That puts that Sudbury district welfare board in a terrible straitjacket.

Hon. Mr. McKeough: The member has equally great influence on that particular municipality as the Minister of Municipal Affairs.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Correctional Services. Has there been any notable increase in the first five months of this year in the number of youths under 16 who have been directed to training schools as a result of the use of drugs, including the smoking of marijuana?

Hon. Mr. Grossman: Mr. Speaker, I do not know why the hon. member did not ask this question a little earlier so I could have got my double-breasted suit on camera.

Mr. Pitman: It would wreck the film, that is why. We have some concern for the public expense.

Hon. Mr. Grossman: There is some discrimination here some place, Mr. Speaker, but I will not rise on privilege now.

Obviously I cannot answer this question just off the top of my head. I will get the information for the hon. member and advise him.

Mr. Speaker: The member for Huron-Bruce.

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Is it fair to assume that the minister is not going to take any action in the immediate future with respect to banning of the non-returnable bottles or raising the deposits on the returnable bottles?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows, it would not be possible to introduce and pass legislation between now and Friday dealing with the non-returnable bottles.

Interjections by hon. members.

Hon. Mr. Kerr: As the hon. member knows, there have been a number of meetings with people in the industry, with the unions representing the workers in that industry. There is to be a very extensive anti-litter campaign undertaken this summer by the glass industry and by a number of bottlers and by the large soft drink manufacturers. We are looking with some hope to that campaign, that this will mean less littering and less of a problem as far as the non-returnable bottle is concerned.

As the hon. member well knows, all of the delegations that we have met have emphasized the fact that if we ban the non-returnable bottles, they will just mean a greater production of other no-deposit or non-returnable containers—so is that the solution? This is all being studied. We will be watching with interest the results of the British Columbia legislation over the next month or so and I would think that if there is to be any decision made, it could well be made during the latter part of this session.

Mr. Gaunt: A supplementary, Mr. Speaker: Would the minister consider asking the Minister of Trade and Development (Mr. Randall) if he could have a little chunk of the money that he is using to promote the government in order to run advertisements asking people not to litter?

Hon. Mr. Kerr: Mr. Speaker, I am hoping that within our department such publicity will be undertaken in the summer.

Mr. Speaker: Does the member for Riverdale wish the floor? He was on his feet a short time ago.

Mr. J. Renwick: Mr. Speaker, I have a question of the Treasurer and Minister of Economics. Could the Treasurer give us the up-to-date figure for unemployment for the province of Ontario for the month of May, and the seasonally adjusted figure to date; and the latest information which is available to him?

Hon. Mr. MacNaughton: Mr. Speaker, I could not do that just off the top of my head but that information can be made available to the House. I will take the question as notice and make it available to the House.

Mr. Speaker: The member for Scarborough East.

Mr. T. Reid: Yes, Mr. Speaker, I have a question of the Minister of Municipal Affairs. No, he is not there; he is not in his seat, he is in another seat.

Mr. Speaker: The hon. member may not ask his question. The member for Downsview may have the floor.

Mr. Singer: Mr. Speaker, I have a question of the Minister of Labour. Has the Minister of Labour received any representations concerning the handling by the human rights commission of the complaint relating to a Mr. Simms, an employee of the Ford motor car company, alleging racial discrimination against him?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I would have to check in reference to that. I think there was a report in reference to that matter in the newspaper recently. I am not sure of that but I would be glad to check into it and advise the hon. member.

Mr. Singer: By way of supplementary: While the minister is checking into it, will he determine whether or not there can be further remedies provided for what appears to be a valid complaint that was not properly handled?

Hon. Mr. Bales: I will be glad to go into that aspect of it.

Mr. Speaker: The member for Peterborough.

Mr. Pitman: A question of the Minister of Energy and Resources Management: I wonder if he could tell me whether he intends to carry out the recommendation of his air management branch that charges should be laid against the township of Dummer in relation to the burning of garbage in a township dump in that area; and whether he intends to bring Kingston into court as a result of the charges that have been laid against that municipality.

Hon. Mr. Kerr: Mr. Speaker, the hon. member referred to Kingston. Could he explain—pardon?

Mr. Pitman: Is it not true that there has been a charge laid—at least the charge has been taken to the city of Kingston, but it has not been brought into court? Is that the present situation there?

Hon. Mr. Kerr: The city of Kingston?

Mr. Pitman: Yes.

Hon. Mr. Kerr: Mr. Speaker, I know that a charge has been contemplated against the city of Kingston; now at what stage that is at the present time I am not able to say.

As far as the township of Dummer is concerned, we are also considering taking action against that township. However, efforts are being made by people in my waste management branch, as well as air management, to eliminate the problem in that township.

As the hon. member knows, it has been a continuing one. There is a certain amount of lack of co-operation from the officials there, and this is why it has really reached this stage. We still hope that the problems there will be eliminated rather than have them exist during a period of litigation.

Mr. Speaker: The Minister of Social and Family Services—is this a supplementary?

Mr. Pitman: I wanted to ask a supplementary in relation to what is the policy? First, how long did it take the minister to decide whether he was going to lay a charge and bring the municipality into court; and on what basis does he make the decision either for or against?

Hon. Mr. Kerr: Mr. Speaker, the circumstances vary from incident to incident. When you are dealing with municipal officials, of course, there is certainly some extra effort and extra consideration given to eliminate the problem and to try to obtain some co-operation before charges are laid. As I say, it could vary from municipality to municipality depending on the circumstances, and of course depending on the amount of injury that is being caused by the operation of a disposal site, for example.

As far as the basis is concerned, of course, if there is a problem, if there is not proper disposal. And if they are causing, for example air pollution as a result of a faulty incinerator or open burning, it is a matter of either stopping it or charges will be laid.

Mr. Speaker: The Minister of Social and Family Services has the answer to a question asked by the member for Peterborough the other day.

Hon. J. Yaremko (Minister of Social and Family Services): The hon. member for Peterborough asked a supplementary question on June 22, as to whether the new regulations under The General Welfare Assistance Act could apply to the purchase of services of a counselling nature from a school board. The wording of this particular amendment reads as follows:

> Payments as approved by the director for counselling services purchased on a contract or fee-for-service basis from an agency approved by the director.

The amendment therefore does allow for the purchase of service from any agency approved by the director. I would note however, for the hon. member, that the form of counselling provided by school boards is by and large related to guidance in respect of educational problems and would normally be available through the school board to any family in a community requiring such services.

The amendment in question is intended to encourage municipalities to make available to needy persons other forms of counselling which generally speaking have not been available with public support. It will also allow smaller municipalities to provide counselling services through purchase, even though they may be unable to afford the cost of hiring a fulltime counsellor.

I may say, Mr. Speaker, by way of correction, that the regulation became effective the day it was filed—June 16 and not May 1 as I said.

Mr. Pitman: A supplementary, Mr. Speaker: I wonder if I might ask the Minister of Social and Family Services whether indeed this would make it possible for a community approach in the area of counselling which would enable a municipality to counsel an entire family, both through the counselling services of the school and through the counselling services of the family counselling service; which might then be adjusted to the adults, by which you could develop a community approach to a family by simply allowing funds to be used in the way he suggested?

Hon. Mr. Yaremko: Mr. Speaker, I myself do subscribe to the community or the family approach and it may be that eventually this system will be co-ordinated in such a way as to achieve the goal outlined by the hon. member.

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Bales tabled the annual report of the Workmen's Compensation Board of Ontario for the fiscal year ending December 31, 1969.

Mr. Speaker: Motions.

Introduction of bills.

Mr. Nixon: Has the Minister of Municipal Affairs done all he needs?

Hon. Mr. McKeough: Friday I have got one.

Mr. Speaker: The hon. member for Fort William.

Mr. J. Jessiman (Fort William): Mr. Speaker, before the orders of the day I would like to present to the pages of this session on behalf of the new city of Thunder Bay, the mayor and the council, a commemorative coin that has been struck commemorating the four municipalities of Shuniah, Neebing, Port Arthur and Fort William into the new city of Thunder Bay; and I would ask you, sir, to present these coins to the pages if you will.

Mr. Speaker: I am sure that the boys will welcome that and be glad to take home this souvenir.

The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I rise on a point of personal privilege. Apparently circulated among members in the Legislature is a three-page pamphlet addressed to you containing comments re the humane society. This three-page pamphlet is signed or typed "Bruce Diorio, MPP, Windsor-Walkerville." Mr. Speaker, the member for Windsor-Walkerville is Bernard Newman, now and after the next election.

Mr. G. Bukator (Niagara Falls): And do not forget it.

Mr. Speaker: Orders of the day.

THE MORTGAGES ACT

Hon. Mr. Wishart moves second reading of Bill 139, An Act to amend The Mortgages Act.

Mr. V. M. Singer (Downsview): Mr. Speaker, I think the suggested amendment makes some sense, except I wonder, as a lawyer, how many times the mortgagor is going to be able to ask for a statement. I am sure he will be able to get unlimited statements, sometimes prepared at very substantial expense, from the mortgagee.

Is there some kind of an obligation on the mortgagor to keep his own books? It works both ways; that is the point I am trying to make. There certainly should be an easy way, or a fairly easy way, for a mortgagor to ascertain the amount of arrears and cost so that he can exercise his right to pay them and restore the mortgage to good standing.

In my experience, where you get the defaulting mortgagor it is a default that often carries on through the whole life of the mortgage and periodically, as a stall, the defaulting mortgagor and/or his solicitors says, "Well, we have no idea how much we owe; can you get us a statement?"

On one file I have in my office we have gone to great lengths and very substantial expense about every six months preparing new statements because they say, "Well, we do not remember where the last statement is, and so on." What I am suggesting is that while the amendment produces a worthy objective, it can be abused and I think there should be some protection for the mortgagee when he is put into this position.

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, the changes in The Mortgages Act are, by and large, very welcome to us. They flow from the report of the law reform commission. The date was March 12 when it was submitted.

There are two major points in The Mortgages Act that for some time past did require some amendment, and it has been brought to pass—the first business being enabling a mortgagor to extract from a mortagee in certain circumstances, namely after default has occurred, a statement of arrears from that mortgagee. While I would think that apart from that set of circumstances I am not aware of any law that makes it requisite upon a mortgagee to supply a mortgage statement at the behest of a mortgagor and any time that mortgagor so desires, I know on the contrary it is extremely difficult in many circumstances to obtain such a statement. The recalcitrance —even illegitimately—of mortgagees under this head at times is something to wonder at.

In these very circumstances where a mortgagee is launching proceedings either by way of power of sale or foreclosure against a mortgagor or threatens to do so and the mortgagor wants to pay off the mortgage or to re-establish it in good standing to know precisely where he stands, surely the man who is most aware of the rights is the one who is the possessor of those rights. Mortgagees are money people and on the whole, are much more aware of their monetary situation—they keep accounts with a greater perspicacity perhaps than the ordinary man in the street—and I do not think there is any onerous burden being imposed, particularly within the narrow confines of this legislation, on mortgagees in supplying such a statement within 15 days if requested to do so.

I think that is a somewhat lesser matter than the second point that is being altered in this legislation. As things presently stand, when an action is commenced and the tender of payment has to be made to a mortgagee of arrears outstanding or of the total mortgage, the situation is that in order to get relief of the court from forfeiture, as a condition precedent to so doing it is necessary for the mortgagor to tender to the mortgagee these arrears of payments together with costs.

It leaves the thing a little up in the air. It is a fairly onerous burden, directed against the debtor in these circumstances. In no other area of law do I know a debtor to be so imposed upon.

This seeks to alter it by stating that the action may be commenced in the court for relief by the mortgagor and then subsequent to that, as part of the condition subsequent to the granting of the relief, the costs and arrears should be paid into court or to the mortgagee. This reverses the onus here or puts it into a position where at least he can get before the court without having first to estimate and arrange these tenders, and particularly without the problem with respect to cost; it is a considerable move toward more equity in the field of property relationships in this particular area of law.

One thing we over here may take some exception to is the obligation to pay the $100 into court. We note in the law commission's report that the hon. J. C. McRuer took such exception—and if I may just briefly quote from his view: He thought that this was still placing an exceptional burden upon the mortgagor which is not applicable in other forms of action. His view is that the requirement that $100 be paid into court as a security for costs is in the nature of a penalty to deter mortgagors from availing themselves of the benefits provided by this section.

He also observed that in most cases mortgagees will have ample security for costs in the equity redemption. His view is that the ordinary rules as to when security of costs should be required should apply to applications under the proposed action, and, as I recall, the ordinary rules have to do with people being out of the jurisdiction or there being reasons, because of impecunity, to believe that they would be adverse to paying their costs. But there would have to be very positive evidence of recalcitrance to pay costs on the part of an applicant to the court in

the ordinary circumstances to have a judge force payment of costs in advance of hearing.

So we take the position that you ought not to go forward on the imposition of the $100 cost prior to the hearing. It is out of line and a little anomalous to the rest of the law, and I would think it would require specific justification in order to still make the exception stand.

Those are basic thoughts with respect to this legislation. It is commendable legislation, of course, we are fully in favour of it except for that rather minor exception.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Speaker, I just have one point on what my colleague, the member for Lakeshore, has said, and I will not repeat his remarks. I agree with them wholeheartedly.

I feel very strongly about the addition of the $100 as an opening amount which the applicant must pay to the court before the court will initiate the alleviating equitable jurisdiction against the strict terms of the mortgage. It is an equitable jurisdiction and I do not think it should be accompanied with a penalty.

The specific point is I would like to know why we continue to have the second power of the court, that is the power of the court to stay proceedings in the action if judgement has been recovered and if no sale or recovery of possession of the land or final foreclosure of the equity of redemption has taken place, why that jurisdiction is left to be permissive, whereas if no judgement has been recovered it is mandatory on the court to grant the relief? It would seem to me that along the lines of relieving the mortgagor, that if in fact he fulfills the conditions which are imposed, it is only upon the fulfillment of those conditions that he is entitled to relief in any event. Surely in that circumstance the court should by mandatory language be required to stay proceedings in the action?

Mr. Speaker: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I am going to raise the point covered by the members both for Lakeshore and Riverdale with respect to this payment of security for costs of $100, having had some experience in handling mortgage foreclosure actions for an insurance company some years ago.

It was certainly always the case that there was ample security within the property for the rights of the cost problem to be resolved in favour of the mortgagee should the matter come to a final foreclosure. And even, Mr. Speaker, under the power of sale situation, there is of course as well ample security. Finally, of course, there is the ultimate covenant within the mortgagor to pay if possession and foreclosure are not sufficient remedies to the mortgagee.

I think that in this circumstance and following the comments of McRuer. it is reasonable that this kind of fee, this licence situation. should be removed from this kind of a bill. I think it is time we realized that in the law of property we are providing a certain type of effective penalty perhaps from the unfortunate mortgagor who is unable to raise this additional $100 amount. I think the costs can be amply covered within an action and that a security for costs is no longer a proper way of balancing the right of both the mortgagor and the mortgagee in this kind of a situation.

I would call upon the Attorney General to consider removing the portions of section 20a, subsection (1), between the commas, the part starting "upon payment" and finally "for costs". I think this legislation will be a substantial improvement and will move far better towards an equitable situation if that portion is withdrawn.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister?

The minister has the floor to close the debate.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, as has been pointed out by the member for Lakeshore, this amendment to The Mortgages Act arises out of the report of the Ontario Law Reform Commission which was delivered in March of this year and which I tabled in this House on May 6.

I was interested to hear the member for Lakeshore say that Mr. McRuer had made some reservation in some written comment about the $100 deposit for security of costs, because I would think that whatever he may have said, he is now a party to this report, which is a unanimous report of the Ontario Law Reform Commission.

Mr. J. Renwick: No, it is in the report.

Mr. Lawlor: It is in the report on page 6.

Mr. J. Renwick: His dissent is in the report.

Hon. Mr. Wishart: Oh, yes, but he then signs the recommendations for all of the—

Mr. Lawlor: Subject to—

Interjections by hon. members.

Hon. Mr. Wishart: Well on that question my own view is that a mortgage contract has always been regarded as one of the most firm types of contract. A person makes an investiment of funds on definite terms, which he is entitled to receive back at certain times, at certain rates of interest and perhaps there are other conditions written into the mortgage. But it has been a contract carrying, if I may use the word, sanctity—sanctity of contract is perhaps pre-eminent in the mortgage.

Mr. Lawlor: Oh; are some contracts more sacred than others? Is not this remarkable?

Hon. Mr. Wishart: I think perhaps there are types of contracts—

Mr. Lawlor: I thought the minister had to put a seal on it.

Hon. Mr. Wishart: There is a seal on a mortgage.

Mr. Lawlor: That is true, there is a seal on a lot of things.

Mr. J. Renwick: It is tied in with real property.

Hon. Mr. Wishart: That is right, it is tied in with real property, it is tied in with the investment of funds—tied in with the understanding that this money is given on certain conditions which are to be strictly complied with.

So that in relieving against them. I think it is not out of the way at all, especially after an action has been commenced, as in this particular amendment, that a $100 deposit is required. Action has been commenced. Usually before the action has been commenced, there has been a good deal of effort, perhaps communication, searching for the mortgage possibly to find him and then the trouble of getting the action under way.

One hundred dollars does not today go very far towards costs in any kind of an action. This is a payment towards the security for costs. While it is true this is equity and relief against the strict law, I think it is not unreasonable to say if you are going to ask for equity, come in and at least be equitable towards the mortgagee, because he has been put to a lot of trouble because of your breach.

Mr. Lawlor: Is he not protected under the terms of the mortgage? He has not a thing to worry about; his equity redemption is covered.

Hon. Mr. Wishart: His equity redemption is covered but in this very amendment without it he might very well be foreclosed and lose his equity redemption.

Mr. Breithaupt: What if he has not got the $100?

Mr. Speaker: Order!

Hon. Mr. Wishart: You can go on conceiving situations of this kind. He may not have next month's payment. He may not have the first payment of the mortgage. These are things, I say, we have to bear in mind when we are talking about contract. The mortgagee, when he makes that investment—

Mr. J. Renwick: We are also talking about equity, am I right?

Hon. Mr. Wishart: Yes, we are talking about equity. But we are talking about the effect of a contract, a solemn contract, that was made, and on which the mortgagee is entitled to rely and get his money back and his interest with it. So I think the $100 requirement is not out of the way at all.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, would the hon. minister answer a question? I was wondering, and I have dealt in this area fairly extensively, and I find that when a mortgagor is in the position of losing his house, sometimes he just does not have the money to be able to put up for a purpose like this. You might be destroying his—

Mr. Speaker: The hon. member wishes to ask a question, not make a statement.

Mr. De Monte: Would it not be destroying the mortgagor's equitable right to redeem, or have his property sold without paying the $100, because it certainly might be a pretty—

Mr. Speaker: The hon. member has asked his question.

Hon. Mr. Wishart: Mr. Speaker, I think if the hon. member will look at the amendment he will see that this is the case where the action has been commenced and is proceeded, up possibly toward judgement. The amendment provides that if judgement has not been recovered, the court shall dismiss the action, if he makes that payment of the $100 and performs the covenant and so forth; or it may stay proceedings if the

judgement has been recovered but the property has not been disposed of by way of sale.

I do not think we can say that you can go so far as to relieve the mortgagor from all obligation whatsoever. If you can conceive the idea that he cannot find the $100, I am afraid that, in those cases, he would lose in any event. We would lose the whole property. This is, at least, a relief for him on what I consider a very, light obligation, if he has put valuable property. I think this is quite a proper provision.

The question raised by the hon. member for Downsview as to how often the statement can be requested and how often the mortgagor might have to give it, I think, takes care of itself, because the amendment provides that the mortgagor, if he puts the mortgagee to that trouble, must pay him his expense incurred in furnishing the statement. I think I need add nothing further, Mr. Speaker, since this report has been well considered by the Ontario Law Reform Commission.

Mr. Speaker: The motion is for second reading of Bill 139. Is it the pleasure of the House the motion carries? Carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. Renwick: Mr. Speaker, I would request that the Attorney General send it to committee of the whole House.

Hon. Mr. Wishart: Agreed, Mr. Speaker.

THE EMPLOYMENT STANDARDS ACT, 1968

Hon. Mr. Bales moves second reading of Bill 96, An Act to amend The Employment Standards Act, 1968.

Mr. De Monte: Mr. Speaker, when the hon. minister introduced this bill, I was of two minds. When I studied the bill I thought perhaps that the minister was attempting to solve a very real problem within our society, the problem of industrial conversion or industrial rationalization, as it is known among economists and labour union theorists. I think the basic problem is this: When an industry converts, or we have industrial rationalization due to such things as resource depletion, product obsolescence, automation, domestic and foreign market shifts, a certain segment of our population is thereby displaced, not only perhaps from their job but perhaps from the area they live in; from the whole concept of a paying job to the concept and to the situation where the man is out of work. I think, Mr. Speaker, that the problems basically are these:

Does a man who is displaced by industrial conversion, or industrial rationalization have a vested right in his job? That is the first problem that is raised.

The second problem that is raised is does he have a right to have his pension protected, made portable, and brought with him to where he goes? Does he have a right to have the employer protect his pension by paying any amounts that might hurt his pension if he was off work for six, seven or eight months? Does he have movability within the industry that he is working, within the corporate structure where he is working? Does he have a prior right to other job opportunities within the industry that is being rationalized, in other cities and perhaps even in other countries?

Does the worker have the right to compensation for the move he makes within the same industrial undertaking, and in the case of the older worker—and these are the workers who are particularly affected by this type of a conversion and rationalization—does he have a right to a speedup perhaps in his pensionable age? Does he have a right to have his pension supplemented so there is no loss of benefits?

On the part of the unions, do the unions have a right to consultation with government and management in order to alleviate the impact of industrial conversion or industrial rationalization?

I think if we look at the whole picture the essence of the problem that this bill is attempting to solve is set forth very clearly, in a very short concise way, in the report of the task force on labour relations and I quote—I think it is at page 117, it is a very short quotation:

> Both on economic and on social grounds, it is important to reduce the fear that exists among workers concerning their fate in the face of change. Economically it makes sense to do so in order to prevent the ingrained resistance to any form of industrial conversion that can arise from such fear. Socially it is a matter of urgent necessity because it is intolerable for the majority who expect to benefit from change to ask the minority to bear the brunt of the change.

These then, are the basic problems that this bill is attempting, albeit a very small and inert attempt, to solve.

In some cases this problem is the basic cause of labour unrest. If we look at the Dunlop situation on Queen Street in Toronto, if we look at the situation at the General Electric where they have phased out the tube production, it is a basic problem of labour unrest in that the worker does not know what is going on.

There is no consultation, either with the hon. minister when they phase out these operations; there is really no consultation with the union until the problem is created and they order the plant shut down. The basic problem is a sense of insecurity which flows from the fear of displacement through the technological changes caused, and the worker just sits there and waits for somebody to hit him on the head with a hammer.

Now the minister has attempted to solve this problem. I do not think that he has solved it, and there is no reason in our affluent society that the burden of these changes should be placed on the heads of a few people. There is no doubt that there is a degree of social responsibility that we must bear for these changes, and I think that the minister, with the greatest of respect, did not really look at the social responsibility that we must accept as legislators and that the public must accept. And I certainly suggest, respectfully, Mr. Speaker, that this bill really treats labour as a commodity—just as a pure commodity.

Does it really cover the problems? It says, "We will give the older workers so many weeks' notice." That is all the bill actually says in essence.

It does not really try to get to the root of a principle of the problem that we are trying to alleviate by this bill. I suggest that the minister still has the old concept in his mind, Mr. Speaker, that labour is a commodity to be traded in the open market and that the social consequences that arise from labour displacement because of industrial conversion or rationalization is not a problem at all, it is not a social problem.

How can we solve, how far can we go towards solving this very real problem in our society? I suggest firstly, Mr. Speaker, that there should be advance notice and sufficient advance notice so that union, government—both federal and provincial—and the workers themselves can be brought in to a consultative committee so that these problems can be solved.

The consultations with the unions are extremely important, Mr. Speaker, because in many industrial conversions unions are destroyed. Locals, particularly, are destroyed; they simply go out of eixstence. The notice that is set down here for the worker certainly does not give enough time to bring in the manpower specialists, to bring in the retraining specialist, to bring in the pension specialist to protect the men who have been there for 40 years.

I have often spoken to people who say that the pension is protected by an Act of this Legislature, but it only protects pensions over 10 years. What happens when a man who has worked for a plant for nine years is suddenly thrown on the street by an industrial conversion? What happens to his pension? It is not protected by our Act, Mr. Speaker.

It may be protected by some collective agreements; I doubt it because once a man is thrown out he has to have some place to put his pension or put his paid-up portion of his pension. Even that Act, Mr. Speaker, does not go anywhere; it does not really attempt to solve the problem created by the older worker and by the worker who wants to protect his pension.

On severance pay, I suggest, Mr. Speaker, that a worker would prefer to have another job rather than severance pay. There is no doubt in my mind that eight weeks' pay to a worker is a pittance when you just throw him on to the street.

The other aspect of the situation, Mr. Speaker, is what burdens do we place on the people of Ontario by throwing these people on the street? We create welfare costs, we create pension costs that perhaps we have to bear in some realm or other. The public ultimately pays for these industrial conversions; there is no doubt in my mind.

The other aspect of the situation, Mr. Speaker, is that not all unions are strong enough to be able to negotiate these provisions with management. Many workers certainly are not covered by collective bargaining agreements and particularly, Mr. Speaker, these workers are very badly hit. What happens when a plant shuts down and 400 workers are thrown on the public purse? What happens to the family of the worker? These are important aspects that are not even considered in this bill.

This party, Mr. Speaker, recognizes that industrial conversion and rationalization are

necessary parts of a free economic system. For the better operation of our economy some plants, by necessity, because of their inefficiency, must close down. Certainly, the labour unions, Mr. Speaker, are not against industrial rationalization. They accept it as a fact of economic life.

What the unions are afraid of, Mr. Speaker —and the unions are the workers—is what happens to the worker when you do have conversion or a rationalization and nobody does anything about it? The government does nothing about it; management throws them out on the street; and in some cases their union is powerless to act. This was well illustrated by the Dunlop situation on Queen Street.

The union tried everything. They went to Ottawa; they came down here; they attempted to have people buy their plant.

As a matter of fact, Mr. Speaker, I think they even thought of buying the plant themselves, but nobody did anything for them. They got severance pay and in some cases got more severance pay than is laid out in this Act and they were thrown out on the street.

I was speaking to one of the union executives the other day; he was still looking for a job and felt that he had to take a job that paid about $80 or $90 a week less in order to keep his family together, in order to keep from going on welfare. He said: "I do not want to go on welfare. I want to get a job."

The way that situation was handled is a perfect illustration firstly of the branch plant mentality that exists in Dunlop and Pirelli and a few other monolithic corporations where the decisions are made outside our country. There is a complete lack of any feeling for the workers. I also understand they sent a special man over here to close up the plant. The other aspect of the situation that seems to have really contributed to the problem out in Dunlop was the completely inefficient operation.

Mr. Speaker: The hon. member is speaking to the principle of a bill and not discussing a situation which has had full discussion in this House. Perhaps he would come back to the bill itself.

Mr. De Monte: I will some back to the bill. But, on public policy, we must define the responsibility of management to employees who are made redundant by technological change and whatever other factors cause job redundancy. We have got to define management's responsibility, we have got to define our responsibility, we have got to define the responsibility of the labour unions. The labour unions are not afraid to take on this responsibility; we just have to give them the tools.

We should look at the Swedish situation, where union, management and labour get together and say, "This plant does not operate efficiently, therefore we have to relocate the workers; we have to protect the workers." This board, which has been in existence for many years, has assisted in the complete modernization of Swedish industry. It is a joint effort between the management and labour and government, and I would suggest with the greatest respect that perhaps the minister might look into this situation in Sweden, this concept of joint labour-management-government consultation in connection with industrial rationalization. I suggest too that the hon. minister, certainly in my mind, did not look into this problem deeply enough. If he thinks he is solving the problem by this bill, Mr. Speaker, he is wrong, because he solves no problems. He has not even looked at the problems.

I suggest, and this party's position is, that the government must impose on employers the obligation to participate with governments and unions in pre-programmes of reclassification and indemnification to push in the impact of change—and that is all it is, is change—and we must make sure that the change takes place smoothly, that there is a minimum amount of impact on the public purse and a minimum amount of impact upon the workers who are directly affected by the change.

The hon. minister attempts to convey a concern for the rights of labour. This bill is a perfect illustration that the hon. minister really has no concern for the rights of the poor man who really produces the bulk of the assets that we have in this great country of ours and in our great province.

This is only a half-hearted attempt to solve a very complex problem. It is not even half-hearted. I suggest with the greatest of respect it is a reaction to a problem that happened and the minister feels that by this reaction the problem will go away.

It is not going to go away. Automation is with us, industrial conversion is with us, industrial rationalization is with us and it will take place increasingly more often in this province; and the minister has done nothing really to solve the problem. I suggest that this Act does not even scratch the surface.

There is no doubt that if a union is able they can, in their collective bargaining agreement, play a very real role in solving some of the problems caused by industrial conversion. But I suggest it is up to us to protect the worker who cannot protect himself—the unorganized worker, the worker in the weak union.

There is no doubt that the Dunlop rubber local out here is a little upset with the main local in the area of the rubber workers, because the poor main local tried to do what it could, but felt honestly in its heart that there was not much they could do. There was not much anybody could do, except the government.

As I said before, unions are not against industrial rationalization or conversion, there is no doubt in my mind. There is no doubt that the unions in the United States have assisted in the industrial conversion or rationalization and have accepted automation as a fact of life.

What the unions do not want, Mr. Speaker —and I keep repeating this and coming back to it—they do not want their workers to be destroyed by the unilateral act of an employer who has no feeling for either the unions or the government or anybody else as long as they are making a profit. The profit motive is a very valid motive, Mr. Speaker, but I suggest that part of those profits should be used to alleviate the impact on the workers when you do have an industrial conversion or rationalization.

What about the workers as in the Dunlop plant; as in the Canadian General Electric plant; and as at Westinghouse that were there for 25 years; who found themselves on the street without a job? And without the possibility of getting a new job?

Our friends opposite, Mr. Speaker, really they say: "Oh well, it is up the federal government; they have the retraining programme, you know. It is not up to us." They are the greatest buck-passers that ever existed.

It bothers me, you know, when a basic social problem is created that all they do is try to pass the buck; they never really face up to the problem. The recent bill they just introduced, Mr. Speaker, is a complete denigration of the problem that exists.

This Act, Mr. Speaker, could have gone far to alleviate this problem of industrial conversion. It should have been a forward-looking Act. It should have had new concepts in it. It should have taken the concepts that have been created in Sweden, Mr. Speaker, where this problem has been looked at for 25 years and has been solved over there.

Why not look at the legislation in other countries? We can gain from the experience of other countries and other provinces; but no, we make a half-hearted attempt to solve a problem that is a very real problem.

This Act will pass as you know, but it will not change anything one bit; not a bit. It cannot. Just because we give a man six weeks' pay and six weeks' notice does not mean it is going to protect his vested interest in his job. It does not mean you are not going to throw him on the welfare rolls, him and his family. This Act, in effect, gives the workers less right in law than the Dunlop people gave to their employees when they threw them on the street, and this is supposed to answer the problem. It is a complete disregard.

Does it really take into account advance notice and consultation? Does it? Read the Act—does it? I think Dunlop gave them—I am not sure now, but I think Dunlop gave the government more notice than this Act requires that a company doing the same thing should do.

Portability of pensions; I mentioned it before. It does not really protect anybody and his pension. It does not really give any benefits. Really, the workers are not looking for anything they do not want to work for. They are not looking for something for nothing. What is this government giving them when they are thrown out on the public purse? Nothing! They will work; every worker in this province wants to work and earn his daily bread and when he is thrown out we say, "Well, we will give you six weeks and you have had it."

I suggest Mr. Speaker, that the minister should withdraw this Act and set up a new Act dealing with joint labour-management and government relations. We should set up a board to deal with problems of industrial conversion and rationalization and to look into why a company wants to move.

Is it merely an attempt to kick out a union? Is it a proper way to increase the efficiency of a company? Could it be that the plant should stay in existence? Could it be that the plant through efficient operation could stay in existence?

There are so many questions, Mr. Speaker, that a board like this could ask. The perfect illustration is the steel plant in Nova Scotia.

A non-resident, monolithic corporation, whose headquarters is in England said, "This plant can not operate at a profit." The work-

ers proved it could; good management proved it could. They have never made so much money as they have made since that plant was taken over by the Nova Scotia government and given to the workers to operate.

Perhaps, Mr. Speaker, some of those extra-territorial companies want to pull some plants up in our province, because they might have unemployment in another plant in England or the United States. They do not really have any feeling for our workers when their head office is in London, England, or New York.

There is no doubt that even the union wants an efficient working operation. They are not against change, but they want to be protected when there is change. I do not want to repeat myself, but I hope that some of the statements that I have repeated will help the minister to withdraw this Act and perhaps bring in a valid Act.

When we consider that we talk about the principle of an Act, Mr. Speaker, I think what we mean is that we talk about the determining characteristic of something essential within the Act, the essential quality of the Act. We talk about what is the essence that the Act is trying to put into law.

The standard college dictionary defines essence as: "A principle, that which is inherent in anything determining its nature, its essence."

It is my respectful opinion, Mr. Speaker, that this Act does not, in principle, solve the problem that it is attempting to solve. Why? Firstly it does not take into consideration the vested right of the worker. It does not really consider the portability of pensions. It does not really consider, in essence, Mr. Speaker, older workers, or the long-term 10-year workers. It does not consider the mobility of workers and their rights to be moved. There is no doubt that this Act has not taken into consideration any of the basic problems that are opposed by the concept that it is trying to solve.

Therefore, Mr. Speaker, I say that this party will not support the bill and will vote against the bill on second reading. Thank you very much.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, I intend to deal at some length with the principle of the bill and the implications of it. We have on the order paper, in accordance with the new rules, a reasoned amendment, which, in the unavoidable absence of the member for York South, the leader of the party in whose name the resolution stands, I will move the motion, which appears on the order paper.

I will move that motion at the conclusion of my remarks. It speaks for itself and the development of the argument will, of course, elucidate the reasons for that particular reasoned amendment being placed before the House.

Before I go on to deal with part 1A the new section 4 of the bill, which is one of the principal reasons why the bill was introduced, I do want to say to the minister that we agree with the provision that no employee shall be dismissed or suspended from his employment because of any garnishee proceedings which are taken or may be taken against him. This is something which we have wanted for a long time, and I am very pleased that the minister has gone this far. We hope that in due time he will see fit to abolish the garnishee against wages as a method of collection of debt. It would be our hope that, as we did on the wage assignment, rather than prohibit the dismissal or suspension, in fact the garnishee will be totally outlawed.

If I may turn to section 4 of the bill, which is the principle of the bill related to the termination of employment provision, I want first of all to point out that we have got a constitutional hangup about the problem. Back in 1940, at the end of the depression, or nearing the end of the depression, following the outbreak of the war, there was an amendment to The British North America Act which specifically gave the government of Canada the power to pass laws relating to unemployment insurance—nothing else, unemployment insurance.

On the strength of that amendment, the government of the province of Ontario abdicated to the federal government the whole of the area of the responsibility for unemployment. I think it was an illegitimate abdication, and we of course have a minister now introducing a bill, one of whose principles is that there will be consultation with the minister with respect to the re-employment and retraining of a work force if there is a disbandment of a particular plant.

But of course this minister has practically nothing to do with the employment or re-employment or retraining of the persons who are affected. It is very much like consulting Mr. X about a problem that Mr. X has no connection with, because this minister accepts no responsibility except as a go-between to the federal government in relation to Manpower. Anyone knows that in the province of

Ontario today if an unemployed person comes to a member of the assembly and you want to provide for his retraining, only in very exceptional circumstances, and not under this minister's department in those circumstances but under that of his colleague the Minister of Social and Family Services (Mr. Yaremko), you may refer him to the rehabilitation branch of that department if it is an extremely difficult case and you want to have an assessment made; but in practically every case of unemployment all you can do in retraining and re-employment is to direct the person to the Canada Manpower Centre—nowhere else!

The first point I want to make is that this government, clearly and in a co-operative and effective way, has got to re-establish in co-operation with the federal government, as part of whatever constitutional process you want to go through, the responsibility, and what that responsibility is and how it is to be worked out co-operatively with the federal government. I think it is an illegitimate abdiction of authority, and it was all done by virtue of this amendment to The British North America Act in 1940, which did not refer to retraining, to Canada Manpower Centres or to re-employment, but simply dealt with, in concise terms, one thing and one thing only.

By amendment to The British North America Act of 1940, a new clause, 2a, was added to section 91 dealing with unemployment insurance and that is all. I think this government has got to get to the point where it accepts a shared responsibility with the federal government. I am not asking for any exclusive jurisdiction of this government, I am asking for this government to have a shared responsibility in the re-employment and the retraining of persons who cannot get employment.

This leadership has got to come from this government and I object, as I said, to the illegitimate abdiction, disguised as being within the power to deal with unemployment insurance, of rights which otherwise belong to this assembly. I re-emphasize that I expect and anticipate that it would be done co-operatively and fully in accordance with shared policies worked out by the federal government and the provincial government, and that this minister's responsibility would be co-equal in that field with the federal government and whoever the minister would be in charge of the manpower operation at any given time.

The next point, Mr. Speaker, that I want to make is that this kind of bill, of course, does not help the people who caused the bill to be brought forward. This bill does not help the discharged employees from the Dunlop company.

I will advert to that within the principle of the bill, because I have on other occasions talked about the Dunlop situation. It does not assist the people who were discharged at West Lorne when they shut down that particular plant. It does not assist the men who were laid off at the Pilkington Brothers plant in Scarborough in the reshuffle of those operations. In this business, 50 in a month—that kind of a shift in operation is wide open to abuse.

Just to refresh the minister's mind. In the Pilkington Brothers situation, they had a particular process for producing sheet glass. They introduced a newer process and they are now introducing the float process in a second plant. They are shutting down the first one. In the staged operation of shutting down the one operation, picking up the other one and the construction of that operation and phasing it back in, there is going to be a net loss of employment spread over a period of time during for which any management, if it wanted to look at this Act carefully, would not provide any protection for the workers if the management wanted to use the numbers game of 50 which the minister has again chosen in that section of the bill dealing with that question.

So far as West Lorne is concerned, of course, it was a direct shut-down of a plant and those men lost their jobs. I do not know whether there were 50 at West Lorne. I do not think the minister does either, but there certainly are a lot of plants which are fairly substantial which can be completely shut down, and they do not have 50 employees. Certainly at Dunlop none of those men are going to benefit from this bill at all.

The next point that I want to make is this question about the management rights. We have just passed the new Business Corporations Act which says that the affairs of the corporation shall be managed or supervised by the board of directors, and that is the origin of the management rights clause. That management rights clause purports to say that every other aspect of employer-employee relationship, unless it is governed by a specific contract entered into with an individual employee or a collective bargaining agreement entered into with a bargaining unit in the plant—everything else that is not specifically written out in black and white—falls to the lot of management.

Of course, the minister, when he goes to deal with the problem with which he is faced, fails to take into consideration anything that was said in the Freedman report or anything that was said in the Woods report to which the member for Dovercourt has already referred. He does not even pay any attention to the report which his own government commissioned, the Rand commission report, which in this particular case had some very startling things to say about the kind of problem that brought forth this bill.

The late Mr. Rand, on pages 116 and following of his report, very briefly talking about automation, plant shut-downs, displacement of workers for any reason; it could be automation or rationalization or whatever you want to call it, said that:

> In the private area, the decision of a new course of action or an improvement, *prima facie*, lies with management seems to be clear, but special situations should call at least for joint discussion. The gain should be adequate to the damages caused in arriving at a decision. That workmen themselves, or thoroughly knowledgeable representatives who are in immediate contact with the productive or servicing function, should not be consulted in their own interest as well as in the economic validity of what is proposed, would appear to be a short-sighted and objectionable policy. These features and considerations depend upon the circumstances of each case; arbitrary action should be ruled out. The first subject of inquiry must, it would seem, be the utility and value of what is proposed and against the value must be put the loss or damage entailed.
>
> The conception of unrestricted discretion in management regardless of consequences is incompatable with industrial attitudes today; its economic or other impact on employees is sufficient to that requirement. The present organization and outlook of western countries and the deeper involvement of the workers in the whole of society's legitimate activities does admit of any such absolutist pre-emption. The two groups for operational purposes have become social partners.

Then he goes on to say, and he puts it very bluntly:

> Industry and business today are carried on for the benefit of all three interests—employer, employee and public—a conception which does not admit the right of an employer, regardless of the circumstances, to send a senior employee into the wilderness as a result or a means of gaining an operating benefit.

Now that is the report commissioned by the government itself. It is totally ignored in the bill. The Tory government has reached the outer limits of its philosophy; it cannot possibly conceive that there is a philosophy which is pre-eminently as stated by Mr. Justice Rand, as stated by Mr. Justice Freedman and as stated in the Woods report. Yet here we have preserved for the future this kind of a bill presented to us which allows management to be arbitrary, unilateral and self-sufficient in its decision regardless of its employees or regardless of the public interest. So you do not touch the problem.

The next point I want to make is, where does the minister go to get the legislation that he has proposed? Well, Mr. Speaker, he went to England and he dealt with one portion of a bill passed by the Labour government not dealing with those who were protected by collective agreement—it may well be that it provided some additional protection for those who are covered by collective argreement, but it was designed to protect the unorganized workers—and therefore for the rest of my remarks I am going to treat this bill as if there were no collective agreement in the plant. Because any additional protection that the worker gets through the collective bargaining process, is his, without this bill. It is his by virtue of collective bargaining negotiation. If areas are not covered, such as the termination of employment of employees, if that does not happen to be covered in a collective agreement, then this law will fill in whatever the residual relationship may be of the individual employee to that plant.

For practical purposes, we are talking about outside the collective bargaining process even though, as I have said, a collective bargaining agreement may be in existence and there is a void in it or a missing link in it may provide an area for this bill to operate.

The bill which the minister chose to plagiarize was The Contracts of Employment Act, 1963, passed by the Parliament of the United Kingdom. For all practical purposes, it is a direct steal of that portion of the bill, because that particular bill, The Contracts of Employment Act, 1963, of the United Kingdom, provides specifically that the notice required to be given by an employer to terminate the contract of employment of a person who has been continuously employed for 26 weeks or more shall be not less than one

week's notice if his period of continuous employment is less than two years; and shall not be less than two week's notice if his period of continuous employment is two years or more but less than five; and shall not be less than four week's notice if his period of continuous employment is five years or more.

The minister shortened the initial period of employment before he gets the protection and he has added an additional clause for those within the 10-or-more year category, which is not in the English Act. With that exception, he has stolen the British statute and that is all he has done.

In the United Kingdom, a highly industrialized and organized labour market, that bill was not passed for the ordinary working man who is protected through a collective agreement in his trade union. It was an endeavour to provide some kinds of rights to those who were not so protected, even though it might, in certain specific cases, also aid those who had collective bargaining agreements. That is the extent of the thought which the minister gave to this bill, and the circumstances which prompted him to bring this matter before the assembly.

Mr. Speaker, he left out entirely from the bill that provision which requires in England that not less than 13 weeks after the beginning of an employee's period of employment with an employer, the employer shall give the employee a written statement identifying the parties, specifying the date when the employment began, and giving the following particulars of the term of employment, as of the specified date not more than one week before the statement is given, with provision for it to be updated. It is to set out the scale, or rate, of remuneration; the method of calculating the remuneration; the intervals at which remuneration is paid; and the terms and conditions relating to hours of work; including any terms and conditions relating to normal working hours; any terms and conditions relating to holidays and holiday pay; incapacity to work due to sickness or injury; including any provisions for sick pay, pensions, and pension schemes; and the length of notice which the employee is obliged to give and entitled to receive to terminate his contract of employment.

The minister eliminated that part. He did not even think it was necessary for the great bulk of the unorganized employees in this province to be able, by law, to get from the employers, a short succinct statement of the terms and conditions of their contract of service. That part was completely ignored in the consideration which the minister gave to dealing, in a modern way, with the problems which are raised by virtue of Dunlop and by virtue of the other plant closures, because that is what prompted the Bill and there is no question whatsoever that that must be so.

I make this additional point—and I make this for this party and I do not want it to be lost somewhere in the shuffle—that there must be a saving cause in this bill, if the minister persists in carrying it through in its present form, which will protect any better terms and conditions which may be negotiated under a collective agreement. In other words, you cannot pre-empt, other than by way of establishing a minimum floor, what may be much more favourable terms of termination of employment which might be a matter of negotiation and inclusion in a contract. You cannot for one single moment run into the position where a particular union and a particular company will negotiate a collective agreement to provide for more beneficial terms on termination of employment, and, then, find that the statute cuts it down and cuts it back to this arbitrary numbers game that the minister has played in this bill.

I want to make, Mr. Speaker, one specific reference to the Dunlop situation in order to illustrate, not only that they are not covered by the bill, but to illustrate the point that in fact in this cavalier, arbitrary way in which Dunlop operated, they did not ever quite get around to giving their employees any notice. In other words, if you were a member of the employee force at the Dunlop plant, you did not receive any slip of paper or any specific statement, except by rumour as to the specific date on which your employment would terminate.

The men who left that plant on the night of—I think it was April 21, I am not quite certain of the date—did not receive notice, except by way of rumour, that they were going to be discharged that particular night and that certain other people were going to continue in the employ of the plant.

The announcements, the only announcements, and I have seen and examined all of the papers that passed between Dunlop and any of its employees—and the only reference in these general announcements was to the effect that the company is going to phase out its operations over a period of time, and that the decision to shut down will mean a gradual phasing out over the next few weeks of 597 jobs. And that is all.

They said "over the next few weeks", and there was no employee at that plant, until the time when the major part of the work force was discharged, that received any notice, it may be because we were unable and unsuccessful at the Ontario Labour Relations Board in getting any successful decision about that matter. It may well be that the only recourse that any individual employee has for failing to have obtained notice of discharge, having regard to the length of service and having regard to the common law that is in force in this province, would be that he has no other alternative but to go to court about it.

Mr. Speaker, I want to deal with the contract of service between an employee and an employer, because by statute we are now changing that contract of service. Whether any employee or any employer likes it or not, whether it is reduced to writing or is oral, there is a contract of service between an employer and an employee. In this instance, I again reiterate, I am not dealing with that relationship where there is a collective bargaining agreement in force. We have got to look at what the law now is on the question of that contractual relationship, and I can only do it in a full perspective. I have taken the liberty of trying to reduce in some specific statements that exactly that contractual relationship of employment is before we look at what the minister purports to do about it.

I am going to try and state them as propositions.

1. Whether or not in any given case the relationship of employer and employee exists is a question of fact, but in general the relationship imparts the existence of power in the employer, not only to direct what work the employee is to do, but also the manner in which the work is to be done.

2. The relationship of master and servant is characterized by a contract of service expressed or implied between the employer and the employee. A contract of service is one in which a person undertakes to serve another and obey his reasonable orders within the scope of the duty undertaken.

3. Whether or not a particular contract is a contract of service is a question of fact depending upon the terms of the engagement, the method of remuneration and the power of controlling and dismissing the worker, although none of these factors by itself is conclusive.

4. A contract of hiring and service may be oral.

5. This is what we are specifically dealing with—the freedom of contract between master and servant, or employer and employee in our language has in many respects been affected by statute, and that is precisely what we are doing in this bill.

With that preliminary remark I go now to the question of the duration of the employment. The common law is now very clear that if a contract of hiring and service is a general hiring, it is without limitation as to time. Practically all employee relationships in the industrial world are employment relationships which are without limitation as to time. There used to be a presumption that in that case it was a hiring for a year and it was only recently in the United Kingdom that that particular rule was discarded. Since it was discarded, of course, it has been followed in the courts in the province of Ontario. In that acse —and I am just going to name the cases so that they will be on the record in the House where it has been followed, there was the case of DeStempel and Dunkels, reported in the court of appeal in England in 1938. In that case one of the judges in that court had this to say:

> I also think that it is no longer the rule applicable to all cases that an indefinite hiring is a hiring for a year only. In my judgement Chief Justice Pollock was right when he said, in Fairman versus Oakford, that there is no inflexible rule that a general hiring is a hiring for a year. Each particular case must depend upon its own circumstances.

Then Lord Justice Greer said further on:

> I think it ought to have been so applied, as it is unreasonable to suppose that either the employer or the engineer contemplated, when they entered their agreement, that the agreement should be determined other than by reasonable notice. I think that there must be implied, in the contract between the plaintiff and Otto Dunkels in the present case, a term to the effect that the plaintiff's employment should be determined only by a reasonable notice.

That particular judgement has been followed in England ever since and has been followed in the province of Ontario. The English cases for the record are. Re Mack Trucks, 1967; Camden Exhibition and Display Company vs. Lynott, 1965.

It was in order to deal in some way with that problem of the common law rule applicable in any particular case, that a statutory rule was enacted in England, and we get into

this arbitrary gradation of employees which poses very real problems. While it may make it clearer and simpler, it may also deprive an employee of what he would otherwise have been entitled to in his particular case. In that case the English decisions were followed in Canada, in the case of Lazarowicz and the Orenda Engine Company, following the closing down of the Avro plant in 1960 in the Ontario court; and it was confirmed on appeal in 1961. It has been subsequently applied in other courts in Canada. Of course, it follows along what in fact appears to have been the Canadian position all along. A case was heard in the Supreme Court of Canada in 1898, Bain and Anderson affirming an Ontario appeal court decision that the question of what is reasonable notice

> is one of fact or inference from facts the determination of which depends upon the circumstances of each case.

The latest case that I could find sets out the circumstances to be taken into consideration when an employer is saying to an employee: "I am terminating your employment without cause". In other words, there has been no fault of the servant or the employee which justifies the dismissal without notice if the employer decides to terminate that employment. The case to which I want to refer is cited in "Canadian Labour Laws Cases, No. 68", Johnston and Northwood Pulp Limited, and the headnote to the case says:

> An employee engaged under a contract of indefinite hiring was dismissed without notice by the corporate employer who bought control of the company which had employed him for about 10 years. At the time of discharge he was 57 years of age and held the position of general manager at a monthly salary of $1,300. His employer had also guaranteed payment of the moving expenses from Vancouver to Toronto.

Which is irrelevant for our purposes.

> The employee, being unable to find suitable alternative employment brought action for unlawful discharge, claiming reasonable severance allowance and reimbursement of his transportation cost.

Let me, as an aside, put on the record the conditions and the circumstances that the court felt had to be taken into consideration in assessing in a particular case what notice was required or what wages would be in lieu of that notice.

Let me put clearly on the record, in the case of a collective bargaining agreement which has been negotiated, which covers severance and other fringe benefits; that has nothing to do with this question, it is not lieu of or in substitution for the requirement that an employer give notice. Just because a union has negotiated a severance allowance in lieu of an increase in wages for work done, that means that at the moment of the cessation of his employment under the agreement he has earned everything that the agreement provides.

What I am talking about is can the employer simply dispense with any notice to that employee and say, "The collective agreement says your severance allowance is so-and-so; that takes the place of everything else and therefore you can be discharged without cause because I want to terminate your employment." It is ridiculous just to state the proposition. Everything that is earned under a collective agreement has been earned, whether it is by fringe benefits, severance allowance or anything else.

What we are talking about is what, in addition, the employer must do in giving the notice. In other words, what further employment is that person entitled to get? That is what this case was talking about.

In this particular case, of course, the court went on and held that, having regard to the nature of the employment, the age and length of service of the employee and the availability of similar employment, one year's notice would have been reasonable. Judgement for a year's salary was granted accordingly and that is the headnote.

In the body of the judgement, the court—it was Mr. Justice Donnelly—in giving the decision, quoted and approved of what Mr. McRuer, then Chief Justice of the High Court, had to say in the Bardal and *Globe and Mail* case in 1960; again, an Ontario case.

I quote from Mr. Justice Donnelly's statement:

> In Bardal and the *Globe and Mail* Limited, McRuer, Chief Justice of the High Court, reviewed many decisions dealing with the notice to terminate the contract of indefinite hiring and stated on page 145 of the report, "there can be no catalogue laid down as to what is reasonable notice in particular classes of cases. The reasonableness of the notice must be decided with reference to each particular case having regard to the character of the employment, the length of service of the servant, the age of the servant and the availability of similar employment having

regard to the experience, training and qualifications of the servant.

He ended up:

> Having considered the various factors, I am of the opinion that one year's notice would have been reasonable.

He set out in the case the background of this particular man and made the award.

The interesting thing about the cases, Mr. Speaker, is of course that it is only persons holding executive positions or having professional qualifications who ever have the funds to afford themselves the luxury of going to the court to have the determination made.

It was interesting in the Lazarowicz case in the shutdown of the Avro plant and Orenda Engines; he was a qualified engineer. There was nothing to distinguish him from any other employee except he had those qualifications. In other words, he did not hold an executive position in Orenda Engines. He happened to be a man who held an engineering degree, and as an engineer he was among a large pool of engineers who were working in the total Avro complex.

When he was discharged, he went to the court and the court, of course, awarded him substantially more in terms of notice than the company by which he was employed had chosen to give him. I do not have the particular figure but I do not think it is important. It was something in the neighbourhood of six months; he was paid for the length of time he had been with Orenda Engines rather than one month or some such period of time.

I want to deal with that related to a man at Dunlop, a typical person at Dunlop, and I think Mr. Japp was a typical employee of Dunlop. He is 46. He has had 26 years' experience in that plant. He has no portable skills; he has high in-plant skills. He was doing work in the plant which required the skills which that plant demanded. They were not portable in any general sense anywhere else.

Using that and using him only as an example of the kind of problem which we are trying to deal with, is the minister saying to me, and is he saying to the House and to the public—if I can find the bill—that Mr. Japp is entitled to eight weeks' notice in writing because his period of employment is ten years or more, regardless of the availability of similar employment? The cases have some interesting things to say about similarity of employment and I will deal with that in a moment or two.

That is the kind of problem. The minister comes in and says, "Yes, that is what Mr. Japp and the others"—and I use him only as a typical case—"are entitled to get."

Some people will say, "Oh, well a person with high qualifications, of course, should get longer notice". That is just nonsense; it should be just the opposite. If an engineer, employed at Orenda, left and went to the United States and was re-employed some time afterwards, he was able to be re-employed because he has the highly skilled qualifications and the education. If anything, in his case that would be a factor shortening the length of time of which he is entitled to have notice.

I am saying that the availability of suitable employment will depend upon the circumstances of the particular case and of the particular employment climate. When you have a situation, as in the province of Ontario, of rising unemployment and of rising unemployment in an area which is related to persons who have only these in-plant skills and not portable skills, then that is one of the economic factors of the climate that the employer has got to take into account at his own peril in determining what kind of notice he is going to give.

I happen to think that in an isolated case before a court in the province of Ontario a man with 20 to 30 years' service, a man between the ages of 45 and 60 at the Dunlop plant, has a reasonably fair chance of winning a right to be given notice, or wages in lieu of notice, of up to, in my judgement, a year; the same as the gentlemen in the case of Johnson and Northwood Pulp Limited.

You see the funny thing about the courts is that in the areas where they are proficient and where they can deal, there are areas where they are not as expert and they have difficulty in dealing, but in this kind of area they do not do too badly. Yet the minister comes in and cuts back whatever he was going to get, because I do not think there is a court in the province of Ontario which would say that a person with 20 to 30 years' service, between the ages of 45 and 60, is entitled to get only eight weeks notice.

But that is not all that is bad about the bill. I am going to come back in a minute to the other side of the coin.

Does the minister see what happens to an employee? His bill does nothing to protect the employee in this case. Take again, for example, the Dunlop plant. Let us assume—which is, of course, fictitious—that on March 6, even with the arbitrary decision which it made, that the company had been sufficiently

courteous to have advised the great bulk of its employees that their services would be terminated eight weeks later, so that on March 6 they had received from their employer notice that their service was at an end eight weeks from then. If a fellow worked the eight weeks he would, of course, be paid for the time he worked. The company would be off free, because it had given him what it thought was the proper notice, subject to what a court might say about it otherwise.

Let us assume for the moment that the minister's bill was in force, and these guys got the notice provided in the bill. What is the situation then of the employee? The employee says: "I have got to look for another job". That is what most people would say in the circumstances, so he goes out and he gets himself another job. He takes whatever he can get because he does not want to face a period of unemployment, and he turns around and he has to give his employer notice; and it is not the same, it is not correlative. Let us assume for the moment that he gives the employer a couple of weeks notice, what does he lose? If he gives two weeks notice to his employer, he loses six weeks' pay right off the bat, and the employer is under no obligation to provide him with that. If he leaves the plant to look for employment and does not report for work, he then can be discharged for cause. Therefore, all the employee can do is stay in his job for the full period of the notice provision. Having stayed in his job for the full period of the notice provision, he leaves the plant and then tries to look for employment.

Surely the minister must agree that if an employee is discharged in the circumstances, certainly of a mass layoff, and he is given this proper amount of notice, that the other side of the picture is that there should be a point in time at which the employee can give his notice and can leave the plant and take up the additional number of dollars for the full period of his notice.

That is the other side of the picture. All that the minister has provided in the bill is that after the one notice has been given by the company within the rules laid down by the Act, then the employee can give one week's notice or two week's notice, and get off, what the minister, I suppose thinks, is scot-free. But it is the company that gets off scot-free. They save six weeks' pay. They may be faced with a little bit of inconvenience because he left. They did not give one moment's thought to the inconvenience that he was going to be faced with when they shut their plant.

So it is going to be essential in this bill, amongst many other things, to provide that, if you stick to eight weeks' notice from an employer to an employee, the other side of coin should be that, if the employee, for example, stays for four weeks or three weeks, he is entitled to leave then and to take the other four or five weeks' pay with him. That is the essential equity of what has to be done. But the minister's bill, apart from that one provision, is very silent on the question of the length of notice which an employee must give to an employer. And everyone knows that an employee is also under the obligation to give that kind of notice.

Let me go on with the general statements which I was making:

6. In general, a contract of hiring and service may be discharged by performance, by mutual agreement, by impossibility of performance or by the employer ceasing to exist.

Those matters are covered in the bill and the one, of course, that I am interested in, is that it can be discharged by performance, by mutual agreement or by impossibility of performance.

The next point is:

7. If a servant leaves his service without just cause or excuse, he commits a breach of contract and may be liable to his master in damages.

8. If no custom or stipulation as to notice exists, and if the contract of service is not one which can be regarded as a yearly hiring, the service is terminable by reasonable notice.

9. There is a breach of contract of service whenever the employee absents himself from work without just cause or excuse, or leaves his service without just cause or excuse before the expiration of the agreed term, or when no notice has been fixed for the duration of the contract without giving due notice.

10. Where a servant is guilty of a breach of the contract of service, the master is entitled to recover damages.

11. The foundation of any action by a master against a servant who has left his employment without due notice must be actual damages. The damages to which a master is entitled are such as are the reasonable and probable consequences of the servant's breach of contract, including any expenses which he may be compelled to incur.

12. Where the master commits a breach of the contract of service, the servant is entitled to recover damages.

13. Where the servant has actually entered the master's service a breach of contract is committed if the servant is wrongfully dismissed before the expiration of the term for which he is engaged.

14. To entitle a servant to sue for damages two conditions must be fulfilled: unless the contract for service is to be construed as a contract for life employment or excluding any general power of dismissal on notice, the servant must have been engaged for a period, fixed or determinable upon notice, and dismissed before the expiration of the period, if fixed, or without the requisite notice as the case may be, his dismissal must have been wrongful; that is to say, without just cause or excuse on the part of the master.

15. A servant who has been wrongfully dismissed may treat the contract as repudiated by the master and sue for damages for the breach, or he may acquiesce in the master's wrongful act and treat the contract as rescinded, in which case he may sue as upon a *quantum meruit* for the value of the work which he has actually performed and for which he has not been paid. He may elect to pursue either remedy at his option, but he is bound by his election and cannot pursue both.

Does the minister see the distinction? What Dunlop did was to act wrongfully in dismissing its employees without notice. Then they left to the employee no alternative but to acquiesce in the employer's wrongful act, in which case, therefore, the employee is only entitled to sue as on a *quantum meruit* for the work which he has in fact done and to be paid only for what he has done. In other words, for the great bulk of the employees of this province, in the case of wrongful dismissal, and in many of these cases that we have under consideration, this is what the situation is. He is precluded by economic circumstances from exercising the alternative remedy which he has, namely that he may treat the contract as repudiated by the master and sue for damages for its breach. He is forced into, and I repeat, acquiescing in the master's wrongful act and therefore he is only entitled to be paid for the work which he actually performs, and so you get what we had at Dunlop. You have it at every plant. I use Dunlop again only as an example.

The company announces on March 6 that it is going to phase out its operations, so immediately a fellow goes out and tries to get a job as best he can, and he gets a job. Two weeks or three weeks later, he does not report for work at the Dunlop plant—what has happened is he has been put in the position where, in order to protect himself he goes out and gets a job.

And what is the legal consequence? The wrongful act of the employer precipitates the employee leaving; the employee feels lucky to get another job in a depressed labour market. He does not report for work and the employer does not bother to do anything about suing him. He is happy to be off the hook and the employee goes away with two weeks pay.

In the case of my typical employee, between the ages of 45 and 60—there are other gradations; I just used that because it is a convenient category of lengthy and faithful service by many of the men at Dunlop—in that situation you have the position where the employee, if he goes out and gets another job within a week or two weeks after 20 years service, 25 years service, 30 years service—aged 45 to 60—he does not get a cent from the company; not a cent! He has had to acquiesce in the termination of his employment by the employer. He does not go to the courts. He does not have the funds; he does not understand his position.

All he gets is what the collective agreement in the bargaining process earned for him, right up to the date on which he left that plant. That was earned. It had nothing to do with the notice to which he was entitled and if there is no collective agreement in the plant, he gets nothing.

If it is an unorganized plant, it is a standoff. The wrongful act of the employer precipitates a situation in which the employee must find a job; he does his best and scurries around and gets a job; he does not report back to work; he does not treat the contract as repudiated and sue for damages. He is forced into the position where he acquiesces in the wrongful act of the employer. He gets nothing, and the minister's bill makes no provision to protect an employee against that, except these relatively short periods of notice and the rigid framework in which those notice provisions are to be implemented.

Mr. Speaker, I have not a great deal more to say on the bill, but I do want to complete the enumeration that I started with. This is on the damages for the wrongful act of the employer in discharging an employee without notice or improper notice:

16. The damages are to be measured by the amount of wages which the servant has been

prevented from earning by reason of his wrongful dismissal, including the value of any other benefit to which he is entitled by virtue of his contract, and of which he is deprived in consequence of its breach.

Of course, with the benefit of a collective agreement, if he were there for another eight weeks or 12 weeks or 16 weeks or six months or a year, he would have added very substantially to the benefits which he would have bargained for and earned in terms of all the fringe benefits, as well as the addition of any severance pay.

After taking into consideration the probabilities of his obtaining employment elsewhere—if, therefore he obtains other employment immediately after his dismissal—the amount which would otherwise be payable as compensation must be reduced by the amount of remuneration which he receives in respect of such employment, and if he is paid the same or higher wages his loss is merely nominal.

Moreover, it is his duty to minimize his loss and he must therefore use due diligence in endeavouring to obtain employment. If, but for his own default or neglect he could immediately after his dismissal have obtained suitable employment at similar wages, he cannot recover more than nominal damages against the master. He is not, however, bound to accept employment of a different kind or even a lower position in the same kind of employment. In such case, it is immaterial that the rate of wages offered is the same. In assessing damages the jury is entitled to take into consideration all that happened or is likely to happen to increase or mitigate the servant's loss down to the day of the trial.

That, of course, is very significant—that he is not however bound to accept employment of a different kind, or even a lower position in the same kind of employment, and in such case it is immaterial that the rate of wages offered is the same.

My last comment is that of course the judgement for specific performance is not pronounced in any case of a contract of personal service between an employer and an employee.

For those rather lengthy reasons, Mr. Speaker, we find that the major part of the bill, which is the principle of the bill to which I have been addressing my remarks, is flawed in principle in many ways. We prepared our reasoned amendment singling out just two. There are, in the light of the remarks which I have made, many serious failures in this bill, total inadequacies related to many of the points which I have endeavoured to put before the assembly.

I do want to move, in the absence of the leader of this party, in those name the motion stands on the order paper, the reasoned amendment appearing on page 11 of today's order paper, notice of which was given on June 16 under standing order number 32 that:

> The motion for second reading of Bill 96, entitled an Act to amend The Employment Standards Act, 1968, be amended by deleting all the words after "that" and substituting therefor the words "the House is of the opinion that bill is fundamentally defective in principle in that:
>
> 1. It fails to provide adequate notice of termination of employment, or wages in lieu of notice, based on the combined factors of age and length of service, and
>
> 2. It fails to provide for adequate notice and public hearing before the minister in the event that an employer decides for any reason to curtail or discontinue all or a substantial part of his operations or to change the operations in any way which would substantially reduce the number of his employees or the composition of his work force as to trade or other skills or qualifications, with power in the minister to determine the matter.
>
> This House is further of the opinion that Bill 96 should be withdrawn and a new bill meeting the objections in principle listed above be introduced forthwith.

That is the motion which I am going to move after I have made my brief final remarks about this question of a hearing.

Mr. Speaker, we talked about this during Dunlop's and other situations; that there had to be some kind of a method by which there could be a public hearing about the reasons for and the nature of and the whys and the wherefores of a plant shutdown. We endeavoured—I know my colleagues will deal at some greater length with this particular aspect of it—to get a feasibility study on Dunlop with the co-operation of the federal government, the provincial government, the labour force in the plant and the company, and it broke down. What we are simply saying in this case is that if there is going to be that kind of shutdown—and we will endeavour, by amendment to the bill when it comes through the House, to deal with it more adequately and specifically—if there is going to be that kind of problem there has to be a hearing before the minister. The minister has to hear

both sides and he has to make the kind of decision which should be made in this kind of situation.

Indeed, it may be that if the minister were to decide that he would adopt the common law principles which I tried to enunciate—which in my judgement are much more equitable and fair than anything that the minister is attempting to put before us in this bill—if the minister wanted to pre-empt this to himself and deal with these questions of mass layoffs; and what the proper notice is in each of the cases that comes before him; and build up his precedents and his views and his decisions as to what is proper notice, having regard to all the factors which I have enumerated and the economic climate in which the discharge is taking place, I think we would go along with it—provided it was a public hearing and provided the minister had the kind of authority which we have endeavoured to express in our recent amendment and will express again at the time when the bill comes before the House in committee.

Mr. Speaker, I ask the minister to consider the points which we have tried to make and the further points which will be made about the bill. I think that the bill is so rushed, so hurried, so lacking in any intelligent perception of what is required, in the city of Toronto particularly and in the province of Ontario generally, I think the minister has simply got to withdraw the bill and make the kind of substantial revisions which will take into account the matters which have been raised and which will be raised. I assume, Mr. Speaker, that you have a copy of the recent amendment?

Mr. Speaker: I regret I did not notice the name of the seconder of the motion being made.

Mr. J. Renwick: I will move my motion and my colleague, the member for Oshawa (Mr. Pilkey), will second the motion.

Mr. Speaker: Thank you.

The Minister of Labour has moved second reading of Bill 96 and in amendment thereto Mr. J. Renwick moves, seconded by Mr. Pilkey:

> That Bill 96 intituled, An Act to amend The Employment Standards Act, 1968, be amended by deleting all the words after "that" and substituting therefor the words "The House is of the opinion that the bill is fundamentally defective in principle in that:
>
> 1. It fails to provide adequate notice of termination of employment or wages in lieu of notice based on the combined factors of age and length of service, and
>
> 2. It fails to provide for adequate notice and public hearing before the minister in the event that an employer decides for any reason to curtail or discontinue all or a substantial part of his operations or to change the operations in any way which would substantially reduce the number of his employees or the composition of his work force as to trade or other skills or qualifications, with power in the ministry to determine the matter.
>
> This House is further of the opinion that Bill 96 should be withdrawn and a new bill meeting the objections in principle listed above be introduced forthwith.

I have had the opportunity, of course, of looking at this and I am prepared to accept this as an amendment to the motion. The debate, of course, will now proceed on the amendment to the motion.

Mr. R. F. Nixon: (Leader of the Opposition): Mr. Speaker, we intend to vote against the second reading of the bill because of the inadequacies of part 1A entitled "Termination of employment."

As you know, sir, the amendment which you have just read to us will be put only if, in fact, the House decides when the vote is called that the bill will not now be read a second time. In many respects, it is academic. I believe it is a very useful exercise, however, to put forward such an amendment because it expresses the views in cogent language which we in the Liberal Party can support.

Nevertheless, we cannot lose sight of the fact that when the vote is put in this House it essentially will not be for the withdrawal of the bill and a resubmission of another bill more properly reflecting the needs of the community as we see it in the official opposition. It will be directly against the principle of the bill, since that is the way our rules in this House require. I say this because the government deserves some credit for at least recognizing the principle of the legal requirement of notice in circumstances where an industry is going to be closed out for various reasons. Certainly we must support that principle and this is a problem that faces us when we discuss a bill on second reading.

We have gone very carefully over the terms of part 1(a), as well as the rest of the bill of course, but I want to restrict my remarks to that particular part of the bill. I

remember putting a question to the Premier (Mr. Robarts) when the announcement was made by Dunlop of its imminent closure, asking if such legislation would be considered. His answer at the time I thought was a bit petulant. He replied with a question himself saying, "Well, what would you do in a case of bankruptcy? How can we possibly provide legislation which accounts for all possib l ties?"

However, he ended by saying that consideration would be given to it; and of course it was, resulting in this bill.

The government has set out specific notice associated with the term of employment, if the employment is going to be terminated. As we look at this, it has already been put to you, Mr. Speaker, by the member for Dovercourt that there are many people presently employed in industry who have a more advantageous agreement than the one that is put here. This does not mean, of course, that the requirements of section 6(b) would not be a substantial advantage to others in the province who are not covered by such an agreement. But still it does not come up to the standards of notice which, surely, should have been considered by a government that calls itself Progressive as well as Conservative.

There are other parts of the section which have given us substantial difficulty, I prefer particularly to the section where the notice, as set out in the bill, is set aside in circumstances where an employer is going to terminate the employment of 50 or more employees in a period of time of four weeks or less. This is what the whole bill is about, where a company like Dunlop decides to terminate its operation; or a company like Erie Flooring decides to terminate its operation.

Mr. Speaker I hope, I am sure that you would be aware, sir, of circumstances in other communities in this province which are going to lead to the termination of the employment of substantial numbers of workers and I have mentioned this before. I cannot mention any companies by name, but there is a growing practice in this particular community—the community of Ontario—for some of those people, in the investment community particularly, to see it as their right as businessmen to move in with the resources that are available to them and take over the management of old established manufacturing firms.

Erie Flooring is typical, because that one has already been in the news. They will operate it for a while, while they examine the circumstances. But the impression is given that the only reason these companies are purchased by the larger holding companies, ostensibly with the provision of new capital for continuation or expansion, or perhaps with the provision of managerial know-how, is to meet the needs of the new competition, which the old family retainers in firms that have been going, perhaps for half-a-century or more, were not able to provide.

This has been the rationale for the purchase of these companies. But it appears to unsophisticated observers like myself that, after a few months, these people milk all the assets out of the companies they possibly can and then shut them down with a completely callous disregard for the rights of those people who have been committed—and sometimes their fathers before them—to an industry which has been serving a community for many years and which undoubtedly could continue productively to serve the community.

The attitude that seems to be more and more accepted in the business community—one of complete callousness, associated with the management of these industries—is, I believe, unacceptable. I have an objection to the section I am referring to which would refer to the closing of these companies.

It leaves in the minister's hands exclusively what the decision must be; that it would be set out by regulation, or I presume ministerial order, depending upon the specific circumstances, just what the time allowance would be under those circumstances. I have confidence in the hon. Minister of Labour. He is a gentleman, a man who is concerned with the same problems in the community as we all are.

I object to the fact that we are not setting out in the principle of this legislation, specific broad terms of requirement that must be lived up to by management, whether it is well established or newly arrived, when they close down firms for reasons that cannot be justified if we continue with the Conservative attitude of governmental non-interference in the economic decision of the company.

Certainly I approve of the suggestion put forward by the member for Riverdale and the member for Dovercourt that there should be hearings associated with a close-down decision. I think it is quite a departure to suggest that the government should intrude into the economics of a specific company so that the decision as to the time of shut-down and the amount of notice required would be based on the actual economic fact. I

think this position of *laissez faire* associated with business decisions is one that we must soon move away from. The Minister of Labour must have the right to see what the economic situation is before the decision inherent in subsection 2 can be made with any meaning. I object to this on two counts.

The bill does not set out specifically what notice would be required in the layoff of larger numbers of employees. The power is not granted to the minister, or one of his colleagues in one of the other departments, to receive specific information about the economic status of the companies that would, in the company's view, lead to the decision to disrupt the community by shutting down the plant.

The next objection that I find specifically in this bill—and I do not want to refer too frequently to specific sections—occurs in subsection (d) of section 3 at the top of page 5 of the bill. I would just like to quote one part of that section:

> A contract of employment that is or has become impossible of performance or is frustrated by a fortuitous or unforeseeable event or circumstance.

This phrase would exempt the company concerned from the imposition of ministerial orders or regulations pertaining to the length of time of notice being given. For the life of me, I have tried to find out what sort of circumstances could be described as "fortuitous." Is that a lucky circumstance that would lead to the closedown, or a lucky circumstance that would lead the owner of the company not to have to continue with the workaday world? So he says: "I am going to shut down the plant and go to Nassau for the rest of my life." Maybe I do not understand the English language but fortuitous seems to be a strange word to use there.

The word "unforeseeable" is almost as bad because the judgement as to what unforeseeable circumstances might be certainly leaves too much leeway in the hands of the minister and those who would advise him to let an industry that has decided to close down go scot free without any particular requirements that are envisaged in the principle of the bill.

Hon. D. A. Bales (Minister of Labour): What if the plant burns down?

Mr. Nixon: Mr. Speaker, I think the hon. minister's interjection is a useful one. If the plant burns down then I do not see how the employment could continue. Would he call that a fortuitous circumstance? I certainly would not if my barn burned down; I would not say that that was a fortuitous circumstance. It would be unforeseen, but fortuitous is certainly a strange way to describe it. It surely leaves the circumstances open to interpretations which I believe, to use the phrase which the member for Riverdale often uses, deeply flaws the principle of the bill.

Mr. Speaker, in these remarks, I simply want to say that we understand that the principle of the bill is a departure on the part of the government and we accept that principle. The government has moved into a position where, by law, they are going to require certain notice of any employer, at at least an employer as set out in the bill, before he can terminate employment. But in this section, this termination of employment section, surely the principle is lost or almost entirely lost by the wording and the implication of the wording of the section that I have brought to your attention?

I regret also that the power to examine the economic circumstances of the company under consideration has not been given specifically to the minister. I believe there should be not only this power, but the requirement that a hearing of a substantial closure situation be a part of the minister's decision.

I would also say, Mr. Speaker, and I do not want to be crying gloom and doom more than is the wont of opposition members, it appears to me that in a number of communities in this province there are going to be situations involving the closing of old established manufacturing plants due entirely to what is sometimes described as the new business ethic which I think is no ethic at all.

This is the procedure whereby certain companies with capital and influence behind them have acquired these businesses ostensibly to expand them, but in actuality to milk them of every asset they have and then throw them away as discarded husks without any consideration for the work force involved.

I feel that this has happened in the case of Erie Flooring. I would predict, Mr. Speaker, that it will happen again before this House reconvenes in the fall. That is why I am glad, at least, that this legislation is before us. I am not glad that we are in a position where we must oppose it because I feel that the legislation should be much stronger.

I do not believe the legislation will meet the needs that I predict will be put to the minister in the next few months. That clause that leaves almost entirely at his discretion

the procedure when 50 employees are going to be laid off over a period of less than four weeks, is going to be a heavy responsibility indeed, particularly since he is not arming himself with the powers of adequate investigation.

Mr. Speaker, when you ask us if this bill shall now be read a second time, we will have to vote against it with the understanding that we recognize the principle. We feel that it has not been adequately set forward in this bill; we hope the bill will be withdrawn and one that does meet the needs of the working community of Ontario brought forward forthwith.

Mr. Speaker: The member for Oshawa.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, are we going right through?

Mr. Speaker: My understanding is that the party arrangement—and I was not informed officially—but I understand that the party arrangement was that we would sit continuously from 10 a.m. to 6 p.m. and the members would relieve themselves at lunchtime, leaving sufficient to carry on the business of the House. I have arranged that the attendants and the pages be relieved. The pages have just changed at 1 o'clock, so we carry on as far as I know unless there is a motion otherwise.

Mr. Pilkey: Mr. Speaker, obviously there is a very basic fundamental problem in Ontario, the problem being that employees are laid off from their specific employment; their employment is terminated. It appears to me that what the government is attempting to do is grapple with that problem.

Let me say very frankly that I believe that the government's response to that very basic, fundamental problem is meaningless. What the government are really perpetuating here is the philosophy of property rights over people's rights and continuing with that philosophy. I notice that when the minister was introducing the bill—I want to just quote a few of the comments that he made on May 27. He went on to say:

> We feel that in a dynamic economy, with changing technology and consumer requirements, there will be changes in manufacturing activities.

He went on to say:

> Because of this, management must be free to respond to the need for change and to adjust their operations to improve productivity and efficiency. On the other hand, it is just as necessary to protect the worker against the impact of these changes and, as you know, both the federal and provincial governments have passed earlier legislation and developed programmes to bring this about. That is why we in Canada have such measures as unemployment insurance, Canada Manpower job placement services, mobility grants and retraining programmes.

Let me stop there and just say that it appears to me in this bill that what all the government is really saying to us in this Legislature is that we want to set up a period of notice by the employer, so that we have the advantage of implementing the programmes that I just outlined and which were enunciated by the minister on May 27. Let me say through you, Mr. Speaker, to the Minister, that the programmes that he alluded to on May 27 will in no way get to the root of the problem of workers' employment being terminated by a unilateral decision of management in this province. That will not suffice as far as I am concerned in terms of these people being laid off.

He went on to point out that:

> With the legislation proposed today, this government now intends to take other important steps to minimize the impact of economic change. This bill will prevent dismissal of employees without notice and will assure full use of the services I have outlined when plant closings or mass layoffs become necessary.

This bill may prevent dismissal of employees without notice, but really, in all sincerity, I do not understand where the important steps that he talks about to minimize the impact of economic change are embodied in this legislation. I just do not understand it and I would hope that at some point the minister could convince me that this bill will, in effect, minimize the impact of economic change.

I noticed the other day when the minister introduced another bill that he was talking about the public interest and I have heard many members on that side of the House talk about the inconvenience and the hardship of the public in relationship to industrial disputes that might take place in this province.

It seems to me that the government has not taken into consideration any inconvenience or hardship that is being perpetrated on thousands and thousands of workers in this province because of the unilateral decisions by management.

Even when a group of employees want to discertify their union—if I can make this kind of analogy—they have to go through specific procedures, they have got to go through a hearing, and yet when management wants to close its plant down to the detriment of a great number of employees, it is allowed to make that unilateral decision without any hearing whatsoever.

Very frankly, Mr. Speaker, I feel that employee organizations really have become a quasi-public body, because of what they deal with in the public sector and the responsibility they have. In addition to that the public have acquired an interest in what is going on as far as manufacturers and employee organizations are concerned. Therefore I think that it is incumbent upon the government to look upon this problem as one of public interest as opposed to dealing with it on the basis of private interest.

I know that the government has been very cautious when it deals with anything in the private sector but I submit to you, Mr. Speaker, that many of these problems have, if not a public, a quasi-public nature.

I noticed that in the Freedman report they made some comments in regard to notice to employees; as a matter of fact the Woods commission report, which I am sure that the minister considered when he drafted this bill —surely the minister considered the Woods commission report—

Mr. De Monte: Not very deeply!

Mr. Pilkey: Well, I am going to come to that in just a moment. He did say some time ago when he said there would be subsequent changes in The Labour Relations Act and related Acts of The Department of Labour that a number of reports would be taken into consideration; and one of the reports that he alluded to at that time was the Woods commission report. Let us just see what the Woods commission report said and what the minister did in terms of embodying that section of that report into Bill 96. On page 194, on Canadian industrial relations and observations, (Woods report), it goes on to say:

> The Freedman report would protect an employer, during the life of a collective agreement, in his existing right to make changes whose consequences for employees were minor. If, however, those consequences were major, a distinction would be subject to arbitration and the employer would be required to negotiate with a union. Should agreement not be reached, the employer would be forbidden to make changes until the contract expired and the union had regained the right to strike.

I think that obviously makes a little sense. If they are going to make these major changes during the life of a collective bargaining agreement, surely there should be some avenue for the employees to discuss this problem.

Mr. Speaker, if you will notice in our recent amendment, we called for public hearings in this regard. Because there are more involved than those people who have collective bargaining agreements—and I will get to that in a moment—it goes on to say:

> We have serious doubts about the value of a general application of the Freedman formula. From the point of the view of the individual workmen, it makes no difference whether he alone is out of a job because of a change, or whether he is in a large company of fellow workers similarly separated from employment. Thus the arbitrator attempting to distinguish between minor and major changes out of a Freedman formula, would be placed in a difficult position since he would be attempting to dispense justice without standards to guide him.
>
> The more serious uncertainties created by management would, we believe, impose a barrier to efficient performance of their essential innovating role in the economic system. The task force accepts the following principle: First, management should be protected in its freedom to make changes which in themselves are not in violation of a collective agreement.

I want to make an observation there: I do not think that at any time has organized labour ever said that management ought not to be allowed to make changes. What we have said, as emphatically as possible, is that if those changes are going to affect the worker, then he ought to have a legitimate right to sit down and talk about them and to negotiate them if necessary.

That is where the government seems to fall down in Bill 96; there is no area for workers to sit down and discuss the specific problem with the management, there is no vehicle in the bill for the employees to sit down with the government in a meaningful way to see if that plant closedown or displacement of employees was legitimate in any sense of the word. This is where this bill fundamentally fails. Let me go on:

> Second, workers should be protected by an expanded arsenal of public and private programmes designed to facilitate their movement among jobs and localities without undue cost to themselves.

That is true; they should be protected by an expanded arsenal of public and private programmes. This is where the government fits into this whole picture, because it can provide that arsenal of public programmes. But the

government does not see fit to do anything about it in this bill, and this could very well have been the vehicle for it to provide that arsenal that is so necessary to protect workers' rights in employment in this province. And then it went on:

> Third, a union should be free to take action to induce management to negotiate a plan to solve the consequences expected to follow from the proposed changes, or to delay the changes themselves, or to negotiate and strike over the right to strike on the issues during the life of an agreement.

That just goes on to point out some of the things that I have said earlier. It went on to say:

> In keeping with these three principles, we would give priority to public policies to meet the following needs.
>
> First is the pressing need to place more emphasis on education for adjustment at all levels in the school system, in order to ensure maximum human adaptability.
>
> Second is the need to maintain a high level of employment, so that other jobs are available for those displaced by industrial conversion.
>
> Third is a need for an active labour market policy, designed to facilitate mobility between jobs through improved information, counselling, upgrading and retraining or relocation in the income and maintenance programme.

And then there is a fourth:

> There is a need to develop as many transferrable fringe benefits plans as possible, in order to minimize the sacrifice which workers have to make when they move from job to job.
>
> Fifth is a need to expand community dislocation programmes designed to facilitate either the redevelopment of communities threatened by adverse industrial shifts or the movement of idle resources to other localities where they can be employed.

Well, they make five points and really in none of those points that are made has the government given the problem any recognition. In a very limited fashion has the government given any of those five points any recognition. It seems to me that this is incumbent upon the government in some areas where an industry may be the lifeblood of a community. And the government has said nothing or very little about it—nothing in this legislation in any event—and I think it ought to recognize that problem as well. It goes on to say:

> To ensure that there is sufficient lead time to bring policies for third and fifth of these needs into play in particular situations, employers should provide those concerned with as much advance notice as possible of all technological and related changes likely to lead to significant labour displacement. Despite the administrative difficulties involved, we think that employers should be obliged by law to give a minimum of six months' notice of such change to The Department of Manpower and Immigration.

Even the Woods commission suggested six months' notice, and at the very least. And yet the Minister of Labour puts in, I think, a maximum of about 16 weeks; and I am not even too sure of that. I really thought when I read the local newspaper that the government, when it introduced this bill, was doing something for the workers of this province. They got great headlines—red ones at that: "Mandatory Layoff Notice Proposed in Ontario Bill. Bill Asks Up to 16 Weeks Required for Mass Layoff." You would really think that was something.

Mr. M. Gaunt (Huron-Bruce): Is it complete with his picture?

Mr. Pilkey: Oh yes, you would really think that that was something, that they had really revolutionized the whole Employment Standards Act.

Hon. G. E. Gomme (Minister of Highways): So they did.

Mr. Pilkey: You must have somebody in Oshawa; I do not know. And you would think that the Tory government had really revolutionized The Employment Standards Act in this province, according to that headline.

Well let us just read a little of what is embodied in the article and we will find out whether they really did any revolutionizing of The Employment Standards Act. It says:

> Advance notice of up to 16 weeks may be required in mass layoffs under legislation introduced in the Ontario Legislature Wednesday.
>
> The bill was an amendment to The Employment Standards Act that outlines the notice which must be given to employees in case of an individual dismissal without cause.
>
> It leaves the period of advance notice in cases of mass layoffs to be determined by regulations after labour and management

have given their opinions to the government.

However, Labour Minister Dalton Bales told a news conference his department is considering notice of eight weeks for plants hiring between 50 and 100 employees, 12 weeks for those up to 300 employees and 16 weeks for plants employing more than 300.

Mr. T. Reid (Scarborough East): That is not in the Act.

Mr. Pilkey: Oh no, but what I am trying to illustrate is that you would think they were really revolutionizing The Employment Standards Act according to this newspaper, when in fact it is not true at all.

"As it was, said Dalton Bales—gave about 12 weeks' notice that it was closing at the end of May"—they are talking about the Dunlop plant; and they go on to say:

> Regulations will also be used to adjust the notice period in certain circumstances, Mr. Bales says. While the length of notice is basically determined by the size of the plant and the number of employees, it also may be necessary to consider the economic effect of a large layoff in a small community.

Well, that is good. At least it says in here they are going to give some consideration, and the Minister of Labour is quoted—

Mr. De Monte: How about in a large community?

Mr. Pilkey: I really do not see any setup for a small community either, but it is quoted in the newspaper that they are going to give that some consideration. "The bill in addition establishes notice of layoffs, improved vacation benefits and so on"—and it goes on to point that for the first time in Ontario it is impossible to dismiss an employee simply because there is a garnishee against his wages and so on.

That may be a fact, but what I am really trying to say here is that this article is very misleading; there is not that kind of protection built into the bill as illustrated by that article in the local newspaper.

Mr. I. Deans (Wentworth): Misleading, is it not?

Mr. Pilkey: Very misleading!

Mr. E. W. Martel (Sudbury East): More government by newspaper headlines!

Mr. Pilkey: But I want to—

Mr. Deans: That is how this government cons the people.

Mr. Martel: Another study!

Mr. Pilkey: In any event, Mr. Speaker, I made that interjection in regard to the article in the newspaper because it is relative to recommendations made in the Woods commission report, and very frankly the minister obviously did not give this much recognition. The maximum is not 16 weeks; they did not introduce the six months' notice as recommended by the Woods commission report and they did very little in implementing in any sense of the word the principle that was involved in the Freedman report.

So it seems to me that if these reports are going to have any meaning, and the minister says that he is going to consider them, then I think he ought to. Very frankly it leads one to believe that he never even opened the cover of the book and made decisions on his own along with some of his colleagues.

I want to get back to the question of the amendment that was introduced by the member for Riverdale when he said there ought to be public hearings. I had made a note on that, that there should be some kind of a public review board or some kind of a public board where an employee, and the management if necessary, can make some representation. Because you really cannot come to grips with the fundamental problem that exists in this Ontario as far as employees are concerned if there is no public hearing, and management can still continue on their merry way making unilateral decisions, as many managements do. When you sit across from them, they say in their callous, arrogant way: "This is it. We call the tune."

It is about time that the government came down on the side of the working people of this province and said: "You are not going to call the tune where it jeopardizes the livelihood of thousands of workers in this province."

And not only the workers themselves—I think you have to consider their families and the equity that they have built into that plant and into this society. But yet government takes the same callous, arrogant attitude that management takes and does nothing about this whole question of protecting employees when their plant is moved or their jobs are being replaced.

Yet just the other day when the minister brought in his amendments to The Labour

Relations Act, we noticed very dramatically that he provided for wider employer alliances in this province but very little for the working people of this province.

As my colleague, the member for Riverdale, pointed out, when you have workers who have given 20, 30, yes 40 years of service and their life to an establishment in this province, this government would leave them either to the whim of their collective bargaining agreements, or the unorganized are left at the whim of the company benevolence. That is all they have. And when they look to this government for some protection, it is just not there. This has happened to hundreds and thousands of workers in this province who have given a great deal of their time and service to a specific plant and find themselves unemployed.

Very frankly I think because of their length of service and because of the equity that they have built during their lifetime of service, they ought to have a place in the total determination of that company, whether they close that operation or not. You know, it bothers me at times when I see corporations—and I pointed this out to the minister the other day —one company, because they could not get a collective agreement with a trade union in this province, threatened to pull up stakes and leave.

What they are really saying to the people of this province and to this government is: "We can make those unilateral decisions and you do what you want to because we have the right to make them". I want to suggest to the Minister of Labour that he must provide the statutory authority for somebody in this province to say to the management groups: "You cannot make those kinds of unilateral decisions; you have to justify the decision for closing a plant; you have to justify the laying off and the termination of employment of hundreds of people in this province".

That is going to take a little courage in terms of the kind of philosophy that has been backing up, that Tory parties have been using over the years; the question of property rights over people's rights. It is going to take a little courage. Surely this government completely understands—after all the plants that have closed down, after all the representations that have been made by various employee organizations, by trade unions—the basic fundamental problem that workers have in this province? But they do not translate that understanding into proper legislation to give them the protection that is necessary.

I would hope that the minister would consider the reasoned amendment that was presented by my colleague, the member for Riverdale. I happen to think that it is so important that we have the kind of public hearings that are necessary so that management justifies the unilateral decisions they have been making in the past.

Mr. Speaker: The member for Scarborough East.

Mr. J. Renwick: Mr. Speaker, on a question of privilege. It has come to my notice that the following document has been circulated in the Greek language in the Greek community in the riding of Riverdale. I want to read it, Mr. Speaker, and then stress my privilege.

Mr. Speaker: In what way is that abusing the privilege of a member of the House?

Mr. J. Renwick: It is a document which has been circulated publicly in the province of Ontario, in the riding of Riverdale and affects my privilege as if it had been published in any other document.

Mr. Speaker: Proceed and we will consider it.

Mr. J. Renwick: This is a translation into English of the document.

Dear Sir,

With this letter I wish to introduce to you Mr. J. J. Richards who on June 23, 1970, will be nominated as a candidate of the right party of Ontario so that he will try to unseat in the next provincial election the socialist-communist member of Parliament who represents now your riding.

As you all know, the MPP that you now have is the arch-supporter and protector of Andreas Papandreou. It is therefore your duty to come on June 23 at 8 p.m., to 404 Pape Avenue Public School to elect Mr. J. J. Richards, so that the Greek communists and their Canadian friends will see once and for all where the nationally-minded Greek Canadians, and especially the ones in Riverdale, belong.

You do not need to be a Canadian citizen. For more information phone 783-8728.

In a few days you will receive identification cards from the right party of Canada, the cost of which has been do-

nated by Greeks in our community, and you will be able to listen by immediate translation in Greek to the speech of Mr. J. J. Richards. Do not forget that it is your duty to be present on June 23 at 8 in the evening at 404 Pape Avenue and, with your vote, show how the Greeks react to socialist communism and Andreas Papandreou. I enclose the ballot which you can have with you and copy the name of Mr. J. J. Richards. I will await to see you all with esteem.

Elpida McLean (Apostolakou)

P.S. You can bring the children with you if you wish.

My point of privilege is that I represent the riding of Riverdale. I am a democratic socialist. The definition and the reference to me clearly and unmistakably in this letter as a socialist communist member of Parliament is libelous and a slander and I deny it categorically and I am proud to be associated with Andreaus Papandreou for the purpose of overthrowing the present tyranny which cost the loss of democracy in Greece. I ask my colleagues on the opposite side of this House for whom Mr. J. J. Richards is now the nominated candidate to repudiate the statement which has been made in this letter, and I ask that my privilege as a member in this House be enforced, Mr. Speaker.

Mr. Speaker: I will take that question under advisement. The member for Scarborough East.

Mr. T. Reid: Mr. Speaker, I would like to speak on Bill 96. I would like to say that I see the problem as being basically this; that the principle in bill 96 does not in any way recognize the problems that are created by industrial conversion, or if you like industrial rationalization of the productive capacity of industry. The term "industrial conversion" denotes forces which give rise to employee dislocation by resource depletion, by product obsolescence, by automation and by domestic and foreign market shifts.

There is no doubt that industrial conversion plays a vital part in the dynamic growth of our economy and that certain changes are necessary for industrial growth. But in addition to this standard concept of industrial rationalization, Mr. Speaker, there is another problem which leads to rationalization which, in conjunction with the rationalization, can create very difficult problems of employee dislocation.

I would like to refer to a book by John Kenneth Galbraith, entitled "The New Industrial State." Referring to a quotation that begins on page 235, and I quote directly:

> The technostructure seeks technical progressiveness for its own sake. More important, it seeks certainty in the supply and price of all the prime requisites of production. Labour is a prime requisite.

The quotation continues:

> A large blue-collar labour force, especially if subject to the external authority of a union, introduces a major element of uncertainty and danger. Who can tell what wages will have to be paid to get the men? Who can assess the likelihood, the cost and the consequences of the strike?
>
> In contrast, mechanization adds to certainty. Machines do not go on strike. Their prices are subject to the stability which is inherent in the contractual relationships between large firms. The capital by which the machinery is provided comes from the internal savings of the firm. Both its supply and cost are thus fully under the control of the firm.

And the quotation concludes:

> Thus the technostructure has strong incentives going far beyond considerations of cost to replace blue-collar workers.

Mr. Speaker, my point is this, that industrial rationalization or conversion, on top of the incentives to replace the blue-collar labour force with machinery, constitutes a severe problem in our industrial state. I think that the two factors together make it quite clear that we in this province can no longer permit material economic growth at any cost. There are, sir, ravages of economic growth, and those who are ravaged by industrial economic growth must, or ought to have first call—I repeat, first call—and not a third-rate right on the material affluence of industrial growth itself.

Men and women in the labour force who are ravaged by industrial growth in a specific plant or company, brought about, for example, in this instance, by industrial conversion or rationalization, have a first right, a first claim to be treated humanely. And if humanity in these cases has a material trade-off cost, then those additional costs have first claim on additional profits generated by industrial conversion or rationalization in a particular plant or in a particular company.

I state that, Mr. Speaker, as a principle of government, a principle in terms of legislation that should be incorporated in this bill, that should find life in this bill, and which is not incorporated in this bill. My point can be

summed up, if you like, in terms of the concept of "dependent communities" in a modern technological society—a society such as John Kenneth Galbraith refers to in his book. Dependent communities of the industrial state have prior right to economic growth, particularly if they are ravaged in some sense, by loss of jobs and so forth, by that economic growth.

So industrial rationalization is not without cost to those who are trapped by it. The cost for those adversely affected can be quite great and to them, sir, it is of little comfort that society as a whole, their employers and even their fellow-workers may benefit by the change. They want to know what is going on and what is being done to protect them.

I am talking specifically, Mr. Speaker, about the termination clause in part 1(a) of the bill, in reference to the amendment to it. Eight weeks' notice in writing is not sufficient, in terms of the type of economy I am talking about, to give notice of termination of employment. It is a farce. It is a type of notice that may have been applicable back in 1890.

But in terms of 1970, in terms of the type of economy and industrial structure, the technological structure that Galbraith talks about and other people talk about, it is 80 years out of date. It is a horse-and-buggy clause for an automated economy.

An hon. member: Hear, hear!

Mr. T. Reid: I say to the minister that it is an obsolete concept, that he is not in touch with the current feeling about the economy among workers, and indeed among many young people.

I think the essence of this whole problem, Mr. Speaker, can be summarized by a statement on page 117 of the Canadian industrial relations report of the task force on labour relations. I quote directly, as I think this must be put on the record time and time again. The report says this:

> Both on economic and on social grounds, it is important to reduce the fear that exists among workers concerning their fate in the face of change.

The report continues:

> Economically, it makes sense to do so in order to prevent the ingrained resistance to any form of industrial conversion that can arise from such fear.

The quotation continues:

> Socially, it is a matter of urgent necessity because it is intolerable for the majority who expect to benefit from change to ask the minority to bear the brunt of the change.

I say to the minister that in this Act, he is talking about, for someone who has worked 10 years or more, a maximum eight weeks' notice in writing. It is something that is a mockery of those who are analyzing our industrial society. It is something that is so out of date, Mr. Speaker, we should not even have this bill in front of us.

Those who have first claim on material industrial growth ought to be those who suffer because of that increased growth.

Can I not make that point clear to the minister? The people in this province who have a prior right before anybody to the benfits of material economic growth, are those who suffer as a consequence of the creation of that economic growth. Such people are those people in the labour force who are put out of work because of conversion, technological innovation if you like. Those people have prior rights on profits; those people have prior rights to consumers because they are the people who are producing the increased material abundance which some of us like to have.

I say, therefore, there is a prior right for those who are ravaged through unemployment, through layoff, through redundancy, through obsolescence and through technological conversion or technological progress. Those are the people who have the prior right to the benefits of increased economic growth and they must get their chunk of it first. This Act does not contain that principle, Mr. Speaker.

Another point—

Mr. Deans: How long will the member be?

Mr. T. Reid: About five minutes!

Another point, I would like to re-emphasize one sentence from the quotation from the Woods task force. I repeat it:

> Economically, it makes sense to do so in order to prevent the ingrained resistance to any form of industrial conversion that can arise from such fears.

This is a valid argument. This is an argument that those who study this in depth are making, people who believe in free enterprise as the best system of increasing material abundance in our society.

This is a statement that is made by economists who make this type of argument. The point is simply this, Mr. Speaker. Proper labour law can remove fear from the minds

and hearts of employees. A great deal of ingrained resistance to industrial conversion, to technological innovation as applied in the plant by employees, is a direct function and is significantly caused by fear of employees as to their jobs, benefits, seniority and pay on which their families are dependent.

I say to the minister, and I can say to the minister as a free enterpriser because I believe in it, if you remove the fear that employees have as they move into the last 30 years of this century about industrial conversion, about the application of modern sophisticated technological innovations to the production line, if you can remove that fear or reduce it you will actually increase economic growth because you will reduce their resistance to such change.

If the minister cannot recognize that psychological attitudinal aspect of the labour market and of the production process in this society in Ontario, he should not be Minister of Labour.

The final point I wish to make, Mr. Speaker, in an attempt to make a mockery of this Act and of this section, is to refer again to Galbraith; this time it is page 16. It is in a chapter called "The Imperatives of Technology" and he lists six imperatives of technology. We are not talking about the technology of the steam engine back in 1880, we are talking about the technology of today and here is what Galbraith says about one of the imperatives of technology and I quote directly, Mr. Speaker:

> From the time and capital that must be committed, the inflexibility of this commitment, the needs of large organization and the problems of market performance under conditions of advance technology, comes the necessity for planning. Tasks must be performed so that they are right, not for the present, but for that time in the future when, companion and related work having also been done, the whole job of production is completed. And the amount of capital that meanwhile will have been committed adds urgency to this need to be right.
>
> So conditions at the time of completion of the whole task must be foreseen, as must developments along the way. And steps must be taken to prevent, offset or otherwise neutralize the effect of adverse developments, and to ensure that what is ultimately foreseen eventuates in fact.

What this means in layman's language, Mr. Speaker, is this. Unlike the production process of even the 1940s, business corporations today are engaged in long-term planning. The only way they can make profits consistently is to engage in long-range planning. Not the planning of one or two months; not the planning of 12 months; but planning of two and three and five years, and that applies to many small manufacturing concerns in this province. That is one of the fundamental changes that Galbraith brings out in his book—and other economists have brought out too.

One of the sessential differences between the age of technology now is that private enterprise is engaged in long-term planning. If private enterprise is engaged in long-term planning, imagine how they are laughing when they see eight weeks' notice. These plants know when they are going out of production—not eight weeks ahead, they have scheduled it over possibly two, three or four years.

Mr. De Monte: Like General Electric—10 years.

Mr. T. Reid: They know it. If you are talking about the multinational corporation or the U.S.-dominated corporation operating in Canada, their planning is based on a five to 10-year horizon. Their advertising programmes are based on five to 10 years. The whole input is planned rationally, right down the line and they look at this and they say: "The Minister of Labour of the province of Ontario must really be obsolescent himself because he thinks we are going to quibble about eight weeks' notice." That bill is a mockery of the production process in our society, Mr. Speaker.

I conclude by simply saying that this minister ought to get in touch with those who know how our economy is working.

Mr. Speaker: The member for Sudbury East.

Mr. Martel: Mr. Speaker, the explanatory note of this bill talks of termination of employment. There seems to be a rather large flaw in our present legislation in Ontario, with respect to termination, whether it be termination by firing or termination by layoffs.

The real area that I want to discuss for a few moments with the minister is termination by firing and why there is nothing in this bill which will bring an end to firing of people and why these people have no recourse by which to appeal the arbitrary decision of a manager to eliminate them from the work field.

I have, at the present time, just written three letters to the minister regarding three different employees with three different companies who have lost their jobs in such a manner, where an arbitrary decision was made. Nowhere in the present legislation is there any form of appeal by these people. I would think, if the minister were in an enlightened era, that he would start to move in that particular area to provide protection.

The deputy minister is aware of the need; the minister is aware of the need. Why the hesitancy in setting up some means of protection for these employees from such an employer?

I just want to illustrate with a couple of simple cases how this problem works. I want to get from the minister why he will not move in on it.

Much of it centres on trying to bring in a union. I have a young girl who came to my office on Monday. She was part of a group that were moving to organize Felding Lumber in Sudbury. Of the 41 employees, 28 signed and they applied for certification. As a counter-measure the employer sent a petition around asking who did not want the union to sign. This one girl refused to sign that. She then missed a week's work, with a doctor's slip saying that she had bronchitis and tonisilitis and had to be off work for a week. She went in Monday to punch the clock and she was fired.

The reason given is sickness. She had a sick slip from her doctor saying she had to be off. What protection is there for this type of employee? What recourse is there for her to have some form of fair hearing in order to continue earning her livelihood against the discriminatory practice of this owner?

I had another case Monday—it is quite common, you know, particularly when there are no unions—of a woman who was getting union cards signed. She needed 20 to organize the bus drivers in her area, and when she got to number 13 somebody blew the whistle; they told the bus owner and she came in from her run that night and she was fired.

Now surely there has to be protection for this kind of performance and at the same time there has to be protection for older people who get fired at 45 or 48 and have no recourse, because they are not going to go out and find another job. And if you are talking about enlightened legislation you have to bring in some form of protection for the many hundreds of thousands of people who do not have union agreements or unions to protect them. It is an area that the minister has left out of this bill completely.

I would like to ask the minister what his intention is with respect to this obvious deficiency in the bill; whether or not it is the government's intention to bring in some form of appeal where the cases can be heard and if the employee is right, then he returns to his job; if the employee is wrong, then that is a whole different kettle of fish. But there has to be some form for protection of this group of people, and I would hope that before we finish the minister would see fit to explain why the government continues to abrogate its responsibility in this area.

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I just have a few comments on the amendment to The Employment Standards Act, and some of my remarks will be in the way of questions to the minister.

It has already been pointed out by other members of this party that we do not feel that they will go far enough, and that although we agree with the principle of the bill, later parts of the amendment abrogate that principle entirely and do not make the bill operative at all.

It is my own personal philosophy that a labourer, a worker, an employee, is entitled to as much notice as possible, because he too has a stake in the business—not just the owners of the company, but the employee as well.

He has a take in the company because of the job he holds in that company. He is dependent upon that job to provide wages to keep him and his family. He has also a stake in the community in which he lives. He probably owns a home in that community and he has an investment in that comunity and in that plant in many cases as much as the employer does. So I feel that the employee is entitled to all the security that we can give him. While I think that the government is moving in the right direction in the matter of this bill, they have watered it down so much that it has become entirely ineffective.

There is one part of the bill, Mr. Speaker, that I would particularly like to ask the minister about and that is section 10, subsections (mb) and (mc).

Interjections by hon. members.

Mr. T. P. Reid: These will be found on page 11 of the bill. Subsection (mb) states:

Providing for the substitution of another day in lieu of a day defined as a holiday in this Act,

And (mc) reads:

Providing for the averaging of daily or weekly hours of work over a longer period of time.

My question to the minister is, is this an attempt by the government to put a continental work week into this bill and into the legislation of the government? Is it the government's intention to put into legislation the practice that some companies have been following for some time, and that is to do away with overtime and time-and-one-half on Saturdays and Sundays—

An hon. member: And holidays.

Mr. T. P. Reid: —and holidays by putting in this kind of legislation? It would allow the employer, at his own discretion, to do away with the Monday-to-Friday week and to substitute therefore, any five days during the week and cut the employee out of his overtime and his days off—

Mr. De Monte: His leisure time!

Mr. T. P. Reid: Pardon me?

Mr. De Monte: His leisure.

Mr. T. P. Reid: His leisure time, holiday time; because of this legislation.

Before I go on, Mr. Speaker, I wonder if the minister could give some indication if this is the government's intention?

Mr. Speaker: Perhaps you should continue and he will answer all questions when he arises to speak.

Mr. T. P. Reid: Well—

Hon. Mr. Bales: Mr. Speaker, I do not mind responding now.

We are dealing with this matter in second reading and we will be going into detail, subsequently, but if I answered all those questions we would be here all day. There are reasons for this. We will do it later.

Mr. T. P. Reid: I would agree with the minister that we are discussing this bill in principle and the only problem is, as has been pointed out by the leader of this party already, that subsequent sections of the amendment nullify the principle of the bill. To my mind this would be another section that would nullify the principle of the bill too. What you are doing in effect, is sort of handing out a very small carrot, and then beating the employees over the head with a very large stick. It seems to me that this is very cogent to the principle of the bill; if the government intends as a principle of this legislation to introduce into legislation, in a statute of this province, the fact that there shall be a continental work week in the province of Ontario.

Mr. Speaker: The member for Wentworth.

Mr. Deans: Mr. Speaker, most of what can be said about the bill has been said. It is not very good legislation. In fact, it typifies the kind of legislation we have had placed before us by many of the cabinet ministers in the last few days, which seems to be hastily drawn. It does not really begin to meet the needs as they affect individuals in this province.

I am not at all convinced of the validity of the position that has been taken by the government in regard to determining how much notice an individual should require, based on years of service. I think we have to start looking at people as people and recognizing that the effect on individuals varies, not in accordance so much with his years of service, as it varies in accordance with his age and skills.

What I do not see contained in this bill are any provisions to ensure that there will be special care taken of people who, when they become over 50 years of age, find themselves unemployed through no fault of their own. This government seems totally unable to recognize that to give a man eight weeks or 12 weeks or 16 weeks or six months' notice is of very little value to him. He has reached an age when it is impossible for him to go back into the marketplace and find employment. It is toward that end that we should be directing ourselves.

I see little to compensate for situations such as the one that is arising in the city of Hamilton right at this moment where International Harvester is yet again cutting back their operations in the Hamilton area. They are proposing to reduce the work force in the International Harvester plant by about another 200 employees.

And what happens there is not that those 200 who are presently employed in those jobs necessarily will go out the door, but there will be 200 persons employed by the company at a much lower level in the employment picture who will likely be without work in the near future. And there is no provision here to compensate for those kinds of things.

We are seeing companies doing what they call rationalizing their operations, where they are moving many of their manufacturing operations and the operations that they normally would carry on in Ontario out of this province, and in many instances out of this country, to be produced outside and brought back in. And the result of this is unemployment to the citizens of this province, and unemployment which I feel and suspect this government is paying little attention to.

There just has to be somewhere in the government benches an individual who can express in writing, in the form of legislation, his concern for the work force of this province as it is slowly being reduced by the anti-social actions, by the unconcerned actions of the managements of many of the corporations.

The example of Dunlop was cited in this House; there are many others. The one at International Harvester at Hamilton was shown to be an operation of phasing out that is taking about 10 years, where work forces have been reduced from 3,000 something less than 10 years ago to approximately 1,500 today and to about 1,300 within the next month or two.

There has been no attempt made at any time by this government to do anything at all about meeting this very vital need. It has been raised with the Prime Minister, with the Minister of Labour, time after time after time. They have been asked on numerous occasions to sit down with management and find out what their plans are in order that suitable legislation and suitable planning can be done, not only by the government but by the unions and the people involved. And in every single instance the company has continued to do exactly what they intended to do and this government has had no backbone in standing up to them and saying: "We are here to protect the rights of people."

This bill is not nearly enough; it does not even begin to meet what are the obvious needs that are being brought to our attention even more forcibly over the last two years on a day-to-day basis.

The amendment that was offered by the deputy leader of this party, the member for Riverdale, must be supported in this House. This bill really ought to have been redrafted; unfortunately the time left is not enough.

Mr. Speaker: Does any other member wish to speak before the minister sums up? The hon. minister.

Hon. Mr. Bales: Mr. Speaker, The Employment Standards Act was first introduced in 1968. It covered a number of basic provisions in reference to the work force of this province. We have now added to that additional benefits and protections, and under the provisions of part 1 (a) developed a new section called "Termination of Employment Requirements."

I think we should bear in mind—and I hope the members of this Legislature will—that this is basic protection for the people in the work force of this province. We are in no way trying to stipulate that these shall be the only or the maximum benefits. These are the basic protections that we want to see available to all in the province.

There are a number of additional protections that we have included under this Act, particularly that in reference to prevention for dismissal on the ground of garnishment proceedings. We are changing other provisions dealing with the provision for holidays and certain other matters set out in the Act itself.

I am not going to dwell on those to any great length of time, but I want to stipulate, as I have said in this House before, that these are the kind of benefits that we will be adding to from time to time, increasing the basic protection for the people of the work force in this province. I think it is important that we provide these kinds of protections, and that we establish a scale or a line of thinking for the industry of the province as a whole.

Now turning for the moment to the matter of termination of employment, in this province we now have a work force exceeding some 3 million people. That work force is increasing in numbers by nearly 100,000 a year. This has been the objective of this government over the past number of years.

When I came to The Department of Labour at the end of 1966, there were about 2.8 million people in the work force of this province Today that number exceeds 3 million. It fluctuates up and down, but it exceeds 3 million at the present time. Through my colleague, the Minister of Trade and Development (Mr. Randall), the government has been very active in encouraging new industries to come into this province, and in encouraging industry to expand so that we can provide new jobs for the increasing population. If we are going to do that, we must also see that the economy moves ahead as fast as we can and that we have as nearly full employment as possible.

Let us look at the employment record in this province over the last few years. Last

year, for example, in 1969, I believe unemployment was reduced at one point to 2.9 per cent, less than—

Mr. T. P. Reid: Is the minister taking credit for that?

Hon. Mr. Bales: No, I do not, but I am pointing out what is happening in this province through the combined efforts of a great many people, business, government and everything else.

Mr. T. P. Reid: And the federal government!

Hon. Mr. Bales: And the federal government, yes! But members will note, as I will point out to them, that the unemployment level in this province is substantially less than it is in many other provinces in this country. Regretfully, I would like to see them all—

Mr. T. P. Reid: I do not agree with the minister.

Hon. Mr. Bales: I would like to see them all have as low an unemployment record.

Mr. T. P. Reid: The only thing we object to is the minister taking credit for it.

Mr. Speaker: Order, please!

Mr. O. F. Villeneuve (Glengarry): Apologizing for Ottawa again.

Hon. Mr. Bales: Mr. Speaker, on looking at the rates of unemployment, our economic activity has moved ahead. We have had very close to full employment over these last few years.

Mr. Pilkey: That is little consolation for the person who is now out of work and looking to the minister's department for aid!

Hon. Mr. Bales: That is right. That is why we are bringing in additional protection. That is why we have economic programmes to see that new businesses are established. That is why we want to create the kind of climate—

Mr. Pilkey: That is very little consolation to the guy who gets hit.

Hon. Mr. Bales: —so that business wants to operate here and to establish new plants so as to create new jobs. If you are constantly going to restrict industry, it will soon find another area where it can operate with better efficiency and better practicality. Now, Mr. Speaker—

Mr. Pilkey: They come here because they can make a buck. Let us face it.

Hon. Mr. Bales: —under the provisions of the Act, in reference to termination of employment we have done a considerable amount of work to deal with this kind of situation. We must deal with two types of circumstances.

One, where you find an individual who is dismissed from employment without cause, we want to see that he has greater protection than he has today. Granted, there are the common law rights but for the individual, this is often difficult to pursue. So under the provisions of the Act, we deal with a situation, first of all, in reference to the individual.

In those cases we have provided four different categories—they are all set out here—so that the length of notice that he must receive is gauged by the length of time that he has been in his place of employment. The longer he is there, the more notice, in my view and the government's view, he should have—the longer notice he should have if he has to leave that job. We need that length of notice these days so that we can help him relocate and find a new job in a new industry.

Frequently, a great many people these days—

Mr. Pilkey: Yes, that is the whole philosophy behind the bill.

Hon. Mr. Bales: —have to have further retraining. They have to have the help that is provided, but too often the assistance that is available is not taken advantage of. We have provision for unemployment insurance—that is a federal matter—and we have recently had a new white paper come down suggesting changes in that regard.

There is also Canada Manpower which is there to register the employees, to categorize their skills and to help place them in new positions or new jobs. Our department comes into this in reference to various areas, particularly in the apprenticeship field, but also in the short-term training.

A man may have a number of basic skills, but he may not have the exact skills to fit him to take on a new job in a new plant. He needs some additional retraining, and it is not a bad thing for an individual to move from one job or another two or three times in his lifetime.

Mr. Nixon: That is what we have.

Mr. Pilkey: What about the anxieties and the frustrations?

Hon. Mr. Bales: Maybe you have, but I have not been here that long, and I think we

shall just stay where we are for a while. You are doing all right where you are and I think you need a little further training there.

Mr. T. P. Reid: After next year the minister will be over here.

Hon. Mr. Bales: No, I do not think so.

Interjections by hon. members.

An hon. member: Working for a living?

Hon. Mr. Bales: Mr. Speaker, what we want to see is that there is time enough so that we can assist the individual employees to take advantage of the services that are there; the assistance that can be rendered to him to put him into a new job and frequently a higher paying job than he may have at the present time. Sometimes it is a difficult matter of readjustment and we recognize that. But there are many provisions, many means whereby we can assist him.

Now you have come to the matter of termination of employment or the mass shutdown. This is the kind of situation where a plant closes down. I am rather surprised at the official opposition who have taken the line in essence that we must have—and I think the term the hon. Leader of the Opposition used was economic supervision—that industry must justify the economic situation I think is the term he used. In essence he is saying that if industry is going to change the operation, if it is going to phase out a particular part or type of its operation, it must seek government approval before it can do that.

Mr. Nixon: What is the minister going to do about these pirates that are closing down industries across Ontario?

Hon. Mr. Bales: Now, just a minute! The member is interjecting on one particular phase of the matter. I think we have to look at the basic matters and basic principles on this.

This province has been developed on a free economy basis and it has developed very well. We believe in free, collective bargaining and we believe that industry should be encouraged to expand and to develop on its own, with due government supervision but not shackled by government. What members opposite propose to the government is put industry under.

Interjections by hon. members.

Hon. Mr. Bales: Mr. Speaker, we brought The Employment Standards Act in initially to deal with a number of matters to give basic protection to individuals. Our intention and plan here, in incorporating these provisions within the Act, is to add the kind of protection for the individual that he requires when a plant is shut down. It causes a particular problem in a community and to the individual himself.

If you have an individual laid off or a dismissal, it may be one thing; but if you have a large number of dismissals from one plant at one time, it throws an added burden on the community as a whole as well as on the individual to relocate and to find other satisfactory jobs in a short space of time.

The hon. Leader of the Opposition made a point particularly in reference to section 6(b) 2, and I appreciate the point he made. It was a matter that caused a good deal of concern to me and to the others working on this matter in drafting the legislation. It would have been much simpler from my standpoint to have included within the Act itself the stipulations as to the type of notice, but we felt that we need some greater flexibility in this to draft regulations, and I propose to hear submissions on this matter before the regulations are drafted.

I made a comment in reply to a question from some people in the press as to the length of notice I had in mind, and I have no hesitation in telling the members of the House that I think it has to be a graduated length of notice dependent upon the number of employees in the plant, because the greater number of employees there are, then you have a larger number of people chasing the same jobs perhaps or a greater economic dislocation within a small community. The length of notice I have had in mind in reference to this is where you have from 50 to 100 employees, eight weeks; where you have 100 to 300, 12 weeks; in reference to 300 or more, 16 weeks.

We have heard a great deal about the Dunlop situation today. That was a difficult matter and I had a great deal of concern for the workers in that plant, and we are still working and will continue to work to assist them. But the length of notice that they would receive if these regulations are brought into effect will be more than twice as much as they actually received under the practice that was carried out in that instance.

My recollection is that the announcement was made to the employees at the end of the first week of March, and the majority of employees continued to work until the end of April and the plant at that point ceased operation to all intents and purposes. I think—

Mr. Pilkey: Yes, but what if it was not necessary to phase that plant out?

Hon. Mr. Bales: I think that there were about 50 or 60 employees who may have remained and may still be working there. They did for some weeks. But the fact is that we want to see them have greater length of notice so that we can assist them in ways of registering them and categorizing their skills through the assistance of Canada Manpower.

This is not a one-government operation. There has to be co-operation through all levels of government to assist them to find jobs, and if necessary set up retraining programmes to enable them to cope with their new responsibilities. This is the kind of situation that we must deal with and for that reason we have brought forward this legislation.

I think there is one other point I want to make particularly. The hon. members opposite would have us go into each particular industry and try to check as to whether they were justified, under the circumstances and with their knowledge of the situation, in closing down a plant.

Interjections by hon. members.

Hon. Mr. Bales: We believe that a responsible industry knows more about running its own industry than we do or any experts we might hire.

Now under the provisions of the bill as it is set out, there is a stipulation that industry must co-operate with my department during that period of notice in order that programmes intended to facilitate the re-establishment in employment of the persons whose employment is to be terminated can be set up.

This is the kind of thing that we must have and for that reason it is written into the Act and I will see that it is carried out. Too frequently today there is a hiatus when there is no communication between the industry and its employees—or at least not communication that I am satisfied with—and for that reason we want that kind of communication and we want to see that the employees are advised as to their rights, advised as to the situation in reference to their collective agreement, their pensions, and so on. We want to make sure that Canada Manpower is advised and through its officers is registering the employees, categorizing their capabilities and seeing what other assistance must be given to help them obtain new employment.

Mr. Speaker, I think there have been other points raised about the older worker and so on. In the amendment put forward by the hon. member for Riverdale he did mention certain matters about the older worker. This has been a matter of concern to us and it is one of the considerations that will be in my mind when we are drafting the regulation, as well as the length of notice required and the type of notice and all the other things that must go with that.

With reference to the older worker we must not forget that some five years ago this government set up The Age Discrimination Act and started then to provide protection for the older worker in these fields. We have a good system operating there at the present time and we have been able to render a substantial amount of assistance to the older person.

Mr. Speaker, we come down to what I think is the basic difference between the members opposite and ourselves, in that business today tends to be extremely specialized. The best available experts, with the greatest knowledge, generally are employed by the companies themselves.

They have greater knowledge of their business than the government has. The government, in my view, cannot render the greatest assistance to the individual worker by trying to go in and become instant experts in reference to running a business and deciding when parts of it must be phased out by reasons of different markets, different public requirements and so.

Mr. Speaker, these are the kind of provisions we can enact and the kind of aid and protection that will not interfere with the ongoing and increasing economy of this province, so that we have greater business and greater job opportunities for the individual.

Mr. Martel: Mr. Speaker, could I ask the minister if he is going to reply to that part of the—

Mr. Speaker: No, the debate is concluded by the minister's reply.

Mr. Martel: I raised the matter; I simply want to know if he is—

Mr. Speaker: The motion is for second reading of Bill 96.

In an amendment thereto, Mr. Renwick has moved, seconded by Mr. Pilkey:

> That this motion be amended by deleting all words after "that" and substituting therefor the words.

The House is of the opinion that the bill is fundamentally defective in principle in that:

1. It fails to provide adequate notice of termination of employment or wages in lieu of notice based on the combined factors of age and length of service, and

2. It fails to provide adequate notice of public hearing before the minister in the event an employer decides for any reason to curtail or discontinue all or a substantial part of his operations or to change the operations or to change the operations in any way which would substantially reduce the number of his employees or the composition of his work force as to trade or other skills or qualifications, with power in the minister to determine the matter.

This House is further of the opinion that Bill 96 should be withdrawn and a new bill meeting the objections in principle listed above be introduced forthwith.

I think we are all acquainted with the manner of dealing with motions such as this on second or third readings of bills.

The first question to be decided, of course, always is shall the word "now" and all other words sought to be struck out stand as part of the motion? Therefore the vote will be taken on whether the word "now" shall be included; the vote I shall ask for is whether the bill shall be now read a second time.

The House divided on the question "shall the word 'now' and all the other words sought to be struck out stand"; which was decided in the affirmative on the following vote:

Ayes	Nays
Allan	Ben
Apps	Bolton
Bales	Bukator
Bernier	Burr
Boyer	Davison
Carruthers	Deacon
Carton	Deans
Connell	De Monte
Davis	Edighoffer
Demers	Farquhar
Downer	Ferrier
Dunlop	Gaunt
Dymond	Good
Evans	Haggerty
Gilbertson	Innes
Gomme	Jackson
Haskett	Lawlor
Henderson	Lewis
Hodgson (Victoria-Haliburton)	MacDonald
	MacKenzie
Hodgson (York North)	Martel
Jessiman	Newman (Windsor-Walkerville)
Johnston (Parry Sound)	Nixon
Johnston (Carleton)	Paterson
Kennedy	Pitman
Kerr	Reid (Rainy River)
Lawrence (St. George)	Reid (Scarborough East)
MacNaughton	Renwick (Riverdale)
Meen	Renwick (Mrs.) (Scarborough Centre)
Morin	Ruston
Morningstar	Smith (Nipissing)
Morrow	Spence
McKeough	Worton
McNeil	Young—34.
Newman (Ontario South)	
Pritchard (Mrs.)	
Randall	
Reuter	
Robarts	
Rollins	
Root	
Rowe	
Rowntree	
Simonett	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Villeneuve	
Welch	
White	
Whitney	
Wishart	
Yakabuski	
Yaremko—54.	

Clerk of the House: Mr. Speaker, the "ayes" are 54, the "nays" 34.

Mr. Speaker: I declare the motion for second reading now carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. Renwick: No, Mr. Speaker. I think we would like it to go to the Committee of the Whole House.

Mr. Speaker: Committee of the Whole House.

THE MUNICIPAL ACT

Hon. Mr. McKeough moves second reading of Bill 142, An Act to amend The Municipal Act.

Mr. E. R. Good (Waterloo North): Mr. Speaker—

Interjections by hon. members.

Hon. W. D. McKeough (Minister of Municipal Affairs): It does not matter. I was going to wait until this one was passed and then move the other one.

Mr. Speaker: I am advised by the Minister, and looking at the bills, I see there is considerable substance to his suggestion that the two bills might both be moved for second reading. And since in the main the principle is really the same, the debate might range over both bills. I think we could do that if the hon. members wish to do that. Is it agreed that we do that?

Mr. J. Renwick: Agreed!

Mr. Speaker: Would the hon. minister then move second reading of the other bill?

THE ASSESSMENT ACT

Hon. Mr. McKeough moves second reading of Bill 143, An Act to amend The Assessment Act.

Mr. Good: Mr. Speaker, as you have indicated, the second reading of both of these bills will be considered at this time.

Since I have my notes separately and cannot read two pieces of paper at one time, I will try to relate to the first bill, An Act to amend The Municipal Act, first, and then an Act to amend The Assessment Act. Where my comments do overlap, which they will of necessity, I will try to omit that part from the second reading.

It is obvious to everyone that there is a necessity for both of these bills to come before the House so that some consideration may be given to relieve the situations which have developed across our province due to market value assessment with the resulting high shift of taxation; first to individuals within certain classes, and secondly from industrial and commercial assessment to residential assessment which then results in high residential property taxation.

It is also obvious when one studies the principle in both of these bills that government have strictly and very definitely made up their mind that they are not going to monkey with their original theory of market value assessment. Nor are they prepared to amend The Assessment Act so that they would bring in safeguards to eliminate the problems which had developed from carrying out the new Assessment Act. Consequently, they have brought in bills which, in my mind, while they will eliminate some of the problems to the individual person who has suffered or will suffer from high taxation, will not do the job that should be done to eliminate the basic cause of the shift in the two areas which I have mentioned. In other words, we are going around putting out fires created by the original Assessment Act, instead of getting at the root of the problem.

The minister has stated on several occasions that the old Assessment Act created discrepancies across the province in the methods of assessment. I think the new Act creates a new form of discrepancy or we have a new kind of discretion. I would just like to quote briefly from the editorial in the *Globe and Mail* of June 16, 1970, which says:

> —it is obvious from the outset that reassessment of property in Ontario is going to be plagued with pitfalls and, of course, the turmoil in Mississauga just west of Toronto merely confirmed how volatile a political issue could be. Nevertheless, when this hot potato was passed to the Minister of Municipal Affairs, we expected he would do something more than juggle it. Well, juggle it he did in the Legislature, in the form of a bill that runs contrary to what the government said it was trying to do.

The government said it was going to do away with discretionary rule. It was going to introduce uniformity across the province. It was going to produce equity among property owners by insisting that similar properties be taxed at similar rates. Mr. McKeough introduced a bill that would establish a new kind of discretion and a vaguely defined one at that.

I agree wholeheartedly with the intent of what was written there—but we are just replacing what the minister has called one inadequate type of legislation, with another inadequate type of discretion which, in my mind, could be even more dangerous than the first.

I am not prepared to admit that there was all that great degree of unfairness in our old Assessment Act. I think there were some areas in which there were discrepancies, but I think

under our new Assessment Act we have equal and perhaps more far-reaching discrepancies.

We will look at the first bill and just see what it will do to try to correct the situation which has arisen. And we would like to keep in mind the two problems which are prevalent across the province. First, the problems of individual properties within a certain class being taxed at exceptionally high rates. And second, residential property in general being taxed excessively high because of the shift from industrial and commercial property to residential, which has resulted in areas where market value assessment has taken place.

All right, the first bill states that where taxes increased on any land by more than 10 per cent due to a different assessment—and that I presume would mean after reassessment at market value—the municipality may apply to the minister to be designated as a municipality to which this section applies, and in which case, if the municipality is designated by the minister, then the municipality may pass bylaws.

Now what type of bylaws may they pass to try to rectify this situation? First the principle involved in the first part of the Act says that they first must set forth the amount of increase and the amount of decrease on each separately assessed parcel. What this means in fact is that the municipal clerks or the municipal tax collectors are going to have to make a whole new tax roll for the community and this will involve figuring out how much each person's tax has increased from the year before or how much each person's tax has decreased from the year before.

Just let us think of that. They would, first of all, have to find out how much the increase was and how much was the decrease, and then they may pass bylaws which would limit the amount of increase exceeding $50; and this can be done each year up to a five-year period.

That is the extent of the direction given to the municipalities—you may pass bylaws to limit.

So how do they limit? In my mind, it is very ambiguous. They can do it, I suppose, on a percentage basis—on an amount basis. They could say, "We will do it for people living on certain streets but we will not do it for people up in that area."

I would think myself the amount of limitation here above the $50 is going to be a very, very difficult area in which the municipal council is going to have to make decisions. And let me tell you, when we start limiting people's tax increases you are starting to enter into personalities and this sort of thing.

In my mind this was the minister's greatest objection to our old method of assessment, so now he is going to turn the discretionary power—which assessors had previously to limit assessment within certain categories and classes—he is going to give this discretionary power to municipal councils to deal with on an individual basis among each property owner.

They are going to have to deal with, in my mind, a very dicey situation. The council is going to have to figure out what type of limitation they will instigate to correct this problem.

The solution of the problem is this. They limit the people whose taxes are going to be too high. Then the next problem they are faced with is how they are going to make up the revenue which is lost by the limitation of taxes which are too high.

They have three ways of doing this. First they can add it on to those taxes which they think are too low.

Now is that not great? Is that not terrific? We are doing this reassessment to get equity and fairness, but the minister here says if some of the taxes go down too much, the municipality may say to them: "No, we are going to bring your taxes back up to make up for the ones that we had to reduce."

Honestly, I am just amazed at the implications when you start to figure out what could happen with this short little bill. It is a short little bill but it is really loaded.

So they can add those increases. They can get the money from those increases by raising the taxes of the people who have had decreases. Or they may raise the amount from the general revenue of the municipality. Or thirdly, they may use a combination of both.

I do not know if it is the minister's intention to send out any guidelines or directions to municipalities to help them in some way ascertain what the real intent of the legislation is. I do not know if the department and the minister have figured out themselves what the intent of the legislation is. My experience has usually been when you question the intent of a certain section of a bill, they say: "Well this is our intention, and if the courts prove it wrong then we will amend the bill later."

In this case they must surely have some intention for this section and if the municipal councils do not use that bill to coincide with

the intent of it, then perhaps they will pin it down a little more clearly.

We must remember here that the two basic problems are caused first by the hardship to individual property owners and secondly by the shift of assessment and resulting taxes from industrial to residential. In my view the second problem is impossible to rectify with this legislation. I just do not think it can be done. The shift which has developed from industrial to residential assessment I do not think can be corrected, for several reasons.

First of all, the minister has in my view looked upon the market value assessment as a sacred cow which cannot be touched. He has decided that there would be no safeguards built into this new method of assessment which would, first of all, prevent an individual's property from being assessed at very high values with resulting high taxes.

Second, it is impossible without building in some safeguards to assess industrial and commercial land at market value in the same manner in which residential property is assessed at market value. I would like to deal with that for just a moment. It is very easy to get the market value of a residential property; they are selling every day of the week. But I think everyone agrees that it is impossible to get the market value of an industrial building, so they have to use replacement costs, less depreciation.

I maintain—and I have in this House on numerous occasions—that that gives industry a decided advantage, because replacement cost less depreciation is not the same basis on which residential property is being assessed at market value. It is sales in residential property which is fixing the assessment, not replacement cost less depreciation. As a matter of fact, if you wanted to carry this argument to the extreme you could say that for many industrial properties market value is nothing more than the price of the land, less what it would cost to tear the building down because the building may not have any market value.

I think, in fact, what you are doing here is you are ending up with a common tax rate on properties which have been assessed in two entirely different manners. This is, I think, where 90 per cent of the problems have arisen. Consequently, since no one whose taxes have risen $50 or less can receive any benefit, the majority of the people in the municipality are not going to be affected.

It is the vast majority whose taxes have gone up $40 or $50 in a year who are going to pay the shot for the large industrial firms whose taxes have gone down by a great deal. Maybe $50 is not much to the minister or to some other property owners but to some people that could represent 25 per cent of their annual taxes. You have decided to allow no reduction whatsoever.

On an older property on a downtown street that could represent a very large proportion of taxes. On another large house in a new subdivision it may represent only two per cent of the taxes. I think that you will find that a great many people are going to be left out of the intent of receiving help from this bill simply because of that one clause.

We find that there will only be a few with extreme problems who are going to be helped. I think this then leads me to believe that this bill was basically designed for the extreme cases which have developed in Vaughan and Mississauga townships, close to metropolitan areas. The minister shakes his head; yes.

What about the people who have been reassessed on market value in Waterloo county? The same thing could happen, but the bill is not designed as much in their favour because there everyone has had to take a smaller increase in their taxes in order to offset the decrease which is resulting in industrial and commercial tax revenues. I do not think this is the way that this bill should have been designed.

We have to agree with what you are trying to do. You are trying to help people whose taxes have gone out of hand. For that reason we are going to have to support the bill, because I would hate to have the people in Vaughan and Mississauga townships say that we stood in the way of their getting some help. But in my mind it is a miserable job you are doing in trying to rectify the situation which results in many areas across the province.

Hon. J. P. Robarts (Prime Minister): I have heard this so often, I recognize it. Both sides.

Mr. B. Newman (Windsor-Walkerville): Trying to rectify an old job.

Hon. Mr. Robarts: Both sides.

Mr. Good: Just let me quote a few figures here as to what has happened in some other parts of the province. All right—

Hon. Mr. Robarts: To the member going to oppose it?

Mr. Good: In the town of Elmira, for instance the residents have to pay an additional $35,000 of taxes which would normally

have been paid by industry in that community. Now I daresay 700 homes paying $50 extra each will pay for that so they would get no relief whatsoever under this Act.

In Preston homeowners will pay an additional $135,000 in taxes previously paid by industry.

The largest shift of which I am aware was in Hespeler where 16.5 mills of taxation went from industry to residential property after reassessment.

In the town of Ajax—

Hon. Mr. McKeough: Would the member not agree that that got started before reassessment?

Mr. Good: The town has been reassessed—

Hon. Mr. McKeough: Would the member not agree though, that there were court cases two or three years ago which started that shift and that it is not all related to the reassessment programme?

Mr. Good: Perhaps the minister is correct, but under his present method of market value reassessment he is only perpetuating it. The municipal board reduced, to a great extent, the assessment on the building there and we went through this in my throne speech, exactly what happened there.

I do not want to have to go through this all again unless the minister wishes. I would be glad to put it on the record again.

Hon. Mr. McKeough: I just want to point out that I do not think the member can have it both ways. If he is going to blame it on reassessment, fine; if he is going to blame it on court cases, fine; but I do not think he can mix the two things.

Mr. R. Haggerty (Welland South): We are blaming it on the minister!

Mr. Good: All right. The minister has seen fit to take assessment under his wing, so there is no one else in the province to whom assessment problems can be taken other than himself. If the problem is there, regardless of how it was created, it is the minister's!

An hon. member: Pretty floppy wings.

Mr. Good: Further to that, the best example of hardship on an individual basis is that of the widow out in Mississauga whose property taxes jumped 500 per cent under Ontario's plan for reassessment, for the simple reason that it was situated on a large parcel of land.

I have spoken of this before and I agree that where a person has excessive land, and a separation can be had for the land and the land is marketable and expensive, they either have to get rid of it or pay the tax. I think we all agree to that. There is no objection to that.

But where a person has built a house and it is situated on a large lot—maybe it is in the middle of what originally were two lots and people have moved in around them; to them that is simply their home, nothing more. They have a larger lawn to cut maybe than their neighbours.

But the minister's methods of assessment treat that as though they had a certain number of square feet which are worth so much a square foot in the town of, say, Mississauga, or on the outskirts of Kitchener or Waterloo, and they are assessed at that rate.

This is where I think the safeguard should be built into this Assessment Act. The people, I think, would not be as badly hit if the corrections were made in the method of assessment, rather than in this type of patchwork later on. Because you are going to have to juggle one or the other. You have seen fit to do it, in a very very ambiguous way—

Mr. R. D. Kennedy (Peel South): The county assessed it.

Mr. Good: —under this Act.

The last point I would like to make regarding this tax situation out in the township of Mississauga deals with how will the property owners be able to recover from the huge shift in taxation which has taken place, which results in the Bell Telephone paying taxes of $180,000 less than the year previous; Gulf Oil Company, $139,000 less; St. Lawrence Cement—their taxes went down $96,000; and Texaco got a $14,000 reduction.

I would surmise that those great reductions will be spread across—

Hon. Mr. McKeough: All the member wants is for us to be fair and—

Mr. Good: I think the minister can answer that when he answers later, if he does not mind. It sort of throws me off.

Hon. Mr. McKeough: All right.

Mr. Good: I would suggest that these decreases in industrial taxation will be spread across a large number of residential properties—

Hon. Mr. McKeough: Not so!

Mr. Good: —and only a small number will be receiving aid under this grant. So I would conclude—

Hon. Mr. McKeough: Not so!

Mr. Good: —I would conclude my argument that in no way will the shift from industrial to residential property achieve the full treatment of benefit that it should if the change were made back where the cause of the problem lay and not in the taxation end.

I would think that the other thing that is of relevance here which we must take into consideration is that this little help that is offered here will expire after five years at the pleasure of the minister, or before that if he wishes. In the final analysis, instead of the municipalities having to take it from Peter to pay Paul, they should be paying Paul from the provincial Treasury—that is what really is needed.

This is doing nothing for the municipalities as far as their tax revenue is concerned. All the minister is doing is saying, "Mr. Jones, your taxes are too low, you are going to have to pay for Mr. Smith's increase, his taxes are too high."

Well probably Jones agrees that the other fellow's taxes are too high, but he is going to say: "Well why should I suffer? They assessed my property on what was considered to be a fair and equitable basis and within the limitations of all the statutes and regulations of the province, and then the municipal council comes along and tells me because my taxes went down more than $50, they now have the right under the statute to take from me and give it to someone else." This to me is a very repulsive principle in that it does not do anything for the basic problem.

I will try to relate the parts of the other bill that deal with this Act at this point and then deal with the other parts of Bill 143, An Act to amend The Assessment Act, separately, if I can separate them in my notes here.

The principle involved in section 76 of The Assessment Act, and this section, which relates to cancellation, reductions or refunds, and which has always been in The Assessment Act, allows people to appear before—in this case the new assessment review courts. There is a clause added by which a person can go for a reduction, refund or cancellation of his taxes. It says here that he may apply if his taxes "are unduly burdensome by reason of an increase resulting from a different assessment."

This sounds as though it is a pretty free-and-easy access. But the catch here is that, first of all, a municipality must have passed a bylaw to cover the situation; otherwise he has no right to appeal to the assessment review court. If the municipality does not recognize the situation, the individual has no rights at all. What it does, I suppose, is assure the individual that he can avail himself of the benefit of any bylaw that has already been passed by the municipality.

Further on in this Assessment Act—I think, Mr. Speaker, I will have to go through it separately, just as I have in my notes here, and relate what they do then to the original Act.

The first part of the bill relates only to the correction of references and to a saving on computer costs by deleting a few of the things in the one section. I gather that is what the saving would be. Then there is the principle involved in the assessment. It says that the assessor shall cause the census to be taken. It does not say by whom it should be taken or whether the assessor would do it. My understanding here is that the practice has just been completed whereby the assessors are responsible for hiring people to take the census in the municipalities.

There has been a great deal of criticism in many areas because of the people employed in doing this. While there was a great cry and lack of job availability for students, it was found in many areas it was the Tory poll clerks who were hired by the local assessors to do the census taking in these areas.

Hon. Mr. McKeough: We already dealt with that!

Mr. Good: Did he really! This, I am not aware of, other than I have had several letters complaining of this fact. But what I am aware of, and asked the question of the minister in the House sometime ago, is if he felt these people would be sufficiently trained in their one or two days training session to do the job adequately.

So I walked into the municipal office a few days ago and asked. They handed me the top page of the return census role and, so help me, if one could decipher the writing and figure out what it was all about, he would have to have better glasses than I. In my mind, it was not done properly, and in the mind of the civic official it was not done properly. I think there will have to be considerable emphasis put on this particular

thing in some areas that it be done as professionally as if the assessors were doing it themselves.

An hon. member: There is no reason why they cannot do it.

Mr. Good: This is a job that the minister did not wish to have his assessors do, to have his professionally trained people going around taking census. What appeared previously on this census roll, was spelled out in the old assessment Act. Now it is designated by Order-in-Council or the minister.

I would hope that in those municipalities—in fact, in all municipalities at the present time—they will have a canine census, until such time as he urges the Minister of Agriculture and Food to bring in amendments to the sheep, livestock and poultry protection Act, which would make the issuing of a dog license permissive in municipalities which do not want to be bothered with it on a yearly basis.

There are a number of those municipalities but I do not see any action for it coming from either of the ministers in this regard, although we have discussed this on other occasions.

The matter of payment by mining companies now is spelled out in the regulations of a previous section rather than enumerated in that part of the Act. The principle of section 6 is that the assessment commissioner, I understand, may return the roll in areas designated by him. Would this be comparable, may I ask of the minister when he replies, to the manner in which the ward system of Metropolitan Toronto has been carried?

Hon. Mr. McKeough: Yes, that is the reason.

Mr. Good: That is the reason. But this could not be done in any other municipality? Fine!

The regional registrar—I gather this is a new level of administration and he is responsible for the certification of the roll and other duties set out for him regarding notification and what not. Perhaps the minister would comment on this new administrative level which would be over the assessment review courts as far as returning their documents to the roll.

Hon. Mr. McKeough: There is no change really.

Mr. Good: No change, all right, fine!

Now section 13 of the Act—I would just like to comment briefly on the principle here. This is where the 14 days' notification to a person, as the result of a hearing before the assessment review court, has now been changed to "forthwith". Now the word "forthwith" has never been in my mind defined in legal terms or any other terms. It is probably one of the most ambiguous things that can happen; it can be fulfilled if the person wants to do it right away, or if for some reason there is a delay and the regional registrar wishes to procrastinate, I suppose he is still complying with the Act and saying that he is doing it forthwith.

The second part deals with the length of time in which a person has to appeal; this is being changed from 14 to 21 days. I think that is a very good idea; it gives the person a little more time to make sure that his appeal gets to the OMB.

Let us get to the real crux of this second bill, of The Assessment Act, and the areas in which it relates to the amendments to The Municipal Act.

First of all, dealing with the equalization factors and equalization of assessment as it applies to the county levies: When the county puts their levy out to the other municipalities, as I understand the principle shown here, both the factor provided by The Department of Municipal Affairs and the application of the factor which figures out the levies may now be appealed by the lower-tiered, so to speak, municipalities. Previously, I understand, they had only 30 days to do this after the list was published by the department and now they would have until November—I believe it is November 1 of the year—and since the list must be published by July 15 there really is an extension of time for appeals to be made.

The next part concerns me greatly, and that is the application of the factor to the county apportionment to the townships, as an example. The new assessment Act says that the new factor, as received from The Department of Municipal Affairs, will be used for 30 per cent of the levy and the previous factor for 70 per cent of the levy.

The disturbing part in this section is that the council of the county, in apportioning the county rate among the different townships, towns, villages within the county, shall apportion 30 per cent of the county rate on that year's factor, and 70 per cent on the previous. Suppose their factor is more advantageous one year than it was last year; there is still no choice.

I would say that the Act should read that they "may" apply it and if it is to their advantage, let them phase it over in a five-year

period. If it is not to their advantage, let them use the whole new factor for last year.

Hon. Mr. McKeough: That is right.

Mr. Good: That is not what the Act says.

Hon. Mr. McKeough: No? Surely all within a certain area have to do it either one way or the other?

Mr. Good: Why?

Hon. Mr. McKeough: Obviously if it is fair to one then it is fair to the other to do it a certain way.

Mr. Good: No, no! The factor could change drastically in one section of a township, say a township that is very near to a city. Suppose there had been a great sale of homes in that particular part of the township and the town is booming and there is a scarcity of houses? The factor could change very dramatically. In another township at the other end of the county, maybe things are going downhill in that area and their factor could change the other way. Now why should both be tied to the same consideration?

A few years ago we had the situation arise in the city of Waterloo where the factor change was going to result in one third of our library grant being cut off the previous year. After a lot of consideration and talking and whatnot, we were able to convince The Department of Education that administered the library grants to give the municipality the option of using this year's factor, or last year's factor, whichever was more advantageous. I would think that under this section the municipalities should be permitted to use whichever method is more advantageous, otherwise what is the use?

Hon. Mr. McKeough: That is fine if the member is talking about a grant, but we are talking about the apportionment of a fixed amount of money within a county. Who is going to pick up the difference?

Mr. Good: This is apportionment—but will not the grant also be fixed to that same factor?

Hon. Mr. McKeough: Not necessarily!

Mr. Good: They will, will they not?

Hon. Mr. McKeough: Not necessarily! No, the grants do not tie in with this 70-30 formula necessarily. This is dealing with the apportionment for a county board or a district welfare board.

Mr. Good: Then in other words, if there are discrepancies in the factor, if one goes up they will all get advantage of it and if they go down they all will not get the advantage of it. This is what it is going to amount to. It is going to be phased in five years, whether it is to your advantage or against your advantage. Is that correct? Well this I will have to look into a little more closely and see just what the implications might be.

The adjustments which are allowed under section 5 I understand are appealable to the OMB where the county adjusts the levies to the townships as they may see fit.

Further to that, Mr. Speaker, I would just like to finish my remarks by stating that I am very much disappointed in the manner in which the minister has sought to give relief to people whose taxes have had sudden and dramatic increases. I think that while we will consider this a short-term benefit, I would hope that work is being done. Actually the minister has given me assurance in this House that there are about 12 or 15 areas in The Assessment Act that are under study and being looked at. But I have not seen the study of one of those areas resulting in any amendments that are before us at this time. So while we will support it, we certainly feel that it has been our duty to point out the deficiencies and the discrepancies that will result in the new type of discretion which is given.

Mr. Deans: Mr. Speaker, I think it would be fair to say at the outset that the financial position of the municipalities in the province of Ontario has not been good for a number of years and that the recent actions of the minister, not including this particular bill, have done little to improve it.

I might say that you could have expected that if reassessment was going to be done it would have been done in conjunction with an overall taxing programme that would have in some way tried to relate the ability of the municipalities to pay for the services that they must provide to the ability of the citizens in the municipalities to pay for those services through municipal tax. This appears never to have been done.

To reassess is one thing, and to put all assessment on a similar base is a fine objective and one with which we agree. Unfortunately, hand-in-hand with this has to go a programme of determining what it is that municipal tax can logically be expected to finance. This is why we run into difficulties, because it was not so much that we needed a reassessment programme in the province

of Ontario, what we really needed in the province of Ontario was a complete change in the tax structure in order to determine how we would be best able to raise the moneys necessary to provide the services and goods that the people of this province have to have in order to maintain their standard of living. While assessment might well have been done, I suggest to the minister that it should not have been implemented until such time as a complete restructuring of the tax at the municipal level was completed.

What has been done in this bill is a piecemeal attempt, really, to patch up some inadequate measures that were taken during the last 18 months. The purport of this bill, of course—just so that we understand, and I think we do—is to make sure that no person's taxes go up by more than 10 per cent as a result of the assessment, or at least no more than $50. I am curious, as I look at it, to imagine how this might work.

I can imagine, for example, on a day during this year, the municipality sitting down and deciding which homes or which properties in that municipality are indeed going to go up by more than 10 per cent and using the $50 as the criterion. It does not matter how it is done; it has to be done. Then—

Hon. Mr. McKeough: The computer has done it in Mississauga.

Mr. Deans: Fine!

Then issuing supplementary tax bills; and finding upon issue of the supplementary tax bills there are additional residences and properties that now go over the 10 per cent and the $50; the municipality issues additional supplementary tax bills which, in turn, change the position of another number of residences and properties—it is like the dog chasing the stick!

Hon. Mr. McKeough: You run it through computers before you issue tax bills and balance the thing out.

Mr. Deans: I just wondered, because I do not see any provision for doing that in actual fact. The provision in the Act does not really permit that to be done. The provision says that it can only be done for those properties that at the time of the decision, at the time of the—

Hon. Mr. McKeough: The bylaw will allow the latitude.

Mr. Deans: This may be so, but I do not see it in the bill and this is why I was a little concerned about it. It could well be a never-ending process and take years and years to resolve. There are some other problems though, aside from the rather amusing thought that occurred to me.

It seems to me that in this initial year, with the province primarily responsible for the shift because of reassessment at the province's insistence, or even in other circumstances, in order to try to avoid the difficulties that we are no doubt going to face in the municipalities of the province in the next six months, as they try to make use of this particular piece of legislation, it might have been better—would have been better—had we made a grant to compensate for that and attempted in this next six-month period to bring about the necessary changes to the basic tax structure in order that we would not be faced with another piece of piecemeal legislation similar to this in the coming session of the Legislature. The whole matter of applying this universally to industrial and commercial and residential properties is one with which I find disagreement.

I am convinced as I look at the manner in which industrial and commercial for the most part—and I want to say about commercial, quickly, that there are no doubt many commercial enterprises which find the tax burden onerous and which will be unable to meet the increase. We have got to deal with them separately. But for the most part, the commercial and industrial complexes fit in to that overall pricing programme. The cost of tax, really—property tax—takes a very small portion, percentagewise, of the costs of operating a business. I think that the Minister is being overly generous in the manner in which he is dealing with this, to say at this point that they should be judged on the same basis as a residence.

I think what could have been done, if I might say so, is that the assessment that was levied, based on last year—perhaps a reassessment—that the tax that was levied should be maintained at least, taking into account any normal increases that occur. The difference, if is to be used, might be put into some kind of reserve fund—it might be called an equalization fund—for the use of offsetting increases to the private property sector, to the residential sector of the community.

I think that this would have proven to be quite satisfactory. It would have eliminated, I suspect, the proposition that those who are going to receive the benefit of this Act, and there may not be many, the other portion of the community in the residential field will

have to bear much of the burden of that additional cost.

I feel that we could quite easily have justified the position of not reducing in the commercial and industrial areas the tax levied because, as I say, it is already built in.

Hon. Mr. McKeough: They will have that, just to explain to the member. Mississauga are going to provide limits under their bylaws, as I understand it. They will limit increases and decreases on all classes of property. We expect Vaughan and Aurora to limit the increases on residential property but let all classes of property pay for it. It can be buried.

Mr. Deans: I would have thought that this would have been how we might have done it here in laying it out that we could see more clearly how it might work, because I think that is the sensible approach to it.

Hon. Mr. McKeough: It depends on the circumstances.

Mr. Deans: Of course it does, but I think that in the overall picture it probably would prove to be more satisfactory. There is no question that the numbers of people who will benefit from this legislation are probably very small because of the manner in which it has been drawn up. The $50 in itself will exclude a great many people and I am not sure that $50 is a reasonable amount.

If I can put it this way, I find the whole programme wrong. That is really what is wrong with it. The piece of legislation is fine in what it does, but it should never have been necessary. We should not be faced with the problem now of trying to make amends for errors that we made two years ago, because the errors the we made in themselves were not made in an attempt to change the basic type of structure. And this is what really upsets me about this.

The matter of utilities; I raised this with the minister about two or three months ago and he indicated the committee was studying it. I am quite concerned, because I think we can all see, as the member for Waterloo North said, that there are a goodly number of utilities which previously paid into the coffers of the municipalities which will no longer be paying the amount they paid previously.

There is no provision in this Act to compensate for that.

The minister indicated that there was to be a committee, or that there was a committee studying it, but that the recommendations of this committee are not likely to affect this year, and therefore the residential property and the other industrial and commercial properties in the area will have to take up the burden. I think in the Act we might well have said that until such time as an equitable formula is worked out, if there is to be any change at all, that the old assessment, the 1968—perhaps in some instances the 1969—and other assessment on utilities would be maintained through 1970 in order that we would get full value for the dollars that were previously paid in, and that we would not lose because of the change that the minister has made.

The change can be large in a small municipality. The change can affect the taxpayers, and when you take it along with this other 10 per cent and $50 suggestion, the change to reach a municipal homeowner, including his normal increase in taxes, could be a fair challenge. And for no good reason that I can see anyway. I would have hoped that the minister might have included that kind of provision in this bill if only—and I hate the word—as a stop-gap measure until we find out what is going to happen in 1971.

I doubt if there is anything other than, perhaps, the changeover to the county board, that has created such a turmoil and upset and undermined the government to such an extent as the reassessment has. This is not really going to help it to any great extent. This particular legislation is going to compound an already very difficult problem and I feel that we would be much better to have left things as they were.

Let me, in saying that, point out that some municipalities did request to be permitted to stay on their old assessment base until such time as an entire area had been reassessed. The minister or his department saw fit not to permit that. I think that was an error. I think perhaps the minister might agree by now that it would have been better to have left them until the entire community was reassessed rather than doing it on an individual village, town, or township basis.

I think, as I said before, that it would make sense at this point for the province to determine the increased cost due to reassessment and to bear it for one year. And then to come in with a programme of taxation that would be satisfactory to meet the needs of the next number of years as new things come along. I want to say in regard to Bill 143 too, I am curious to know—it may seem silly—but what in heaven's name all these little letters have to do with anything—the FISs and the BSs and the CCs?

Mr. Pilkey: The chamber of commerce is one of them.

Mr. Deans: I hope at some point somebody will explain them. I am not too sure. It would be nice if someone put in an explanatory note with regard to—

Hon. Mr. McKeough: Canadian citizen, British subject, Worshipful Brothers, and so on.

Mr. Deans: I see. This would not go through the computer?

Hon. Mr. McKeough: Actually all we are doing is dropping one initial; it is another thing which effects a saving.

Mr. Deans: Fine. Let me ask then, what becomes of the relationship between Bill 143 and Bill 142? Under section 16 in Bill 143, which is a principle in itself, let me read the clause:

> Where taxes are unduly burdensome by reason of an increase resulting from a different assessment generally of lands within the municipality made in 1968 or thereafter.

It applies to the reduction that would be permitted by the assessment review court. How do you make that compatible with the 10 per cent or $50 provision in Bill 142? Is a person eligible then to claim on both, does one supersede the other?

Hon. Mr. McKeough: It is the bylaw under 142. They could still use over and above that if they wanted to; they could still use Bill 143.

Mr. Deans: I see; well that helps.

Hon. Mr. McKeough: The 10 per cent increase allowed, or perhaps which was determined—a council might decide that it should be more than 10 per cent, they might decide it should be 20 per cent.

Mr. Deans: They would have the freedom to make this decision?

Hon. Mr. McKeough: Under the amendment to The Municipal Act, yes. They might decide to make it 20 per cent. We said 10, because taxes may well go up to 10 per cent in some of these municipalities in any case. So it is 10, and 10 makes 20. They could still deal with somebody who was over and above that, under the amendment to The Assessment Act.

Mr. Deans: I see, and why—

Mr. Good: Providing their bylaw allows it.

Hon. Mr. McKeough: I beg pardon.

Mr. Good: Providing their bylaw allows it.

Hon. Mr. McKeough: In Bill 143, yes.

Mr. Deans: But a municipality might say in their bylaw that where an amount exceeding 20 per cent of the taxes—

Hon. Mr. McKeough: They could.

Mr. Deans: They could do this?

Hon. Mr. McKeough: Yes, right.

Mr. Deans: Then by doing that, they could quite easily make sure nobody qualified.

Hon. Mr. McKeough: Yes, right.

Mr. Deans: I am a little concerned about that. This is a question just that might be asked. How did the minister arrive at the figure of 10 per cent? What sort of rationale was behind determining 10 per cent as opposed to any other? Is it an indication that this will—

Hon. Mr. McKeough: We use 10 per cent, because in many municipalities across the province—I think you will have noted from the press that this has been true for the last three or four years—municipal taxes have risen on the average between seven and eight per cent. So we assume perhaps 10 per cent to be a normal increase or a high normal increase. Together with a limitation on the increase of 10 per cent it would make a total of 20 per cent. Somebody's taxes are $400, and they go up in that case, to $480, which is 10 and 10. That is a pretty big increase, so we work back then to the 10 per cent increase based on the same expenditures. In most municipalities, and Mississauga will probably not be one of these because its expenditures have not increased anything like that because of the new assessment. Their expenditures may have increased, but they have had new assessment to compensate for it. But in the average municipality, we thought that 10 per cent was a reasonable figure.

Mr. Speaker: Perhaps we could go back to the proper form of debate on second reading, that is, to allow the members to debate the subject and the minister to close the debate and, at that time, answer the member's queries with respect to the principle of the bill.

Mr. Deans: I am sorry, Mr. Speaker. It is just that some of the questions bear heavily on the decisions that you make at times. I would like to say to the minister then—because I am not going to keep it going, knowing but two days remain—what provisions are there, assuming that this is indeed, as he has said, stop-gap legislation, to try to meet an immediate situation?

We are hoping to move from this into something much more concrete, something much more settled in the near future. Has the minister given any consideration, perhaps, to a committee that would study this and come up with those things which can normally be assessed against property?

If we had, for example, done what has been suggested by any number of people on all sides of the House over the last two or three years, if we had taken education, health and welfare and those kinds of things out of the realm of property tax althogether, we would then have been able to apply a much reduced burden against property tax, which would have made it simpler to make the transition.

Again, I would say, if we had accepted the proposition that the foundation programme—which we happen to believe provides, if not the whole answer at least a fairly major share of the answer to equalising, not only costs, but to equalising the opportunity for receipt of services—if we had done this in the last session of this Legislature, then we might have been able to move more quickly and would not have required this kind of thing.

But what kind of steps are being taken so that we can see how long we are going to have to put up with this kind of temporary, and not very well thought-out legislation, that the minister is introducing these days?

Mr. Speaker: The hon. member for Peel South.

Mr. Kennedy: Mr. Speaker, I just want to speak for a few moments with respect to Bill 142. First, the assessment commenced in Peel county on January 1, 1967, not 18 months ago as was indicated by the member from Hamilton and, in fact, for 160 municipalities—

Mr. Deans: I did not say when.

Mr. Kennedy: You mentioned 18 months.

Mr. Deans: No, I did not say anything about Peel county.

Mr. Kennedy: Well, no matter, I thought you were referring to it—

Mr. Deans: I did not say anything about Peel at all.

Mr. Kennedy: It started prior to 18 months ago—that figure was used. There are 160 municipalities completed, and I am not sure when the first one was originally done, but York country started about the same time and was done on a county basis and by county personnel, by and large. In fact, I wanted to put that on the record because the member for Waterloo North left the impression that the province had done the assessing. The new Assessment Act has taken effect as of January 1 so be that as it may—

Mr. D. M. Deacon (York Centre): They made recommendations.

Mr. Kennedy: I want to make that clear. It started in 1967 and, there being 10 municipalities in Peel county, nine were completed as of last year and Brampton is to be done this year.

I wanted to mention again, and just briefly to review, the problem with respect to lots which are what we might call above average lots, or those that have surplus lands. A standard R3 lot, a 50-footer with water and sewer, requires a 50-foot minimum frontage. If there was frontage over and above that figure then a factor was applied to it to arrive at the final assessed value. I have spoken on this before and I feel that factor is in need of review.

I think it is extreme because the cost of most municipal services relate to the dwelling and the people living thereon, not to the vacant land. Having said that, there is one other problem when you come to the residence with acreage lots, The Veterans Land Act smallholdings and this sort of property. The surplus land, as I understand it, is assessed on an acreage basis and again, there is a changing market.

I think there were some excessive values arrived at last year. There is considerable evidence there were; I think the minister agrees with this. And within the last period of time, a year or a year-and-a-half, the market has changed again. And assessment, being an annual event, should reflect this changing market.

I wanted to put a couple of questions to the minister, Mr. Speaker. First, to ask him if he would review the factors with respect to the assessment procedure—the quality of

the work—review the factors that are used in establishing the estimate of market values for the land that is surplus or above the minimum needed to meet zoning requirements.

I think these should be reduced and a new look taken at the technique based on, as I said, the fact that the services are oriented to the homes. In many cases, the land is non-divisible, as the member for Waterloo North has said. I think there have been excess values recorded here. I would ask him to have a look at that.

Mr. De Monte: He will be a minister fairly shortly.

Mr. Kennedy: Secondly, to reassess the smallholding acreage lots; to have another look at them. There is considerable evidence that these are over-assessed particularly in the light of the changing market. Besides that, I think they were too high in the first place. I think there must be more emphasis on that classification today.

Thirdly, I would ask because it was mentioned there would be 10,000 properties reassessed which, I presume, means physically visited in 1970. I would ask that the minister ensure that the assessors visit those who suffered the large increases in 1969 for 1970 taxes. I think this a good place to start and I certainly endorse as much physical reinspection as can be carried out.

I think the quality of the work that is required now, as we are assessing on market value, calls for upgrading of qualifications of assessors. In fact, if we are doing market value which is the willing-buy or willing-sell concept, when the property is exposed to the market for a reasonable period of time, which is the term used and accepted?

I think that some of our assessors should be converted to appraisers because the work requires well-qualified people. We have hard-working assessors now and I think they would have incentive to improve their qualifications even further.

Mr. Good: That is a good point.

Mr. Kennedy: Another suggestion—and it is in the technique of assessing. I would recommend the establishment of benchmarks that is reference properties in an adequate supply which would assist in this considerable work—we have 35,000 properties to do. It is an accepted practice, and I think this would assist because while we have to do appraisals, we have to do them on a mass production basis, which in effect is assessment, and this would be an aid if the department had not got it in mind or in use. I would suggest that it is worthy of consideration.

Finally I would like to suggest to the minister that the department again consider the recommendation of both the Smith committee report and the select committee report. Smith said: "To prevent a shift from industrial to residential, the mill rate should be applied to only 70 per cent of assessed value at market value." Smith and the select committee went along with the market value concept, and I do too, but Smith said 70 per cent.

The select committee, in their studies and after hearing witnesses, came to the conclusion that 70 per cent would still create something of a shift; so they went along with 60 per cent. Which is the one to use? I do not know. I am sure the department has studied it, but I would recommend that they take another look to determine the effect and to ensure that there is equality in the assessment, which is what the exercise is all about and I think this could be a good aid in that direction.

Needless to say, Mr. Speaker, I like the bill. I think its introduction will alleviate this situation. It will bring back equity and fairness to the property owners and it will do it with relative ease. I would endorse it and commend the minister for bringing it in.

Mr. Deacon: Mr. Speaker, just a few comments. I was very interested in the comments just made by the member for Peel South, who was very helpful as a member of the select committee on taxation in helping a lot of us who are not as familiar with matters of assessment as we went around the province and tried to study the impact that the market value concept would have on assessment in the province.

The minister has said on previous occasions and many times that they were not aware of this problem, that when the furor arose in Mississauga and in Vaughan townships, for example, that they were quite upset with the municipal councils for not having brought it to their attention. And yet if the minister and the people in his organization had paid any attention to the great amount of work that was done by both the Smith committee and by the select committee in this matter, they certainly would have realized that we were going to have a major shift from market value assessments. And the questions that we had asked of us as we went around the province where municipalities had introduced market

value assessments revealed to us that they were faced with this problem.

One can say that this means that we have been taxing industry and commercial establishments too heavily; that the residents have not been paying a fair share on the basis of the results of market value. But that is not necessarily the case. One must remember the fact that when an industry or a business pays a property tax, that is a deductible expense before calculation of income taxes. So the actual impact of their taxes is far less than it is on an individual paying his residential tax, where there is no deductible feature, and it places the industrial-commercial taxpayer in a much more advantageous position.

So I do not think we have been wrong in having had this discrepancy and, if we do not correct this shift, as the market value concept is introduced around the province under the new provincial Act, we are going to have an uproar all over the province and we are going to have it, particularly, in this city of Toronto. Those screams that we will hear in this city are going to be fantastic, because some estimates have been made of the many tens of millions of dollars of taxes that are going to be shifted onto the residential taxpayer by market value assessments, unless the government makes a move to permit some factor to be applied, to keep the thing more or less in balance.

Coming back again to the question of notification, the minister was made well aware of this problem some months ago—nearly two years ago—by the select committee, and by the Smith committee. But, in addition, during this past year, in February, for example, when Vaughan township was studying the impact of market value assessments, representatives came to the department and they said, "We are going to have real trouble. We need help." And the department people said, "We have not heard any complaints. What are you yelling about?" And the township said, "We are going to have complaints." So the department said, "Come to us when you have some to show us."

Well, they have had a few complaints. They got them in great numbers back in April and so we have to press a panic button and come in with a last-minute bill with a patchwork solution to the whole problem. We have had many months and we have had many years to do something proper about this. I feel that the minister should really bear a great load of guilt in his mind for not having done something about it long ago. I am pleased he feels he should come in with some sort of—

Mr. Kennedy: One hundred and sixty municipalities—

Mr. Deacon: I beg your pardon?

Mr. Kennedy: One hundred and sixty municipalities had no problem, though.

Mr. Deacon: There may be 160 municipalities that didnot have a problem—

Mr. Kennedy: And only two or three did.

Mr. Deacon: The question is that right now a lot of them are having problems because the bill has been brought in late. For example, some municipalities have already sent out their tax bills in the county of York; they probably will not make use of this particular clause, because in their minds they say "Any adjustment has to be made internally. People know their final tax bill, because we have sent out these tax bills. We thought we had to do it that way. We did not send out interim bills. If we send out an adjustment afterwards, there are going to be as many people mad at us as there are people happy with us, and is it worth it?"

I am going to be interested to see what does happen in some areas where some people have been really hurt. They have been really hurt, in some cases, because of their own failure to appeal their assessment and do something about correcting a major change, but in other cases, because of this last-minute introduction of the bill. There is going to be a lack of action by the council because they say, "It is too late. We have sent out our tax bills. We cannot make these last minute adjustments."

I think this is another example of the minister doing something in a poor way too late.

Mr. Nixon: Just one or two comments on the two bills. There are areas to which the first bill will not apply but to which the second will have some reference and where, perhaps, the first bill might have been designed to have extended some relief.

I refer to those areas where there is a large proportion of tobacco land and where the population ratio to the assessment, because of the very expensive tobacco acreage rights which are part of the assessment, has really developed into a considerable problem as far as these factors are concerned. There has been a substantial effort to correct this, I think, both at the municipal level and in the minister's department. But it occurred to me, and it has been brought to my attention, that there are some municipalities which perhaps might have had the opportunity of using the

powers of special adjustment contained in the first bill. These, so far, are restricted or related to those areas where there has been a new assessment of some type which should perhaps have been made available to other municipalities in special circumstances.

The second thing I want to raise with the minister is the fact that some of the townships—and I think that Chinguacousy is a case in point—carried out their reassessment in 1969. This bill being retroactive, or being deemed as having come into force on January 1, 1970, might very well make the application of the provisions of this bill more difficult for them.

I do not know whether there is something that the minister could clear up in that regard, or whether the fact that the reassessment in that township and some others took place a year ago—a year before this operative date—would exclude them in any way from at least the opportunity to make some readjustments.

I am informed that because of the reassessment in Chinguacousy township, there was a shift of about $400,000 in taxation. About $143,000 extra was applied to the individual homeowners and $256,000 extra was being paid by the farm industry on the assessment of the buildings and farm property. In an area such as this, surely some assistance should be forthcoming.

This bill, of course, does not provide any external money. It gives the power to the reeve and council to fool around with the tax bills and assessment a little bit, taking it off the biggest ones where the equity is the grossest and maybe the wheels are squeaking the loudest, and putting it on somewhere else which, as the hon. member for York Centre has indicated, is extremely difficult to do when the final tax bills have already been sent out.

I do not see how a reeve and council are going to cope with this. They will probably cope with it by being severely critical of the minister in not bringing down some remedial legislation until such a late time.

Obviously the bill is inadequate. It is not the time nor the place to go into a lengthy discussion of what reforms should have been envisaged by the minister in the last two years, as he has come more and more into conflict with the people at the municipal level, who have to make his decisions as best they can. I wanted to raise these two matters which perhaps might be responded to more appropriately in the committee stage. I felt that I did not want the opportunity to go past without raising it this time.

Mr. T. Reid: Mr. Speaker, I would like to ask the minister a question—and I am afraid I am going to show my ignorance in this area—I hope you will not be too rough on me. It is in my riding, in West Hill; in this area there are lots with 120, 130, 140 feet frontage; some of them are quite deep, and on these lots there are cottages. In other words, people bought these lots 15 or 20 years ago; they are still without sewers and services and so forth.

The question has been put to me that these people might be paying $350 or $400 in taxes on these large lots now, both for education purposes and municipal purposes. They have been asking me what will happen under the reassessment and I have been trying to find the answers. The best I can see is that the reassessment—I guess, assuming certain things about the mill rate—could increase the taxes on such a property by $200 from $400. These people are, of course, worried; a lot of them are on fixed incomes and quite a few of them are retired. So you have that type of case. Also in the same area, in West Hill-Highland Creek, you have the same size lot with the same frontage, but with a very well-finished house on it, and so forth, with a couple of bathrooms—a very well-to-do house, so to speak. And the taxes the family might be paying on the same size lot and a better house might be $800 now and their increase in taxes apparently might be about $200.

So in the same neighbourhood I have people on different incomes, quite different annual incomes, with roughly the same size of lot frontage and quite deep ravine lots—probably without services, where they are now paying different property taxes for education and municipal services. They both will have an increase in taxes to pay of $200, but in the rich man's case it is only a 25 per cent increase, and in the poor man's case it is a 50 per cent increase.

I am puzzled as how to answer my constituents in terms of Bill 142, Mr. Speaker. Can I say to the people in the cottages on large lots that they do not have to worry? The minister cannot guarantee that because, as I gather from the bill—he will correct me if I am wrong—it is still up to Scarborough council to decide what is going to happen to the rich man and the poor man living on the same size lot. Could the minister not guarantee legislation now, therefore, so that the people who are really going to be in the pinch simply will not have to pay more than 10 per cent a year increase? Would that not be a simple thing to say, that over the next five years no one will have to pay 10 per cent more on their taxes?

Hon. Mr. McKeough: Surely we both want to save a sweeping statement like that for next year, would we not?

Mr. T. Reid: I would like the minister to explain. Well, I will just leave it at that, Mr. Speaker.

There are two other things. I would think that the minister's problem would be greatly reduced if the province had a commitment to paying 80 per cent of the education tax. I think that would solve all his problems, and I often wonder why he does not press his colleague, the Minister of Education. I think I can make that as a flat generalization. If the province picked up 80 per cent of the taxation bill, he would have no problems whatsoever.

Hon. Mr. McKeough: You tried that four years ago; it did not work then. Do you not think you had better try something new?

Mr. T. Reid: No, I think you had better try.

Hon. Mr. McKeough: Oh no, we did not use it.

Mr. T. Reid: I think your problems would be solved if you had done that.

A final question: Is it true that for the city of Toronto under the reassessment there will be a $20 million shift of assessment from industrial to residential?

Hon. Mr. McKeough: No.

Mr. T. Reid: Could the minister comment on that figure which apparently is flying around and does he have any figures at all on what the shift from industrial assessment to residential assessment will be in Scarborough; or is it too soon to ascertain that?

Mr. Speaker: Are there any other members who wish to participate in the debate? If not, the hon. minister may now respond.

Hon. Mr. McKeough: Mr. Speaker, briefly, and perhaps working backwards in the order of some of the questions that have been put to me.

Will there be a shift in Scarborough or Toronto? That is something that I simply cannot answer. I would expect that if there is a shift, there would be a larger shift in the city of Toronto than there would be in Scarborough, for example.

Scarborough being newer, there is probably a greater consistency of assessment practised in Scarborough than there is in Toronto. There is also not as much—which is your misfortune perhaps—industrial and commercial assessment in Scarborough to shift from whereas there is a great preponderance of it in the city of Toronto. Of course, that works itself out through the Metropolitan system and through the education system in part. But I really could not answer that question and we are probably three or four years away from answering the question.

One member mentioned about large lots, particularly in West Hill. The first thing that should be said is that real estate tax is not related to income. So whether the rich pay more or the poor pay more is not a consideration in the real estate tax business. You and I may regret that, but ability to pay is not a consideration. At the present time it not part of it.

I think the trick is probably to reduce real estate taxes to a manageable proportion of somebody's disposable income and it will not matter as much whether it is related to income, if I can put it that way. That is an overgeneralization. Perhaps I should deal with the large lots and what to tell your people in West Hill.

The member for Peel South mentioned large lots in Mississauga. Without commenting on the quality of the assessing that was done in Mississauga in terms of the large lots, it is a fact—without saying it was well done or not well done or whether it was a correct value or not that was put on some of the lots—that a number of those larger lots were appealed. It is a fact that some of those lots were reduced in value by the court of revision. Some of them, I think, are under appeal to the Ontario Municipal Board. If the assessors erred in Peel, in over-assessing those large lots and that is proven in the courts—which I think to some extent it has—then a start toward improvement will work itself through the system.

If I can draw this distinction, the old Act said actual value, the new Act says market value. A lawyer will tell you there is not that much difference between the two. The two things mean perhaps one and the same thing.

Mr. Deans: It depends.

Hon. Mr. McKeough: I draw this distinctiontion. To some extent, in terms of actual value, an assessor or an appraiser can get a little bit carried away with measurements or perhaps depreciated value or a number of other things—and I am talking now about homes. There was a very interesting article in one of the assessing magazines the other

day that suggested he should be capable of walking away from the home, after having done all his work and putting it down and measuring it up and so on, and proving it to his satisfaction, by asking himself the question, what does this house sell for? The two figures, hopefully, should be one and the same. If they are not one and the same, then he had better take a look at it again. They are never going to agree precisely, except in ballpark figures.

I draw that distinction between actual value assessing practice and market value assessing practice, if I can put it that way. I think you and I would know that a large lot is not necessarily worth more money or is necessarily worth more in the same ratio per square foot. It is probably worth something more, yes, but it does not multiply with every square foot that is added.

I have a large lot and I often think that my lot is worth less, because it is large, on grass-cutting days and snow-shovelling days, and so on.

Mr. Gaunt: You own on the west side of Chatham.

Hon. Mr. McKeough: South side. I live in the member for Essex-Kent's riding. I do not really live in Chatham. He is my member. That is why he is not here now. He is being nice to me.

Mr. W. G. Pitman (Peterborough): You should consult him more often.

Mr. Deans: Are you happy with him as a member?

Hon. Mr. McKeough: I beg your pardon?

Mr. Deans: Are you happy with him as a member?

Hon. Mr. McKeough: Anything I have asked him to do, I must say, he has done very well on my behalf.

Mr. Nixon: Has he helped you appeal your assessment?

Hon. Mr. McKeough: No. I think the real answer to my friend from Scarborough East's question is that he tell people in West Hill not to worry about reassessment because it is probably three or four years away, or the effect of it will not be known for three or four years.

Mr. Nixon: After the next election.

Hon. Mr. McKeough: The Leader of the Opposition has brought in a number of factors and I would love to discuss that with him sometime or another, particularly in terms of tobacco rights. But this bill does not really deal with the question of factors at all.

Mr. Nixon: Neither one of these bills?

Hon. Mr. McKeough: No.

Mr. Nixon: Why do they talk about factors?

Hon. Mr. McKeough: Let me put it this way. You raised it in connection with the use of the provisions in The Municipal Act or in the Assessment Act, the one section, section 14 or whatever it is, to help those tobacco people. Neither of those provisions would help the people, we will say, in the tobacco belt.

Mr. Nixon: I think that was my complaint.

Hon. Mr. McKeough: Right. The bill does mention factors but you have some townships which are hurt by the factors, perhaps, on two scores. I am assuming that the factors have fallen and of course, it does not really matter what the factor is, assuming they all fall or rise in the same proportion within a county, or within a county school board, because the factors are mainly used for purposes of apportionment.

It is the township as a whole which is hurt within the area—or benefits I suppose. either one way or the other—rather than the individual although it manifests itself in the individual's tax bill. I do not really think that you would use those provisions for those kinds of purposes. There are provisions; what has happened—I do not think it was in Brantford, I think in Norfolk—

Mr. Nixon: Norfolk.

Hon. Mr. McKeough: In Norfolk there have been some radical changes in the factors. The member for the greater part of that area, the member for Haldimand-Norfolk, has discussed this on a number of occasions with me. I know the member for Brantford wants that on the record. The former Treasurer has been solicitous of the people. This is one of the reasons—

Mr. Nixon: Too bad; even he could not get much of an improvement out of it.

Hon. Mr. McKeough: This is the reason for the sections in the Act which are really not related to what we have been talking about, the correction of shifts. Those kinds

of shifts on individual properties related to the sections in the Act, sections 71, 72, 73, 74 and 75 of The Assessment Act; those sections will allow the use of the 70/30 formula. If there was a drop in North Dumfries, a violent drop in the factor—

Mr. Nixon: That is Mr. Reuter's riding.

Hon. Mr. McKeough: —if there was a violent drop in the factor because a certain house was sold for a very inflated price—because the member gave up and moved to the Yukon—

Mr. Nixon: Historic site or a tea room, let us say.

Hon. Mr. McKeough: —if the member gave up and moved to the Yukon, a tea room, yes—

Mr. Gaunt: A pot.

Hon. Mr. McKeough: That pot must bring in a lot of business, I would think. A lot of visitors.

An hon. member: I would not mention things like that.

Hon. Mr. McKeough: No, no.

Mr. T. P. Reid: At 25 cents a head.

Hon. Mr. McKeough: There would be provisions to phase that to the 70/30 basis, the same way as there is in education. Some day, when the factors are more perfect and when we have good reassessing, good assessment, perhaps it will not be necessary to use that provision after a period of time in either the education apportionment, the county apportionment, or the welfare apportionment and so on. That is the protection against a change in the factors and those provisions which were written into the education Acts, I guess under the regulations, are being written into the apportioning statutes.

Mr. Nixon: What about the operative dates?

Hon. Mr. McKeough: The operative dates in terms of Chinguacousy? The problem in Chinguacousy was there was something of a shift, but the problem was not all that great.

Mr. Nixon: I gave you the figures.

Hon. Mr. McKeough: Yes. I remember you talking about a municipality with 20,000 people in it. Their total assessment is in the neighbourhood of—

Mr. Nixon: Are you looking for Mr. Yaremko?

Hon. Mr. McKeough: No, that is not his township. Their total levy is in the neighbourhood, I think, of $7 or $8 million. The real problem in Chinguacousy, which is an unresolved problem, I say frankly, is the farm assessment problem. That is what has caused the headaches, but that is not part of this bill. I answered a question about that the other day, but I think you will find although there was some shift, the real headache in Chinguacousy has to be the farm assessment problem, which we have not been able to come to grips with yet.

Mr. Nixon: What if you made this operative a year earlier to include them?

Hon. Mr. McKeough: To go back a year? They can still use section 76 in The Assessment Act. They can use that if there is some person, or persons; they could use the section in The Assessment Act. That is the reason we went back on it a year. It has gone back a year.

Mr. Nixon: Mr. Speaker, if the hon. minister will permit a question just before we leave this point, why would it be deleterious to make the operative date a year earlier than it is in the bill already to accommodate Chinguacousy? I mean would it open up a whole bunch of other things, because there have not been that many substantial reassessments.

Hon. Mr. McKeough: Yes, it would open up Ajax, Pickering—how far do you go back, do we go back to Guelph three years ago? We would not be doing the councils any favours. They have lived through that crisis; we have lived through the crisis. We arrived at the year when we could not live through it. We would not be doing them any favours. The difficulty, of course, is dependent on comparing this year's taxes at the same rate of taxation with last year's taxes. Now how you go back and do that, you know, three years back? You see some of the difficulties.

My friend from Peel South made some suggestions, some very fine suggestions. I assure him, and I assure others, that a review is under way in Peel, in Mississauga. We will be looking at some 10,000 properties out of 35,000 properties; we are doing some training of those assessors. The assessors are using the benchmark techniques which the member described and taking into account the decisions of the court of revision, taking into

account that there will be some decisions of the municipal board, I suppose, but particularly some of the benchmark techniques. We would hope to have more satisfied customers in terms of assessment in Mississauga by the end of this year.

The member for Waterloo North mentioned the census takers. I would be less than honest if I did not tell you that I had heard a few things from around the province that perhaps the census takers and enumerators had not done the greatest job. I would have to tell you though that in Metro, which is where we started first, they are very pleased with the job that we are doing. We are discovering a great deal of that hidden population which they recognize will ultimately manifest itself in higher unconditional grants, so perhaps that is the reason they are pleased.

Another point I remember the member for York Centre questioning me on this—there has been too wide a disparity in my view between the assessment figures and the census figures, and I hope we can do something about closing that gap. I remember two years ago you had quite a slew of questions on that and I think we have to do the job a little better and find some of this lost population.

The member for Wentworth mentioned a committee to look at some of these things. A select committee, of course, looked at the assessment problems. I would have to say not in as great a depth as perhaps we have. I can tell him that we have had task forces within the department looking at assessment and the mayors and reeves suggested about a month or two months ago that they would like to put up an advisory committee to go over problems, which we think is a great idea.

I wish we had that little committee in being, for example, to discuss these amendments with them at the time they were being drafted. It has not been set up yet because we suggested, and they have agreed, that it will include representatives from the four associations. I imagine it will be set up this summer and continue as long as we have assessment problems, which will be for a number of years I would think.

The registrar's duties really have not changed—the member for Waterloo North raised those points—they are simply corrections or additions to the previous statute.

The member for Wentworth and the member for Waterloo North—I am quoting now the member for Wentworth, but the member for Waterloo North said much the same thing—that we should have combined reassessment with an overall taxing programme and he mentioned, which I was very surprised to hear in this context, the foundation plan. Seldom do members of that party ever let us forget the foundation plan.

Mr. Deans: We did not want to be repetitive.

Hon. Mr. McKeough: Right. This is exactly the point and we make no bones about this. Before you can have a foundation plan, you have to have an accurate measurement of ability to pay. We do not have that and we will not have it until we have a programme of reassessment. We will not have an overall taxing programme, a reform taxing programme, until we have reassessment and I do not say we are going to have the whole thing overnight. But this is what we will have in four and a half or five years. We would hope to complete reassessment probably in the next three or four years—not necessarily closing the rolls—taking a year to develop the tax programme to stop the shifts which may occur in some municipalities to go with it. Of course the problem is not just shifts; I will accept the fact there are going to be shifts.

In some municipalities, through our experience, there have been shifts the other way. I suppose we could ignore that, but the problem is the shifts vary so much from one municipality to another. We could design a tax programme, for example, to counterbalance the shift in Mississauga which would not be of any use in other parts of the province. There was not that much of a shift in Mississauga as a matter of fact, and I will come back to that. That was not the problem in Mississauga in any way.

The member mentioned that when Texaco's taxes went down, Gulf's taxes went down. Both of those taxes went down, not because of a shift but because they were both improperly assessed because equipment was being assessed which never should have been assesssed. That is the basic reason. It would have happened anyway if they had appealed their assessment. Bell Telephone went down. I wish you would mention Ontario Hydro; Ontario Hydro's taxes went up more than Bell Telephone's went down. I throw that in—

Mr. Deans: Maybe we can get Bell Telephone's back up and we will be okay.

Mr. Nixon: Because they have been underassessed for years.

Hon. Mr. McKeough: And Dow have been over-assessed, and there you are. You have to quote both sides of the ledgers, I think—the ups and the downs—and the ups and downs on the industrial-commercial worked out to about the same thing. Where the shift occurred was on the vacant residential property, and I have mentioned before that there is a piece of property which was assessed for something in the neighbourhood of $40,000 which was reassessed at $2 million. That was classed as vacant residential property and that is where the increase came.

Mr. Nixon: Owned by that little old widow?

Hon. Mr. McKeough: No, no. I will come to her.

Mr. W. Newman (Ontario South): Be careful or he will raise your taxes.

Hon. Mr. McKeough: I say to the member for Wentworth that if we knew if the shifts were going to be consistent, we could design something—but they will not be consistent, we are sure of that. The great problem of course is that assessors, either on direction or on their own volition, somehow or another, in effect became taxing officers and the assessing statutes became confused with the taxing statutes, and we are really talking about two separate distinct things. Somebody —I think it was the Treasurer—said to the assessors the other day: "Your job is simply to go out and assess the property. How that man or woman, who lives in that property or that business or that gas station or that farm, is going to pay the taxes is none of your concern other than as a citizen. But it is none of your direct concern. You assess it as you see it and you call the shot as you see it." That is what The Assessment Act should be all about. The Municipal Act or The Education Act or any of the other Acts should determine how that man is taxed but the assessing presumably should be done on a pure basis, and this does not happen, of course.

Mr. Deans: There is no real quarrel with the need to reassess. It is the application.

Hon. Mr. McKeough: Right. I would agree with that. The member for Waterloo North said a couple of times the problem was with market value reassessment. The problem is not with market value reassessment; the problems are created by reassessment arising out of lousy, perhaps, or inconsistent or outdated assessment in the past. The fact that it was market value has nothing to do with it. Market value was simply the peg that was chosen to hang the hat on. But the same problems would have occurred if you had market value.

Sudbury had some problems—I remember being up there and the member for Sudbury East was there and we had that discussion—and they assessed at a third of market value and got into some beautiful problems. It does not matter whether it is market value or not. This government deserves—we could have made life much easier for ourselves if we had said, "Let us assess everything."

Mr. Nixon: What do you deserve? Electorial defeat?

Hon. Mr. McKeough: No, no, but we could have said, "Let us assess everything at a tenth of market value or a third of market value if that will make people happy."

Mr. Nixon: Or you could have taken the recommendation of the royal commission.

Hon. Mr. McKeough: No, no, the royal commission said tax at 70 per cent or tax at 60 per cent. They said assess at 100 per cent. Correct? Correct. The select committee said the same thing.

Mr. B. Newman. They do not know the difference over there between taxation and assessment, that is the problem.

Hon. Mr. McKeough: I guess that is right. The problem would have happened whether we chose market value, twice market value, or a quarter of market value. What I say is the government deserves some credit for the fact that we are using market value, because this is something that a great majority of the people can understand.

Mr. Nixon: You are not permitting the municipalities to have variable votes as the royal commission recommended.

Hon. Mr. McKeough: No, no one suggested that in any royal commission or otherwise.

Mr. Nixon: Well, you are talking about the recommendation of the Smith committee.

Hon. Mr. McKeough: They did not recommend variable rates. They did not vary them from municipality to municipality.

Mr. Nixon: No, they varied them from source to source.

Hon. Mr. McKeough: Classes of property.

Mr. Nixon: By their assessment.

Hon. Mr. McKeough: Yes, but let us be honest about this. They said, sure, tax business and commercial enterprise at 100 per cent, residential at either 70 or 60, in the process of which you wipe out the business tax.

Mr. Nixon: But you are splitting a very thin hair when you say it is full value assessment reduced by a percentage. What is the difference?

Mr. Speaker: Order! The hon. minister need only answer the questions that were raised during the proper debate.

Hon. Mr. McKeough: There is an enormous difference between taxation and assessment, and some day I will go up to South Dumfries and we will sit around the pool and I will explain to the Leader of the Opposition the differences between assessment and taxation.

Mr. Nixon: I will not be there, I will be down in Chatham.

Hon. A. F. Lawrence (Minister of Mines): Have you got a pool at that mansion?

Hon. Mr. McKeough: All right. Now—

Mr. Nixon: —on "Valley McKeough."

Hon. Mr. McKeough: Nowhere is the problem more clearly illustrated, I say to the member for Waterloo North, than in the Hespeler case where that problem began in 1966, long before reassessment. That problem, perhaps, is symptomatic of problems all over the province and the problems which can happen in terms of shift, of which we are well aware. Someone suggested that perhaps we should be picking up the tab for the shifts in Mississauga, rather than the other taxpayers in Mississauga. I would have to point out you know—perhaps it is just as well the member is not here—but in Mississauga the tax rate last year was 14 equalized mills. This year it may be 16 equalized mills. In Kitchener it is probaby about 30 equalized mills and in Etobicoke it is about 29 equalized mills, in Chatham it is over 30 equalized mills.

I have some reluctance to say we should pick up the tab in Mississauga, for example, for the reduction or the minimization of the reduction which will be occasioned by minimizing the increases.

Interjection by an hon. member.

Hon. Mr. McKeough: What I am trying to say is that in relation to some of the rest of us in the province—Hamilton, for example—the good people of Mississauga are not heavily burdened with taxation on the average. Some of them may be, because of the large lots.

The Leader of the Opposition mentioned also our widow friend in Mississauga who was on six acres. You know, it is listed for $125,000; it was assessed for something more than $100,000, but under the $125,000, and you know, really—

Mr. Nixon: Do not tell us about her again.

Hon. Mr. McKeough: I am not weeping buckets about that one.

Mr. Nixon: Keep away from the crocodile tears your friend has.

Hon. Mr. McKeough: Both of my official critics said that this legislation was designed to put out fires—you said that in one way or another—that it was not getting at the root of the problem. I frankly admit that; there is no great secret about that. I suppose the decision that we should have made was, when we took over assessment on March 4 last year—announced we were going to in the Treasurer's budget—we should have stopped reassessing right then and there, in both Mississauga and York county, and got control of it. I think that had we had any idea of the implications that have flowed from those two reassessments, that is precisely what we would have done. We chose not to.

Reassessing since that time, of course, has been stopped and if we put out these fires or can assist in putting out these fires or are leaving some circumstances for these particular people who are being reassessed this year or last year, then we will have the three or four years necessary to get the reassessing job done and, as my friend from Wentworth has said, to design the tax system to go with those reassessed values.

Mr. Speaker: The motion is for second reading, firstly of Bill 142. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be referred for third reading? Referred to the Committee of the Whole House.

The second motion is for second reading of Bill 143. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be referred for third reading? Referred to the Committee of the Whole House.

THE ONTARIO ENERGY BOARD ACT, 1964

Hon. A. F. Lawrence moves second reading of Bill 148, An Act to amend The Ontario Energy Board Act, 1964.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Motion agreed to.

THE ENERGY ACT, 1964

Hon. A. F. Lawrence moves second reading of Bill 149, An Act to amend The Energy Act, 1964.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Motion agreed to.

THE CORPORATIONS TAX ACT

Hon. Mr. White moves second reading of Bill 159, An Act to amend The Corporations Tax Act.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. Nixon: Thank you, Mr. Speaker. The Corporations Tax Act amendment that the hon. minister has had before the House for some time—according to the notes in his introductory remarks—simply brings the provision of our provincial Act into line with changes federally and further to that, undertakes some housekeeping amendments. This is as nearly as I can tell, and I am far from an expert in these matters. The housekeeping amendments appear to be all in order, but I wanted to make some comments about bringing this in line, as the minister said, with the federal provisions.

During the last few months, and as recently as yesterday, this government has been in consultation with the government of Canada on very far-reaching changes in the taxes in general, in the tax base and the role we play in the changes in the tax base at the federal level. I would like the minister to give us some of his views as to the future of the corporation tax, since it is the one we deal with in this bill, in the light of the discussions that have taken place in recent months and in which he expects to take part in at the federal-provincial conferences in the next year.

We would hope that the federal government would make up its mind what it is going to do in the provisions of changing the fundamental approach to taxation, corporate and otherwise, and I think that it would be suitable if the minister would make some comments as to the role he has played in the development and the change in the corporation tax and what we might expect during the term when these amendments were serviced, because normally we have amendments here year by year.

Mr. Breithaupt: Mr. Speaker.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Basically this Act, as the Leader of the Opposition has said, is a housekeeping Act which will bring Ontario's rules and regulations somewhat into line with recent amendments to the federal Income Tax Act. The co-operation to ensure common definition in details, is, I think, to be commended. While most of these items result from this pattern of rationalization, there are some areas which, I think, deserve separate comment.

I note that the minister, in order to avoid the duplication of filing documents, has made certain amendments in section 1, subsection 2. Obviously, there has been time wasted and effort duplicated under the present situation. I think it is worthwhile that this avoidance of duplication can be encouraged for future operations of these plans.

Certain of these changes result from the initial views of the Ontario committee on taxation. Members will recall that the four-year study of that group was followed in the summer of 1968 by the select committee on taxation, of which the present minister was the chairman. Those of us who served on that committee are pleased that more and more of these original recommendations are slowly being phased into Ontario's laws. As a minor matter, I welcome the inclusion of securities of the Inter-American Development Bank to receive the same treatment as

those of the International Bank for Reconstruction and Development. Investment in these items is certainly a worthwhile involvement and area for consideration for our business community. I think we must encourage further involvement by Canadians with the growth in Latin American and South American nations and this kind of an approach, I think, is a worthwhile amendment. I am glad to see the government of Ontario moving in that same area that the federal government has attended to.

The next six pages or so of this bill, Mr. Speaker, deal with comparable amendments to bring our legislation into line with our federal income tax laws. I presume that the minister's staff have clarified any of the problems which might technically be there. His office alone has the expertise and the planning facilities to ensure that there are no errors. Really, in the operations of the House, no member could individually presume to know in advance of the second reading the involved details in research which must be done in this area.

The minister has kindly offered to review the details of certain of the sections with me before the committee discussion of the bill, and I thank him, in advance, for his courtesy. I think that this will be most useful to me and I hope that it may possibly even be helpful to the completion of this statute.

Concerning the application of farming losses, we certainly welcome the amendment in section 9 which apparently will now "clearly" establish the rules. I hope that this clarity will occur so that the farmers and their advisers in this problem area will be able to resolve their difficulties with some certainty. The last two sections of the bill, Mr. Speaker, clarify a time limit for corporate reassessment with certain conditions available, of course, to avoid that limit. I believe that the six-year limit term is sufficient. I would appreciate the minister's comments as to the development of that term. There certainly should be some certainty and, obviously, a time limit must pertain at some point.

I think the minister has quite adequately balanced the conflicting needs in this area and six years for record purposes and for investigation surely seems to be enough.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, in the midst of the two-ring circus that we presently operate in the Legislature, I have arrived without the Act itself. However, I think I can remember enough about it. I would prefer to discuss it in more detail in the Committee of the Whole House. The changes are basically of a housekeeping nature, having largely to do with the insurance industry and the changes of recent date in the federal Income Tax Act, touching that industry and the various aspects of taxation being applied in that particular regard. Incidentally they are having the most detrimental effect on the bond market on one side of the fence, in that they are withdrawing into the equity bracket, which they had some role in, causing them to cascade in the past few weeks, in my opinion.

In any event, what disappointed me about the bill—and I am not going to be hectoring about it, as I was with the minister in not extending a previous bill brought before the House—is that The Succession Duty Act is not going far enough to reach accommodation with the federal government.

In this particular bill you do not range out into those 56 or 57 different areas in which there presently exists a discrepancy with their own Act—a naive custom. I believe your intention is, as opposed to the Carter recommendations, not to abandon the corporate tax field at all but to remain at least in that field and exercise a certain self-determination and internal fiscal control because the provinces in this country have a very important counter-cyclical growth development-full employment role to play, too.

While we cannot touch monetary policy, perhaps, to that extent, since they have no relation to the central bank, nevertheless in the area of fiscal control where the incidence of tax, particularly with respect to the corporations, can play—if you are prepared to play that role, do not hang back as has been done in the provinces to this date in our history.

I do not think the fiscal role they should play should be counter, of course, to that of the federal government because that is just the danger of cancelling out each other's motivations in the business cycle. That would be a very great danger. But there are all these multitudes of discrepancies of which the minister is well aware, which were set seriatim—one to 56—in the Smith committee report at the end of the chapter having to do with corporation taxes.

They are not presently under review or being modified when an Act of this kind, having the intent to bring accord between ourselves and the federal government in the tax field in numerous respects, confines itself

solely to the alterations made by the federal government themslves of recent date. It does not accommodate itself to the overall rapprochement and interleaving of the two Acts which is in your own interests to do. Admittedly, it was unanimously agreed upon by the committee. When you fail in that endeavour and do not move, I think there is a certain question in my mind. It may be that the minister will reply that in due course he will review it over the summer, and bring in alterations, extensive and ramified alterations, to the corporate tax Act which will embody the nature of my complaints. But as to the very corporate entity of this bill as it presently stands, I have reviewed it.

The member for Riverdale, of this party, has spent a great deal of time on it but he is presently speaking downstairs and cannot appear on the premises. We would ask the minister to bow to our request that if there are any questions that we would have to ask arising out of this particular bill, he would give us that opportunity at a subsequent date.

I thank the minister personally for having invited me to peruse the Act in a more intense way with himself and his officials. It was a very good gesture and kind gesture on his part but due, again, to the load that one is presently undergoing in the House, it was found quite impossible to do that. I would recommend that procedure in the future, though, if you can accommodate yourself to the opposition to that extent and do not find this odious, as it would eliminate a great deal of talking in this House.

We would come to a quick understanding because, particularly in this area, the nature of the changes are multifarious, extremely technical in their impact, even in terms of the understanding that goes into the area of insurance company taxation and as to what its impact would be and what the repercussions would be on the total economy.

I would have only one other word to say. This Corporations Tax Act, like most tax Acts, is forever being altered. As one reads through the bill that was before us today, you are referred *ad infinitum* to other subsections, alterations, amendments, adhesions, deletions, repeals and what not over a long period of time. In the one area of tax legislation, I would beg the minister to consider very seriously keeping at least his own department and members of the opposition appointed to the task of being aware, up to date in terms of consolidation. I know we can turn to the *Statute Citators*, and even they are considerably behind. It would certainly wash away an awful lot of debris—flotsam and jetsam—in the Legislature. No pieces of legislation are so intricate and so overburdened with flotsam as the legislation having to do with taxation.

That would be one thought, as I went through this legislation early one morning about a week ago, as to a commendable and most needed change in order again to accelerate the work of this House and to make it just possible for members to contend with that sort of statute coming before us in the white heat of today.

Mr. Speaker: Any further debate before the ministry concludes? The Minister of Revenue.

Hon. J. H. White (Minister of Revenue): Mr. Speaker, as was mentioned by the member for Kitchener, there is no principle *per se* in this bill, unless it is the implied principle that we are following federal legislation with our corporations income tax legislation wherever possible in an endeavour to minimize the cost of compliance for the 80,000 corporations in this province.

Because there is no principle as such, I am glad to accede to the request of the member for Lakeshore that this bill go to Committee of the Whole House. Indeed I have no doubt that we can develop some number of the sections fruitfully at that point.

Dealing with the several assertions and queries that this debate has revealed, I would like to say first of all that I think it would not be appropriate—I think it would not be in order, Mr. Speaker—to attempt to debate federal-provincial financial arrangements under this bill. Indeed, it would be improper for me to assume responsibility because that is the function of the Treasurer and Minister of Economics in this government. So, interesting as the prospect might be, I simply cannot accept the invitation of the opposition to develop that particular important and newsworthy area of government.

The member for Kitchener asked about the six-year limitation. Until this becomes law, the minister has no such constraint. The hon. member will remember that the Smith committee recommended that there be a specific period of time within which the Minister could take action against the taxpayer. I think that was six years and the select committee altered that to five years.

The rationale of the select committee is that it would be four years plus—that is, four years provided for federal legislation, plus 12 months during which we could follow up

federal prosecutions, federal actions of whatever kind. I am told that very often an action of whatever description may be commenced and it may not be 12 months but 15 or 18 months before the federal government are able to provide us with the detail. And so, at the urging of my officials, I accepted the recommendation that this period of time be the federal period of four years plus an additional two years.

I think my hon. friends will not quarrel a lot with that, because the important aspect here must be that there is a constraint on the minister and he cannot go back to a corporation's income tax for 1932, or 1905, or whatever. So I expect that there will not be a lot of disagreement on this.

My hon. friend from Lakeshore urged the government to use fiscal policy measures more broadly. Here again, I think I have to say that it is not the responsibility of the Minister of Revenue here—or indeed of the Minister of National Revenue—to develop tax structure, tax rates, fiscal or monetary policy. That is the function of the Treasurer and at the federal level is the responsibility of the Minister of Finance.

I do have to say that I do agree with him that we cannot establish fiscal policies which will offset federal fiscal policies even when we believe those federal fiescal policies are wrong. I cannot imagine anything more chaotic than the provinces setting up a counterweight every time the federal government—

Mr. Lawlor: Maybe you will neutralize them—

Hon. Mr. White: —moves one way or another. I have had that course of action urged upon me as a member for London where the employment rate is very high. But surely in these circumstances, the ultimate solution is to have the federal government modify its policies to accommodate current conditions?

As a corollary, the member for Lakeshore suggests that we should on some number of occasions depart from the federal legislation. The more experience I have in this area, the more I believe that the cost of establishing, let me take, for example, our own definition of this taxable item or that non-taxable area. The cost of establishing a completely new definition with all of the uncertainty, with all of the work involved for taxpayers and tax collectors, with all of the duplication of appeals and so on—the cost of having what we might believe to be a more perfect definition exceeds the benefit which I suspect often is not present.

Mr. Lawlor: You have been departing from their legislation for years.

Hon. Mr. White: We are making a very real effort at the present time to adhere to federal legislation, federal definitions, federal formulations, federal practices wherever we can. Of course. the argument is always used that we are having a separate system and a duplicate system because this system of ours is better than that system of theirs.

Often I think this a parochial attitude—

Mr. Nixon: Has the minister ever discussed that with the Treasurer?

Hon. Mr. White: —and often I think that the facts do not bear it out. Here again, if in fact a federal definition or whatever it may be is inappropriate, imperfect or defective, the solution lies in the affected taxpayers bringing their opinions, their good advice, to bear on the federal authorities and getting that remedied. That is certainly the policy of The Department of Revenue at the present time.

I accept the suggestion that there be more frequent consolidations and in fact as part of our 19-point communications programme, we are exploring the possibility of providing each new corporation with a tax kit which would include the statutes pertaining to his operation, the regulations, perhaps some of the bulletins mailed to corporations and others in the past, perhaps additional explanatory information such as the names and addresses of our officials and so forth. Certainly we do recognize—and I can probably see here—that we have not been doing a very good job in providing consolidated statutes and regulations in the past. It is our determination to remedy that and I think that the hon. member will see very considerable progress in that particular area before this year is over.

Mr. Lawlor: What about the Smith recommendations? That huge pile.

Hon. Mr. White: Well, my hon. friend will see when we have an opportunity to go into this in detail in Committee of the Whole House that we have indeed implemented some number of the Smith and select committee recommendations. He may be a little impatient with us but I have given reasons, I think, way we are not prepared to implement changes if those changes bring us further and further away from federal legislation. Now this is to some extent a philosophical point of view but I am telling my hon. friend that there is—

Mr. Lawlor: This is just the opposite.

Hon. Mr. White: —there is nothing worse than asking 80,000 corporations to follow two completely different sets of rules for these two levels of government.

Mr. Lawlor: I am opposed to that too.

Hon. Mr. White: And it is for that reason that we have not been able to implement holus-bolus all the recommendations, but we have implemented some number in bills introduced prior to this section and now some additional changes and improvements in this bill. We will no doubt—

Mr. Lawlor: We will go over and take them one by one.

Hon. Mr. White: —be able to discuss that at greater length when we get into Commitee of the Whole House.

Mr. Speaker: The motion is for second reading of Bill 159.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Hon. R. S. Welch (Provincial Secretary): I think it should go to the Committee of the Whole House.

Mr. Speaker: To the Committee of the Whole House?

Hon. Mr. Welch: No, he agreed with me.

Hon. Mr. White: I gave an undertaking to the member for Lakeshore that it would go, with the amendment.

INCENTIVE FOR THE ABATEMENT OF POLLUTION

Hon. Mr. Kerr moves second reading of Bill 150, An Act to provide Incentive for the Abatement of Pollution.

Mr. Nixon: Mr. Speaker, this bill simply permits the minister, if he chooses, to make a grant up to the amount of sales tax payable on pollution abatement equipment—a very timid step indeed toward the use of the public treasury to provide incentive to industries and others, including individuals, according to the bill, to make expenditures which will have some effect on the abatement of pollution in the environment.

Certainly we support it on that basis. But, I have been struck by a split which from time to time is apparent in the views expressed by this minister and some of his colleagues, particularly the Treasurer. Because while this minister makes political hay in referring very strongly to the fact that the polluter must pay, I am sure that he knows in his mind that if we are going to accomplish anything truly constructive in the next five years, it will be not only with the involvement of laws with teeth in them requiring the polluters to pay but also with the expenditure of many tens of millions of public dollars in programmes to assist industry, municipalities, groups of people, wherever they are living, in providing the modern technology and the devices which in fact will clean up the air and the water.

So I really believe that we are going to have to face facts about the cost of improving the environment. And we must realize that the people in general are demanding this and the people in general are going to get the benefit.

The minister and his counterpart in Ottawa, the hon. Joe Greene, have emphasized on several occasions that the cost of pollution abatement devices should be built into the cost of the product and hopefully taken out of the profit structure, which is certainly a vain hope as the Minister of Trade and Development would be prepared to tell us all. But my point is merely this: We must be careful not to make some kind of fifth-rate politics out of the idea that somebody else is going to pay the cost of the abatement technology that must be brought into play in the next five years.

So we welcome this legislation. I believe that the government should really embark on a programme making capital funds more extensively available to those industries which can prove that economically they cannot respond effectively to ministerial orders in a reasonable length of time to abate pollution; that we, on behalf of the community, are going to have to provide more funds on a subsidized loan basis in order to keep these industries operating and keep them operating at a level where they are not going to further pollute the environment.

I feel that this bill goes only a very short distance toward providing the assistance that should be forthcoming. It should have been taken for granted for the last five years that any industry that was prepared to make an expenditure on pollution abatement equipment would receive at least the abatement of the sales tax payable, and in fact they should not have to pay it in the first place. There should be other incentives as well as regulations

which are more effective than what the minister has at his disposal in his armoury at the present time.

We support the bill. We feel that it is a very minor measure indeed in a programme that must soon gain substantial momentum if it is going to meet the needs of the community.

Mr. Gaunt: Hear hear.

Mr. Speaker: The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, as far as this bill is concerned, I think that if it helps the municipalities of this province meet some of the expense of the pollution abatement equipment in sewage treatment plants and so on, it is certainly warranted and will be welcome at this level. The cost of sewage treatment plants in a great many of our municipalities, thinking of my own riding, is a very severe burden that must be borne. This Act makes it possible to relieve that burden to some degree, and I think it will encourage some municipalities who are maybe a little slow to speed up their operations in getting proper sewage treatment.

I do not think it goes nearly far enough. I think there should be other ways of assisting some of these municipalities out of the progressive tax base of the province, rather than burden them at the property level to the extent that they are now being burdened. However, at this point, I welcome this move.

In a letter that the minister wrote to me last December, he suggested that the Iroquois Falls operation of the Abitibi Pulp and Paper Company in by own riding were waiting for a decision by the government as to whether they were going to remit the sales tax, and he suggested that if this kind of legislation was brought forward, there was every indication they might speed up their programme. I hope that maybe this will take place, because as has been stated by people in his own Ontario Water Resources Commission, the pulp and paper industry has been the slowest group to do anything about pollution and it has been polluting our waters in a way that no other industry has.

I think that the Leader of the Opposition made a good point when he said that we feel that the cost of pollution control should be included in the cost of production. However, if it is going to push these companies into doing something, if they have a little incentive here for the next five years and the minister brings down a heavy hand on some of the worst offenders and it is a way of getting them to speed up their programmes and to live up to the commitments that his officials have got from them, then I would say that we are prepared—at least, I personally prepared—to accept this.

Mr. T. Reid: You have not caucused this one?

Mr. Ferrier: I am speaking on my own.

Mr. T. P. Reid: He was not sure which leader to talk to!

Mr. Gaunt: There is not one.

Mr. Ferrier: So I am just saying to the minister, if it will speed up the Abitibi pollution control in my own riding then I am prepared to accept it.

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid: Thank you, Mr. Speaker. I have two or three comments on this bill, and the first one of course is that this is a rather innocuous bill, one that we cannot help but support in principle and go along with, but of course it is very far from solving the pollution problems in the province.

I find it very hard to believe that it is really going to provide much incentive for any of the large industrial companies that are presently polluting our waters and air to move toward installing more pollution equipment. What we really need is a firmer hand from the Minister of Energy and Resources Manageemnt, stiffer fines and a more positive approach on the government's part.

I was reading in one of the local newspapers just this afternoon where a judge had fined a company the maximum under The Ontario Water Resources Commission Act of $300, and the headline of the article was that the fine was not large enough but it was the most he could fine the company under present legislation.

There are a number of matters in here, Mr. Speaker, that raise some questions. One, of course, is that it would probably be much easier and probably would be a saving of the taxpayer's money if we could do away with the sales tax at the point of purchase. Perhaps there are certain reasons why this is impossible but under this Act it is certainly going to cause a great deal of paper work and employ more civil servants getting this rebate to those concerned. As I say, perhaps there are good and valid reasons for this.

One concern I have, Mr. Speaker, is found on page 4 of the Act to provide incentive for

the abatement of pollution. It is section 11, dealing with the commencement and repealing of this Act. This section makes the Act retroactive until April 1, 1970, then this Act and the same clause is repealed on April 1, 1975.

Mr. Nixon: Everything is going to be cleaned up by then.

Hon. G. R. Kerr (Minister of Energy and Resources Management): The magic date.

Mr. T. P. Reid: I agree there is probably good and sufficient reason for that—

Mr. G. Ben (Humber): It is April fools day.

Mr. T. P. Reid: —the interjection of my leader that perhaps everything will be cleaned up by then recalls echoes of the former minister's speech when all pollution problems were going to be solved by 1970. I do not know if April 1 was also the date by which they were going to be cleaned up, but that statement certainly did not fool anyone.

Perhaps in his summation, the minister will indicate to the House and to us exactly why this Act is going to be repealed on April 1, 1975. I trust that he has now had enough experience in his portfolio to know that we are not going to have all aspects of pollution cleaned up in the province of Ontario by 1975. Of course, with a Liberal government, the abatement of pollution would be cleaned up in a greater hurry than it is being, but even I would be loathe to say that with a Liberal government, we would have it all cleaned up by 1975.

Mr. Nixon: Go ahead and say it.

Mr. T. P. Reid: Perhaps, Mr. Speaker, with those few remarks, we support the principle of the bill, but we would certainly like to know—again, we say it does not go far enough; it is rather an innocuous Act—but we would like to know why the repealing of the Act in 1975.

Mr. Speaker: The member for Timiskaming.

Mr. D. Jackson (Timiskaming): Mr. Speaker, when one reads the short title of this bill, one is reminded of what we said in debate last night on the Niagara Escarpment bill, that really it was pits and quarries we were talking about. In this case, we are not talking about a real incentive; we are talking about the rebate of the five per cent sales tax and that is what the title should be—

Hon. Mr. Welch: That is incentive.

Mr. Jackson: —rather than trying to talk about the abatement of pollution. Surely the five per cent sales tax is not going to convince most of these companies that they should put in pollution abatement equipment especially when they have been putting off this action for the last 25 or—well, for the last 50 years. Giving the five per cent sales tax which we are doing now with this bill is not going to convince these companies.

As the speakers before me have said, what we really need is maybe more punitive action against these companies, and to put in real incentives in the form of penalties if they do not put in the abatement equipment. As one of my colleagues said several years ago, maybe one of the best incentives we could give to these companies is to take the managers and the different personnel of the management staff down to the Grand River and hold a drink-in once a year, and make them drink a glass of water out of the Grand River. Surely they would be cleaning it up very shortly if they had to do this.

Mr. Deans: Tell you what—try Hamilton Bay. You need a hammer and chisel to get at that.

Mr. Jackson: Or if the staff and the president and all the stockholders of Falconbridge and Inco had to live within 500 yards of that stack that spews SO_2 across the countryside, there would be a greater incentive than this five per cent is going to put forth.

Mr. Ben: Five hundred miles away is not safe!

Mr. Jackson: We are going to support the bill, although somewhat reluctantly, Mr. Speaker. As the other speakers have said, we do not feel it is going to do much towards the abatement of pollution in Ontario, and that the minister is going to have to do much—

Mr. Nixon: Mr. Lewis said a new line—that you are not accepting half-loaves any more.

Mr. Jackson: The minister is going to have to do much more if he is going to convince us or convince either one of the opposition parties, I am sure, or the people of Ontario, that he is really serious about forcing these companies into putting in the necessary pollution abatement equipment.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Mr. Speaker, briefly, my interest in this bill originated when the firm of J. M. Schneider built a $500,000 sewage treatment plant on their own premises a year ago. At that time, I believe, regulation 25 of The Retail Sales Tax Act stipulated that only municipal sewer works would be exempt from the 5 per cent retail sales tax on works. The private firms which were trying to be good corporate citizens of the community were compelled to pay the sales tax on the complete unit that was installed.

At that particular time I took the matter up with the Minister of Revenue who is not here and he was very definite in his conviction that the exemption of retail sales tax from pollution control equipment was not the manner in which the government chose to handle the situation. I noticed when the member for Rainy River was questioning the Minister of Energy and Resources Management as to why it was being handled this way—would it not be simpler to exempt the sales tax from this equipment—I rather thought the Minister of Energy and Resources Management was shaking his head, yes, it would be simpler. But at the same time the Minister of Revenue was not in the House. For the life of me I cannot understand the reasoning behind giving a grant to relieve the cost of payment you have paid to another branch of government. If this is not protection of empires, I do not know what is.

The Minister of Revenue says he has to have the 5 per cent retail sales tax from those who are putting in pollution control equipment on private property, and the Minister of Energy and Resources Management says we will refund you the 5 per cent. This, to my mind, does nothing more than create additional administrative offices and create additional administrative costs. I, too, was wondering about the final section under which the Act will be repealed in five years. I think it should help to create better corporate citizens of those industries that are particularly offensive from a pollution point of view. I think the municipalities themselves will welcome this move and that it will be a small lever in encouraging industry to put in pollution abatement equipment.

Mr. Speaker: The member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Speaker, in speaking on second reading I wanted to raise a number of points with the minister. Some of them have been touched on. The criticism that the bill in section 4 is giving back a grant which is the equivalent of the sales tax paid on equipment for pollution abatement is carrying out, I believe, one of the budget measures which has been clearly discussed in the estimates of the minister earlier in this session. The funding aspect of the programme, I think, has already been pretty adequately dealt with.

What I wanted to raise this afternoon was why the minister chooses to say, in so many words, even though the bill itself does not set it out, that firms which have been convicted of an offence under one of his pollution control statutes will be just as eligible as those which are either initiating action on their own to control their pollution or effluent or those which are under the minister's order to begin such controls on the introduction of such equipment.

I do not know whether it has crossed the minister's mind in drafting this bill—it might well have, in light of the amount of time we have spent on the spill of mercury into the St. Clair River—that the bill in principle should specifically exclude the financing of corporations which have been convicted under The Air Pollution Control Act, or the Ontario Water Resources Commission Act.

That would be, I think, Mr. Speaker, an amendment which might well be moved to the bill when it reaches Committee of the Whole House. Firms such as Anaconda Brass, in New Toronto, which was referred to by the hon. member for Rainy River some moments ago, having been convicted and sentenced to pay a fine of $300, should not be eligible under this Act.

Those pulp and paper companies which the minister has taken to court and had fined should not be eligible under this Act. Firms like Allied Chemical, a major corporation in this province with many large facilities engaged in processes of recovery of materials which by their emission would be pollutants, should not be an eligible corporation under this Act. I am referring specifically to the provisions of clause 4(b) where the payment of the grant will be calculated on the use of equipment which, I would assume, is solely for the abatement of pollution or the treatment or disposal of wastes.

In the case of Allied Chemicals' new operation in association with Falconbridge, I believe, probably all of the operation is aimed at the abatement or control of pollution from

the Falconbridge smelter. But the Allied Chemical facility there is in the business of doing just that—abating the pollution from the Falconbridge smelter—and is recovering from those emissions valuable materials which it is offering for resale.

Another reason why a company in that kind of position might well not be eligible is that it has already received a very large grant—$500,000—at that location from the Minister of Trade and Development under his EIO programme. And I believe that grant was given so that Allied Chemical could get into the business of pollution abatement and control and thereby assist Falconbridge to clean up its problem. So where one company is already being subsidized by the Minister of Trade and Development to do something which is of benefit to another company by way of pollution abatement, that other company should not be an eligible corporation under this Act either.

I had wanted to ask the minister if he intends to pay grants to firms such as the one mentioned in the May bulletin of the Canadian Council of Resource Ministers, a subsidiary of Dow Chemical of Canada which is to be organized for the sole and prime purpose of counselling and advising and engineering and studying the pollution control needs of other firms. No doubt that consulting subsidiary of Dow Chemical of Canada will be undertaking many of the kinds of activities mentioned in the Act which would render a company eligible for the grants.

I would ask the minister whether that company, whose name I regret I cannot remember at the moment, would be eligible for the grants under this Act? I am sure the minister is probably familiar with it. It was announced in the bulletin of the council of resource ministers; it was mentioned in the debate in his estimates. Many such companies are being formed and organized; some of them, as has been pointed out, their parents will be those that have been placed under this minister's orders or have been actually taken to court by him and charged, and will be making a profit out of the business of curbing somebody else's pollution but probably not their own.

Mr. Speaker: The hon. member for Humber has the floor.

Mr. Ben: Mr. Speaker, I am not going to be too long because the hour is close approaching six.

I am rather surprised that the last member adopted the tone that he did because it is rather inconsistent with the tone generally that has been adopted by his party.

We are faced with a very serious problem, which is pollution—air pollution, water pollution, noise pollution, and so on—and very strong action must be taken to abate this pollution. It is rather silly to say that any moneys that are going to be rebated in essence, as the hon. member for Timiskaming said, by a rebate of The Retail Sales Tax Act. A rebate of the sales tax is in essence making a donation to the company. If the five per cent is not rebated—and even without the five per cent, if the necessary measures to curb pollution are taken—it is not going to be the company that pays for it but the consumer. The consumer pays for everything in the long run. What are we interested in? Being petty about who gets it and who does not? Or are we sincerely interested in bringing about an end to this pollution which threatens our very existence and bringing about an end to this pollution as soon as possible?

I suggest that we adopt the latter position, that we want to get rid of this pollution. If one does have a criticism of this particular legislation it is that it punishes virtue. This is what it is doing. When one thinks of the hundreds, perhaps thousands or tens of thousands of companies in this province, big and small, who do feel an obligation to society, to their fellow men, and do go ahead and take steps to curb the pollution that they were spewing; they did spend the money, although as I say it ended up out of the taxpayers' pocket. Even though they did take those measures on their own initiative, under this Act, they can now get no relief. The ones that are going to be getting relief out of this Act are the ones who refused to take any action and kept on postponing taking action—the ones that lack virtue. I do not know what the antonym of virtue is. I asked the professor over here and he said unvirtue; maybe there is some other word. At any rate, the ones that lack virtue are the ones that are profiting here.

The hon. member for Windsor West mentioned Anaconda Brass. I know it well because although it is located out in New Toronto or Long Branch, the people who suffer from its presence there by way of pollution are not the people who the member for Timiskaming suggested might live within 500 yards of it but those people who live a mile or two downwind; they are the ones who have to suffer. They are putting executives within a 500-yard radius of the big chimney at Falconbridge; that is not going to affect them at

all. The people who are going to suffer are a mile, two miles, three miles further downwind.

Is it Anaconda's fault that they were only fined $300? The magistrate who imposed the fine, Provincial Judge Robert Taylor, expressed his regrets that he could not fine them any more but that it was the maximum fine—$300 for pollution.

Mr. Good: The OWRC Act states this.

Mr. Ben: The OWRC. Anaconda Brass is a foundry out here in the west end of the city of Toronto.

Hon. Mr. Kerr: The maximum is $5,000 a day for air pollution.

Mr. Ben: Well I just know what I read in the paper today. This is what Magistrate Taylor was quoted as saying.

Hon S. J. Randall (Minister of Trade and Development): Do not read those papers.

Mr. Ben: Yes, this was the *Telegram*. You are right.

At any rate, this is the situation with which we are faced. There are a number of things that must be done.

Mr. Peacock: It was a municipal bylaw, I think.

Mr. Ben: No, it was not. Municipal bylaws have all been invalidated by the legislation passed by this province.

Passing this is not going to do very much. As the hon. member for Timiskaming said, in fact he has taken the words out of my mouth, what we are dealing with here is an amendment to The Retail Sales Tax Act. This is where it should be, a one or two paragraph amendment to that Act, and not taken up by these four pages.

There are a number of things I regret. One of them is that is is not retroactive. There is no benefits under it for those people who were good corporate citizens and took action early.

Secondly, I do not know if in certain circumstances, five per cent is an adequate return of the sales tax. I do not know whether it should be charged in the first instance. What prevents many corporations from taking the necessary steps to curb pollution is the lack of capital, lack of financing. I think perhaps what we need is something like a second mortgage type of financing that the Minister of Trade and Development introduced with reference to housing. Perhaps if the government were to finance the installation of this equipment by giving a mortgage loan or debenture loan to these firms with a reasonable interest rate which would have to be repaid within five years at the most—in this regard, we would also have to permit them to write off this equipment within five years, too.

I think it would be a greater incentive for them to do this. Simply permitting the minister to pay the rebate of the five per cent sales tax is not enough. It is like telling a man, if you buy a Cadillac we will cut the tax on gasoline it uses in half. It is a very nice offer except the guy cannot afford to buy a Ford, never mind a Cadillac; so he cannot take up your offer.

If you are going to make such an offer, you have to provide some means by which he can acquire that Cadillac.

Interjections by hon. members.

Mr. Ben: Mr. Speaker, on the basis that half a loaf is better than none, it is a step in the right direction. If it does get to the committee stage, when we discuss it clause by clause we may be able to move some amendment. We are, as the leader has said, supporting this at this session.

Mr. Speaker: The member for Scarborough East.

Hon. Mr. Randall: No education this afternoon.

Mr. T. Reid: But is it not funny that we have an Act here entitled An Act to provide Incentive for Abatement of Pollution and the incentive is about zero, and the main area of pollution, for someone who lives in Metropolitan Toronto, is specifically excluded.

Mr. Ben: He throws up his arms.

Mr. T. Reid: Yes, the minister may make grand gestures to any owner of a source of pollution except a motor vehicle. It is so clear, Mr. Speaker, this minister does not come from Metropolitan Toronto because in this city we have to wear gas masks, or we should wear gas masks, to drive around. The main area of pollution in this city is from motor vehicles, from those owned by public transportation systems and those owned by individuals.

It is just silly to call this even an incentive Act and it is even sillier to someone who lives in Metropolitan Toronto to say it has much to do with the abatement of pollution. (If the minister was really serious, Mr.

Speaker, about doing something about pollution, he would have convinced, I suppose, the Minister of Revenue to revise The Retail Sales Tax Act to specifically exclude from the sales tax, devices that abate the pollution from motor vehicles.

In conclusion, Mr. Speaker, this is an Act coming from the wrong minister. It should be coming from another minister because if it came from some other minister, he could have included in it tax relief, even of a minor sort, for people who have purchased devices to abate the pollution on motor vehicles.

Mr. Speaker: The member for Wentworth.

Mr. Deans: Mr. Speaker, I want to ask a question relating to the principle of the bill, a principle which in itself I suspect will not be any great incentive to most people. But I am rather curious as it relates to marinas and to individual homes installing such things as septic systems and holding tanks. Do those kinds of things come within the ambit of the bill? Can we expect to see those people receiving a rebate on whatever sales tax they are forced to pay because of the conditions of this particular piece of legislation, and because of that can we perhaps see a speeding up of facilities available at the marina level?

How about a person replacing an existing septic system in a private home? Would he be eligible to receive assistance under this Act? I am not too sure; as I read the Act, I think he would be. Would municipalities be eligible to receive it? They now pay tax and I was not able to check it out. I did not have time, but would municipalities be eligible?

Mr. Good: They never had—

Mr. Deans: I was thinking about such things as the sewer lines. Since they are an all-encompassing part of the sewage disposal, would these things be exempt? How about the new proposed—

Mr. Speaker: The hon. member has brought a good point of principle but he is now developing it into a matter of degree which I think is only suitable for committee, so I would rule that any further questions along the lines he has placed now as to individual installations are quite out of order.

Mr. Deans: Well, Mr. Speaker, I am trying—

Mr. Speaker: The hon. member may be trying but this is not the place to try.

Mr. Deans: How can you tell when I am trying if you do not listen long enough—

Mr. Speaker: I have been listening and it is out of order.

Mr. Deans: Well, it is getting late in the year. I will yield to arbitrary decisions again as usual.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Yes, Mr. Speaker. I will not use up more than a minute upon this, simply to rise to bring to the attention of the House the results of a questionnaire that I circulated throughout my riding and asked, "Should government financially assist all industries in the fight against pollution?" Of 3,738 replies to the questionnaire, the results were 1,727 said "yes", and 1,836 said "no", or 47 per cent said "yes" and 48 per cent said "no." In other words the results were indicative the people are tired of listening to discussion of who should pay for the control of pollution but say, "Let us just get down to the job and see if we cannot, as quickly as possible, overcome the various types of pollution."

I would like to ask of the minister at this time if he is considering likewise some type of tax concession to overcome the most troublesome type of pollution, and that is pollution from the auto vehicle by having some type of tax concession for lead-free gasoline?

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister adjourns the debate?

Mr. Ben: Just put it to a vote.

Hon. Mr. Kerr: Very briefly, well—

An hon. member: It is 6 of the clock.

Hon. Mr. Kerr: Well, just one or two points. I just want one minute to reiterate what was said previously about this programme and that it is really one giant step for our environment.

Mr. Ben: I knew you should have just sat in your place.

Hon. Mr. Kerr: A number of the members opposite said that this was really very little in the way of incentive, but we should not lose sight of the fact that this is dealing with

one thing. It is dealing with sales tax—five per cent sales tax. It is a rebate or a grant to those people who install pollution abatement equipment that has been approved by us and pay the sales tax; we will rebate that amount of money.

Mr. Ben: We know that.

Hon. Mr. Kerr: As far as the loans are concerned, as has been suggested, as the hon. member knows under our new programme, $5 million has been set aside for air and $5 million has been set aside for water pollution equipment by way of loans to industry under ODC. We have also, in co-operation with the federal government, extended the programme of fast write-off for corporation tax. We have given assistance to small municipalities for water filtration plants and sewage treatment plants. Really this bill is only part of a total programme. The hon. member, I believe, for Cochrane South—

Mr. Speaker: May I interrupt the hon. minister for a moment? This has been a long day; the members have sat here since 10 o'clock this morning without relief, and it is my view that the members should not be asked to sit after the hour of adjournment. If the minister is going to continue his remarks at any length, then I would ask that he adjourn the debate. If he is not going to continue, of course, I would put the motion and we will determine the disposition of this bill.

Mr. Kerr moves second reading of Bill 150.

Is it the pleasure of the House the motion carry?

Motion agreed; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Nixon: No, Mr. Speaker. There are a number of questions to the minister and we would like to have it go to committee. We were quite prepared—

Mr. Speaker: There is no argument about it. If it is not unanimous, it shall not go to third reading. But the minister has the right to direct it to committee. Committee of the Whole House?

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment; we will continue with the consideration of legislation as we announced last evening—the second readings. Following the second readings we will then go into Committee of the Whole House to attempt to clear up this legislation before we recess some time on Friday. I move the adjournment of the House.

Mr. Deans: That will be some attempt.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

No. 112



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Thursday, June 25, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, JUNE 25, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon, our guests in the east gallery are students from South Monaghan Consolidated School in Bailieboro.

I think, while the boys are all here, I would like once again to have the pleasure to advise the members of the names of the young lads who have served so well these past weeks as pages for the members of this Legislature and to have them recorded in *Hansard*. It is my hope that in the days to come more than one of these names will appear on the roster of members of this august assembly. The boys who are presently serving us and who will leave when the House recesses at the end of this week are as follows:

Borys Bey of Rexdale, from the riding of Etobicoke; John Black of Mississauga, from the riding of Peel South; Greg Boyd of Forest, from the riding of Lambton; Andrew Bronson of Brampton, from the riding of Peel North; Richard Buehler of Merrickville, from the riding of Grenville-Dundas; Peter Carter of Sudbury, from the riding of Sudbury; David Clarke of Harriston, from the riding of Wellington-Dufferin; John Connell of Prescott, from the riding of Grenville-Dundas; David Crapper of Meaford, from the riding of Grey South; Bruce Diorio of Willowdale, from the riding of York Mills; Clyde Donnelly of Sioux Lookout, from the riding of Kenora; Eugene Ellmen of St. Catharines, from the riding of St. Catharines; Kim Fennell of Oakville, from the riding of Halton East; David Fockler of Scarborough, from the riding of Scarborough East; Ian Frost of Scarborough, from the riding of Scarborough Centre; David Guy of Mountain, from the riding of Grenville-Dundas; Donald Harrison of Islington, from the riding of York West; Mark Hill of Wainfleet, from the riding of Welland South; Neil Hill of Willowdale, from the riding of York Mills; Wolfe Kumberg of Toronto, from the riding of High Park; Dennis Morgan of Scarborough, from the riding of Scarborough North; Michael Perik of Toronto, from the riding of Dovercourt; and Paul Regan of Toronto, from the riding of Eglinton.

Hon. A. F. Lawrence (Minister of Mines): Mr. Speaker, in welcoming the guests to the House this afternoon I thought that you would have also have noticed that there are some prospective members as guests in the Speaker's gallery as well.

An hon. member: Prospective members of what?

Interjections by hon. members.

Mr. Speaker: The remarks of the hon. minister may be understood by him, but I am afraid Mr. Speaker is a little dense today.

Mr. V. M. Singer (Downsview): We have no right to know.

Mr. Speaker: In any event, we welcome all the guests that are with us this afternoon, and I am sure they will have an interesting afternoon.

Statements by the ministry.

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I would like to make a statement on the sale of 60 acres of land to Mr. Stephen Vencel of the United States. I have been charged with misleading the Legislature, according to an article in this morning's *Globe and Mail.*

Mr. Singer: According to a statement made in the House too.

Hon. Mr. Brunelle: I am going to review briefly some of the facts relating to this transaction.

Mr. Speaker, if the hon. members will listen they may change their ideas.

The 60 acre parcel, comprising part of lot 9 concession I, Grant township, is isolated and surplus. This means the land is surrounded on three sides by privately owned land.

There is some question in our minds whether persons, including the press investigating this sale, know precisely where the boundaries of the land are. According to our maps of the area there is some frontage on the Sturgeon River. According to our records,

Mr. Vencel does hold land on the south or opposite side of the Sturgeon River.

Concerning fish and wildlife and recreation values, the management of fish and game would be no different on this patented parcel than on other patented lands. The bed of the Sturgeon River is not included in the sale; it is Crown.

The subject lands were forfeited in November 1968 for non-payment of provincial land tax amounting in arrears to $47.26. Were the land suitable for cottage sites, we can only presume these would have been used for this purpose before forfeiture. There is a considerable rise of about 75 feet between the shoreline and the high ridge marking the approximate termination of the bank.

There is a cottage one-quarter of a mile upstream near the site of the power dam tailrace, but there are no cottages along the Sturgeon for some considerable distance below the subject lands.

The Smoke Creek mentioned in press reports flows through privately owned lands held by Mr. Vencel and not through the 60 acres the department is disposing of. It has been confirmed that there is no merchantable or young growth of value on this 60-acre parcel of land.

On the value of the lands—this has been in question—the $15 an acre charge is about the average Mr. Vencel paid for the privately owned 225 acres of land he has already purchased. This varied from $1.45 per acre to $30 an acre.

The department, in its programme of consolidation of public lands, has acquired lands in Grant township not too distant from the location and paid $8.55 an acre. In the adjoining township of Pedley, 1,419 acres were acquired at $8.50 an acre.

Information on file indicates that Mr. Vencel will move from Michigan upon retirement to take up residence in Ontario at this location.

It is highly doubtful whether the subject lands could be sold to other persons as access would be a problem, due to the fact that it is surrounded on three sides by land owned by Mr. Vencel.

I would like to stress, Mr. Speaker, that this is a sale at a fair price of a piece of crown land surrounded on all sides by privately-owned property, with no ready access except across this private property. It is very difficult to administer these isolated parcels of land and it has been our policy to dispose of them to applicants where they are not required for department purposes. The land in question is not suitable for summer resort purposes and meets our criteria for disposition.

And it is also of interest, Mr. Speaker, I might add, that in the last five years there has been only one other sale of an isolated lot to a non-resident of Canada.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I wish to make a brief statement of the government's intentions with reference to minimum wage rates.

Following careful studies of the potential impact and benefits, we have decided that the rates shall be increased from the present general rate of $1.30 to $1.50, effective October 1, 1970; and to $1.65 effective April 1, 1971. The construction industry rates, currently at $1.55, will rise to $1.75 and to $1.90 on the same dates. The regulations giving effect to the new rates, and dealing with such matters as learner and student rates, will be developed and announced during the summer.

My purpose in giving this general announcement at this time is to give industry time to adjust to the new rates. While it is impossible to quote specific figures as to the impact of these increases and to estimate how many people will find their pay somewhat higher, we believe that the changes will have significant beneficial effects for the working people throughout this province.

It is well to bear in mind the government's purpose in establishing a minimum wage. Its objective is to give to workers whose bargaining power is limited protection against exploitation, and at the same time to set a basic standard for a number of industries and in this way guard against unfair competition. I believe that these objectives will be met by these upward adjustments in the rates.

I believe too, Mr. Speaker, that this development should be examined in conjunction with the other legislation which has been designed for the further protection of the work force and introduced during this session.

I trust the hon. members will agree that substantial progress has been made.

Mr. Speaker: Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have a question of the Provincial Secretary.

What action does he plan to implement following the report by the Metropolitan

Toronto Social Planning Council which states in part that thousands of immigrants are being victimized here in this city because of their inability to learn the language, or at least the fact that the language instruction is not available for them?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I read with a great deal of interest the reports which appear in the afternoon press, and I might say that during the course of consideration of the estimates of this department, in an exchange with the hon. member for Dovercourt (Mr. De Monte), we indicated that we are anticipating some of the very points that have been raised today in this report. I want to assure the hon. member, and indeed all members of the House, that our staff have already started studies, or rather have started meetings with those who have been responsible for this report in an attempt to expand the particular programmes which we have in this department in the newcomer integration field, as part of the enlarged total citizenship programme which the Prime Minister (Mr. Robarts) himself indicated would receive priority insofar as the development of this department is concerned.

I think while I am on my feet in response to this, and I appreciate the fact that the question has been raised, indeed I appreciate the importance which is attached to this report by the press in giving it the prominence that they have because it assists us in our work to show the real human need there is in this area to provide some services, and some expanded services, in the whole field of newcomer integration.

During consideration of the estimates of this department on April 28, we did indicate, by way of anticipating many of these points, that we wanted to expand our newcomer field. I listed at that time, some months ago, what I thought we should be doing and what we are working towards; and included in that list was the establishment of reception centres for newcomers at points of entry to provide initial advice and information. In all our studies, we see this as a real need, this matter of being able to get information. The development and orientation courses have to be inaugurated to help newcomers adjust quickly to their economic and social integration in Ontario. We also talked about the experimental programme of community advice centres, which I formally announced at the provincial-municipal conference and with which we are now very involved at the municipal level.

We also talked about additional support to private agencies, possibly through the purchase of counselling services.

We talked then about a programme to develop and strengthen the multicultural aspects of our life here in this province. We talked about the research programmes—and I pay tribute to the member for Dovercourt because he himself, at that time and during our exchange, underlined the need for some objective research here. And, of course, as the hon. Leader of the Opposition so correctly points out, the real need is to provide our newcomers with some facility in languages in order that they in fact can take advantage of the opportunities that are here in the province.

So what I have really said is that we certainly would associate ourselves with the concerns that are set out in this report. We are working with those who have in fact published this report. In anticipation of this and as part of the expansion of our department, we have already set out to reorganize in this area along the lines and the principles I announced to the House on April 28 last.

Mr. Nixon: A supplementary question: As the report indicates the problem is even more acute than it was understood by the members of the House at the time of the discussion and the estimates, will the minister undertake to negotiate with the Metropolitan school board to make available more language facilities this summer rather than just the ones that have been in service and apparently are not meeting the need?

Hon. Mr. Welch: Mr. Speaker, I would be pleased to discuss this matter with my colleague, the Minister of Education (Mr. Davis). As we develop the language courses here, the role of the department has been to provide some direct services in those areas not already looked after by some other authority. In many parts of the province the local school board, the local school authority—and certainly Metropolitan Toronto is one through their adult education programmes—have in fact looked after the need in this area.

In keeping with the question that has been asked, Mr. Speaker, I would be very happy, in consultation with my colleague, the Minister of Education, to get in touch with the school authorities here in Metropolitan Toronto to ascertain what additional courses might be put on, as the Leader of the Opposition says, as a measure to look after those who are not now being accommodated. I have to await the outcome of those discussions to see how extensive that might have to be.

Mr. D. M. De Monte (Dovercourt): A supplementary, Mr. Speaker: I was wondering, Mr. Speaker, if the Provincial Secretary might consider the suggestion of my colleague from Scarborough East (Mr. T. Reid) to the effect that perhaps ETV might be used as a medium to teach English as a second language and that the minister's nominee should be on the board? Has the hon. Provincial Secretary thought of that, Mr. Speaker?

Hon. Mr. Welch: This matter came up during my estimates as you will recall, as far as teaching aids are concerned, and in that context we discussed it. There are those who are more professional than I in this particular area who suggest that there are great advantages in the teacher-pupil relationship in language rather than attempting to acquire this particular skill through the use of this type of teaching aid, in the repetition that is required and so on.

I certainly do not wish to minimize the importance of the point that has been made and I can assure members that Mr. Martin, who is the director of language training in our department, and some very competent staff are experimenting with all kinds of ways in order to facilitate this type of training.

I want to underline the great importance which this department places on this whole matter of newcomer integration. I assure all members of the House that it is in this area where we will be taking some very positive steps very shortly in order to step up our work in assuring that all newcomers to this province, in fact, have everything possible to assist them in their integration to the social and cultural life of the province.

Mr. S. Apps (Kingston and the Islands): A supplementary question, Mr. Speaker. I might ask the Provincial Secretary, in view of the fact that many of these recommendations have already been embodied in the report of the select committee on youth that was sent to the Legislature about three years ago, perhaps it might be a good idea to check through that report as well.

Mr. W. G. Pitman (Peterborough): Keep trying!

Mr. Nixon: If we only had a ministry of youth.

Mr. Singer: Yes, everything would be fine.

Hon. Mr. Welch: Mr. Speaker, as an alumnus of that particular committee—and a great committee it was—

Mr. Nixon: Lost all their reports.

Hon. Mr. Welch: —as were the Minister of Municipal Affairs (Mr. McKeough), the Minister of Health (Mr. Wells) and a good many other members of this House, I can assure hon. members that we have not lost sight of those recommendations.

Mr. Speaker: The Leader of the Opposition.

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Can he report to the House any action being taken to clear up the high levels of mercury pollution in the St. Clair River, which is still recorded in excess of 400 parts per million without any specific action having been taken to remove the pollutant from the river bed?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, the Ontario Water Resources Commission has plans to dredge Lake St. Clair, particularly those areas near the source of the mercury pollution. We are also negotiating now with the company to do the same thing.

The company indicated, at a previous meeting in my office some weeks ago, that it was prepared to do a certain amount of dredging in front of its plant. There is some question as to the efficiency of this dredging and whether or not it would cause certain other ancillary problems, particularly as far as the fish is concerned.

These are the plans we have for this summer. We have completed our investigation of those waters and it is expected that we will proceed immediately with dredging operations.

Mr. Nixon: Can the minister tell the House what the anticipated cost will be and if, in fact, the Dow Chemical Company will meet all or part of that cost?

Hon. Mr. Kerr: No Mr. Speaker, I am not able to indicate what the cost would be. It would depend on the extent of dredging necessary and the time it takes. But as I say, if the company does substantial amounts of this dredging, of course it will bear that cost.

Mr. Speaker: The member for Sandwich-Riverside has a supplementary?

Mr. F. A. Burr (Sandwich-Riverside): Yes, Mr. Speaker; perhaps my question was answered, I am not sure. Why should the OWRC pay any costs for the dredging of the St. Clair River?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows mercury has been found quite a way below the one known source of mercury pollution on the Ontario side. There has been mercury found, for example, in the Detroit River. So that at this point it is hard to attribute part or all of the cost to any specific industry.

Certainly any costs that are incurred by the province of Ontario as to dredging will all be part of the overall expense, including the advances and loans made to fishermen, that could be included in the total compensation claim that may be made at a later date.

Mr. Burr: Mr. Speaker, a supplementary question. Surely they are going to dredge only where the mercury is thick, they are not going to dredge where it is only in the order of two parts per million, are they?

Hon. Mr. Kerr: Mr. Speaker, I do not want to say how thick the mercury will have to be at the bottom of the river or lake before we will not dredge. This will be left up to the people who are directing the dredging.

But in any event, whatever that costs and whatever we feel is of benefit—in other words, what can be safely done to remove the mercury without causing other problems —whatever that cost is to us, as I say, it will be part of any damage claim that this government would make at a later date.

Mr. Speaker: Does the member for Windsor West have a supplementary?

Mr. H. Peacock (Windsor West): Mr. Speaker, I want to ask the minister if he will release his estimate of what further damage may be caused by the dredging before it is actually undertaken, so that the balance can be assessed as between the benefits and the disadvantages.

Hon. Mr. Kerr: This of course, is something that has to be decided. The action of dredging must be of some benefit. It must relieve or eliminate at least a substantial part of the mercury contamination, or the possible future contamination, of those fish. If there are ancillary effects of such action, it would have to be decided by the technical people whether or not—

Mr. Peacock: In other words, it could destroy the feeding beds in the process.

Hon. Mr. Kerr: Yes, that is right.

Mr. Speaker: The member for Sarnia, a supplementary?

Mr. J. E. Bullbrook (Sarnia): Am I correct in assuming from the response of the hon. minister to the previous questions that this is a statement of new government policy? That the government intends to take action against the offending companies to secure general compensation?

Hon. Mr. Kerr: Mr. Speaker, I do not think there was any doubt at any time that, in some way or another and at some time, action will be taken if there is not settlement with the government of Ontario as far as its costs and expenses are concerned in relation to mercury contamination.

Mr. Bullbrook: Might I have one more supplementary Mr. Speaker, with your indulgence? If this is the situation, why does the minister not include the specific claims of fishermen in that particular type of compensatory negotiation?

Interjections by hon. members.

Mr. Speaker: Unfortunately, we have wandered from the main question. If the member for Windsor-Walkerville wishes to ask a supplementary to the main question, he may do so.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I wanted to ask of the minister what disposal of the dredged materials is going to be undertaken and is there going to be some added pollution as a result of the disposal?

Hon. Mr. Kerr: Again, Mr. Speaker, this of course is another facet that has to be considered. What do we do with the mercury that we get from the bottom of the lake? Where do we dispose of it? These are all the things that have to be considered before the action to dredge is undertaken.

Mr. Speaker: The Leader of the Opposition.

Mr. Nixon: I would like to ask a question of the Minister of Lands and Forests, further to his statement today. Might we assume, following the statement, that there will be no further sales of crown lands to non-residents?

Hon. Mr. Brunelle: Mr. Speaker, I do not believe we should assume this. I mentioned earlier in the House that we in The Department of Lands and Forests have a study underway of all crown lands in the province.

Mr. Nixon: Supplementary question: Did the minister or his advisers consider a lease on the land that was discussed in his statement to the person who had applied for outright purchase? Did they think about a lease instead of an outright sale?

Hon. Mr. Brunelle: Yes, this is one of the matters that we are considering. This question of the—

Mr. Nixon: It is too late now.

Hon. Mr. Brunelle: Pardon?

Mr. Nixon: It is too late now.

Hon. Mr. Brunelle: Oh yes. This sale has been—yes, "has been considered." But in the future, or future policy, this is one of the matters that is under consideration.

Mr. T. P. Reid (Rainy River): Supplementary, Mr. Speaker: Can the minister indicate what use Mr. Vencel, I believe the man's name is—what use this land that has been sold him outright is going to be put to if it is worthless as the minister says it is?

An hon. member: He is going to grow yo-yos.

Hon. Mr. Brunelle: As I indicated in my statement today, this person intends to take residence in Canada and he owns—

Mr. T. P. Reid: He needs 300 acres?

Hon. Mr. Brunelle: Pardon?

Mr. T. P. Reid: He needs 300 acres?

Hon. Mr. Brunelle: He already owns a certain amount and he did not own this little portion in the centre and therefore it consolidates his land holdings.

Mr. T. Reid: (Scarborough East): All the more reason for not selling any more.

Mr. T. P. Reid: By way of further supplementary—

Mr. Speaker: The question period is nearly half gone and we are merely on supplementaries to the questions of the Leader of the Opposition.

Mr. T. P. Reid: The questions are from other parties, Mr. Speaker.

Mr. Speaker: No, they are not getting in on it. This member may ask a further supplementary, and the member for Nipissing and then this subject will be closed.

Mr. T. P. Reid: By way of further supplementary, Mr. Speaker, with your indulgence: Is it not the policy of The Department of Lands and Forests not to sell crown recreation land to people where access either by water or land is not available? And if so, why was this land sold to Mr. Vencel?

Hon. Mr. Brunelle: The member is quite correct, Mr. Speaker, that our policy is not to sell land which has recreational purposes. This, Mr. Speaker, has no recreational purposes.

Mr. Speaker: The member for Nipissing has a supplementary.

Mr. R. S. Smith (Nipissing): A supplementary, Mr. Speaker: In regard to the comparison that the minister made, would he inform the House what area of water frontage was acquired in Pedley and Grant townships for the sum of $9,000 by The Department of Lands and Forests?

Hon. Mr. Brunelle: Mr. Speaker, I do not want to take up the time of the House, but what I would like to do is say to the hon. Leader of the Opposition, the member for Nipissing and any other member who wishes to go and visit that land that we would be glad to show them the lands in question.

Mr. R. S. Smith: I have seen the land and would like the minister to answer my question if he could.

An hon. member: He has been there and the minister has not.

Mr. R. S. Smith: Is he not going to answer my question?

Mr. Speaker: The Leader of the Opposition has the floor.

An hon. member: He was not there.

Mr. Speaker: There is no reason why the minister must answer. The member for York South.

Mr. D. C. MacDonald (York South): A question of the Minister of Labour: Would the minister indicate how he arrived at the new levels for minimum wages? Specifically, were any public hearings held or were these decisions arrived at purely by what I might describe as internal consultation?

Hon. Mr. Bales: Mr. Speaker, we carried out impact studies in reference to a large number of industries in the latter part of last year and the information thereby gained was

studied within our own department. There were no public hearings in reference to this matter.

I may say that we checked in reference to the wages being paid in some 48 of what we regard as the lower wage industries in the province and there was a very substantial survey job done and the assimilation of that material took some time.

Mr. MacDonald: Mr. Speaker, a supplementary question: In view of the fact that those minimum wages will still bring family income below levels suggested as necessary by various agencies in this country, would the minister table the impact studies that have been prepared for his department so we could have an opportunity to study them ourselves?

Hon. Mr. Bales: Mr. Speaker, I made it clear that we did not regard the minimum wage as necessarily the family wage or the living wage because that depends on the size of the family unit. What we said was the minimum wage in this province should be regarded as a means to prevent the exploitation of the individual and to provide a base. There is a large amount of material in the studies on these matters. These are internal matters and I would not normally release them to the public.

Mr. MacDonald: A final supplementary question: While the minister might not normally, in this instance would he?

Hon. Mr. Bales: I will consider it, I will not just decide at the moment.

Mr. MacDonald: The minister will consider it?

Hon. Mr. Bales: I will consider it.

Mr. D. A. Paterson (Essex South): Supplementary question, Mr. Speaker: Has the minister raised the minimum wage for those persons now earning 90 cents and $1 per hour in the service industries during the summer months?

Hon. Mr. Bales: Mr. Speaker, I said in my statement that those are what we call the learner wage or student rate. They will be announced with the regulations. Those matters have not been determined. I wanted to announce the general increase only.

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid: A supplementary, Mr. Speaker, a short one: Will these rates apply to the tourist and motel industries?

Hon. Mr. Bales: Mr. Speaker, there is a general minimum wage rate which applies to everyone in the province. The effective change would be next October.

Mr. Speaker: The member for York South.

Mr. MacDonald: Mr. Speaker, a question of the Minister of Education: In view of the fact that hundreds of teachers have been turned down on their applications for enrolment in special courses this summer—for example, primary methods—could the minister indicate whether or not the government is contemplating some crash course or other procedures for providing these summer studies?

Hon. W. G. Davis (Minister of Education): No, Mr. Speaker, we are not contemplating enlarging the enrolment projections for the summer courses this summer. We think they represent fairly substantially the needs as are articulated to us by the school boards, and I think it would perhaps be inappropriate, Mr. Speaker, to increase the number of teacher places during the summer months, particularly when we are moving into a period of some slight surplus with respect to teachers in this province.

Mr. MacDonald: By way of supplementary question: Why were so many of these teachers who had sought enrolment informed that there would be no place for them only two days ago, when the closing date for applications was back on May 15?

Hon. Mr. Davis: Mr. Speaker, there are several kinds of summer courses. If the hon. member is referring to the summer course for mature students at McArthur College or OCE at Kingston, this would relate to the fact that in order to gain admittance to the summer course at McArthur College, OCE and at the Lakehead, it has to relate to the production of a contract with a board. If the hon. member is referring to the summer courses for elementary school teachers, a goodly portion of them really were notified some two weeks ago as to their acceptance or non-acceptance.

Mr. Speaker: The member for Scarborough East has the floor for a supplementary.

Mr. T. Reid: I am sorry, Mr. Speaker, I thought the leader of the NDP had finished.

Mr. Speaker: I am sorry, the member for Peterborough.

Mr. Pitman: I wonder if I might ask a supplementary question, Mr. Speaker.

In view of the fact that those who are seeking the places in the elementary school courses already have a job, would it not be in the interest of the school boards to have as many of those teachers on the courses as possible? Indeed, would those boards not be willing to give to the minister, personnel and assistance in setting up these crash courses, at least these expanded courses, in order to help these particular individuals?

Hon. Mr. Davis: Mr. Speaker, I am not sure whether or not the boards would be prepared to make personnel available; they have not been requested to do so. Of course there is a certain economic factor in that the fees paid do not support the total cost of the course, so it is very doubtful that the boards would make personnel available unless the department were to pay some of the costs inherent in it, which would then add further to the cost of the summer course programme in this province.

Mr. Pitman: A supplementary question: Would it be fair to say that the minister has totally underestimated the need of the elementary teachers in this province with relation to summer courses?

Hon. Mr. Davis: No Mr. Speaker, I think the estimates are really very much in keeping with previous years. I think what is happening is more teachers are anxious to take the summer course. I do not think we are underestimating needs.

Mr. Speaker: The member for York South.

Mr. MacDonald: A question of the Minister of Trade and Development: Is the Woods Gordon Harbour City economic feasibility study based on the Zeidler concept—that is, the cost of specific buildings—or is it a general economic study?

Hon. S. J. Randall (Minister of Trade and Development): No. It is based in the main on the concept produced by Zeidler, and if the concept finishes up the way we anticipate it would and if it is accepted by the city, this would be in the area of the Woods Gordon report and the figures that would be available.

Mr. MacDonald: By way of a supplementary question: After further sober second thoughts, can the minister be persuaded to make this report available in order to assist all those who are interested in a study of the cost of this new project?

Hon. Mr. Randall: Mr. Speaker, the concept, along with the figures, has been sent to the mayor. When the mayor has had a chance to discuss it with his own officials, I am quite prepared to release it. But until the mayor has had an opportunity to look at it and go over it with his people, I do not feel that I should release it until it has been accepted by the city of Toronto and they have had a chance to analyze the figures. Once that has been done, I have no objection to releasing the figures.

Mr. MacDonald: Did I understand the minister to say that a copy of the Woods Gordon report has been sent to the mayor? Thank you.

Mr. Speaker: The Treasurer of Ontario has the reply to a question asked by the member for Riverdale.

Hon C. S. MacNaughton (Treasurer): Mr. Speaker, I have a reply to a question asked of me by the hon. member for Riverdale.

I think the key figures he is interested in would be these: Firstly, the seasonally adjusted unemployment for Ontario in May was 4.6 per cent of the labour force; the unadjusted rate was 4.2 per cent. The seasonally adjusted unemployment rate for Canada in May was 6.2 per cent and the unadjusted rate was 6.1 per cent.

This may be a little more than asked for, but perhaps it could be supplementary to what he had in mind. Employment increased in Ontario between May, 1969—I say employment, not unemployment—employment increased in Ontario between May, 1969, and May, 1970, by 85,000 and this accounted for almost all of the total Canadian increase of 90,000 for the period.

Mr. Speaker, I have some further supplementary information here that I will not read at this time, but I will make it available to the hon. member because it traces the history of employment and unemployment over the period of two years.

Mr. Speaker: The member for Renfrew South.

Mr. P. J. Yakabuski (Renfrew South): Mr. Speaker, I have a question of the provincial Treasurer and Minister of Economics. As it is predicted that Mr. Heath, leader of the new administration in Great Britain, will use tax cuts as the new method in fighting inflation there:

1. Does the minister feel that the tax cut method would be more effective here than the present policies practised and advocated by Ottawa?

2. Is the tax reduction policy the alternative method that this government suggested to Ottawa some months ago?

Hon. Mr. McNaughton: Mr. Speaker, I did not get the last part of the question because of certain noises that were being made across the floor.

Mr. Speaker: Would the member repeat the second question?

Mr. Yakabuski: The second part was, is the tax reduction policy the alternative method that this government suggested to Ottawa some months ago?

Hon. Mr. MacNaughton: Mr. Speaker, we made certain suggestions several months ago and we made certain suggestions when we tabled our own proposals for tax reform in Canada at the request of the federal Minister of Finance who last November requested discussion, dialogue, suggestions and alternatives; and we tabled these in this Legislature on June 4. We discussed them on Tuesday before the Commons committee examining the matter of the white paper and receiving briefs, and I think our proposals could be said to be inherent in the report that we tabled here on June 4, in that tax reform means redistribution of tax burdens and not necessarily increased revenues for any level of government.

Mr. Speaker: The member for Simcoe East.

Mr. Peacock: A supplementary, Mr. Speaker.

Mr. Speaker: Supplementary?

Mr. Peacock: Of the provincial Treasurer: Does the most recent issue of his department's review indicate that the Treasurer is moving toward a conclusion that his present levels of tax revenue are in themselves inflationary?

Hon. Mr. MacNaughton: Mr. Speaker, I am prepared to answer that, if not in specific terms, in general terms. Certainly I am personally of the opinion that increased taxation is in itself inflationary just to the extent that increased prices are, because they all have a tendency to reduce disposable income; so certainly I feel—and it is not new to say this; I think that has been implicit in many of the observations we have made before the Legislature—that we hold rising taxes to be inflationary in their very character.

Mr. Speaker: The member for Simcoe East.

Mr. G. E. Smith (Simcoe East): Mr. Speaker, I have a question of the Prime Minister. In view of the local concern in Orillia about the effect that the Toronto-centred region plan will have on the future of that city, could the Prime Minister tell me what industrial development can be expected there under the proposals that were outlined?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I think I understand the concern the member expresses, and the concern of the people of Orillia that their area might not be designated under this plan as a growth centre.

What we were trying to do in that plan and in other plans we have presented, and will present, is to deflect the growth from some of our more concentrated industrial urban areas into some outlying areas of the province, if I may put it that way.

Orillia itself, of course, will continue to develop, I think, as it always has in the plan that we did submit. Certainly there will be normal growth there, not only that but it will grow in the areas in which perhaps it is best suited to grow, that is in the areas of tourism and perhaps light industry rather than the heavy industry such as one associates with some areas of Metropolitan Toronto, Hamilton, Windsor and so forth. So we think it really will grow as it would have in any event.

Mr. Nixon: In spite of the government's plan?

Hon. Mr. Robarts: No, not in spite of our plan, but—

Mr. Singer: Because of it?

Hon. Mr. Robarts: Our plan is designed to pull some of the area industrial development out of—

Mr. Nixon: It is designed to develop Collingwood, but not Orillia.

Hon. Mr. Robarts: —the Toronto area, out of the so-called Golden Horseshoe, or whatever it is called, and to put it into other areas.

An hon. member: Pollution horseshoe!

Hon. Mr. Robarts: Frankly, I think, we can document that some of our policies have been successful in achieving some of these

endeavours, such as our EIO programme that is highly criticized. The more members criticize it, the more I know it is successful.

As far as some of these centres are concerned, they will grow normally, but I hope we will be able to control the development and make sure that it is not all concentrated in certain areas of the province. I think this will be in the best interests of the municipalities, and more particularly of the people who live in them. Frankly, I think the residents of Orillia can look forward to, what I would consider in any event, to be a very pleasant future.

Mr. Speaker: The Leader of the Opposition.

Mr. Nixon: Mr. Speaker, I have a question of the Premier. Is he prepared to make a fuller statement to the House following on his reported statement that he is ready to accept compulsory price and wage controls if they are implemented at the federal level?

Hon. Mr. Robarts: Well Mr. Speaker, what could be more fuller than what I said? I simply said that if the federal government in its wisdom, or lack of same, decides that this is a national issue and it thinks it necessary in the national interest to impose wage and price controls—

Mr. Nixon: If it does it from a lack of wisdom is this government prepared to support it?

Hon. Mr. Robarts: —then, of course, we would support them. That is exactly what I said. How much more elucidation does the member want?

Mr. Nixon: This is a supplementary question: Are we to accept from the Premier's statement that if, in his view, the decision is made by Ottawa in their lack of wisdom, that he is prepared to follow along?

Hon. A. Grossman (Minister of Correctional Institutions): What could we do about it?

An hon. member: A bunch of lackeys!

Hon. Mr. Robarts: Mr. Speaker, I have always been a federalist. I think all the positions I have filed in these debates over the years have indicated that I support the federal system in this country.

Mr. T. P. Reid: There was a change last year.

Mr. Nixon: Even when the Premier believes them to be wrong?

Hon. Mr. Robarts: If the federal government decides in the national interest that this is necessary, then of course this government will support that position.

Mr. Nixon: A supplementary question: Does the Premier now believe that it would be in the national interest for such a decision to be made?

Hon. Mr. Robarts: If it were my decision, which it is not, I would say no.

Mr. MacDonald: A supplementary question: Does the Premier not believe that the desirable objective could be achieved by more vigorous and meaningful tackling of managed prices and profits rather than putting the whole emphasis on wages?

Hon. Mr. MacNaughton: That is oversimplification again.

Hon. Mr. Robarts: Mr. Speaker, I think the Treasurer puts it very well. The member is oversimplifying the issue. Quite frankly, I do not think that the policies being pursued by the federal government are necessarily the right ones. I think we need a little more imagination in our approach to inflation.

Mr. J. E. Stokes (Thunder Bay): We need some action, not imagination.

Hon. Mr. Robarts: I think we are using some traditional, classical methods of attacking this problem which simply do not work in 1970.

Mr. MacDonald: Right.

Hon. Mr. Robarts: In other words I have left the Keynesian—

Mr. MacDonald: What would the Premier do?

Hon. Mr. Robarts: What would I do? Well, I have not got the responsibility, and I always—

Interjections by hon. members.

Hon. Mr. Robarts: I am still on my feet, Mr. Speaker, and I am still answering the question.

Interjections by hon. members.

Hon. Mr. Robarts: I have several things that I might suggest. I would attack this problem from the point of view of productivity rather than restraint of activities. I think we need some 1970 economic thinking, and not 1945, or 1925 economic thinking.

Interjection by an hon. member.

Hon. Mr. Robarts: I would be inclined to—Mr. Speaker, I was asked a question and I am prepared to answer.

Interjections by hon. members.

Hon. Mr. MacNaughton: Since when has the member had a good idea? Since when has he had one? Name one.

Mr. Speaker: Order!

Interjections by hon. members.

Hon. Mr. Robarts: Mr. Speaker, is anyone interested in my answer to the question?

Interjections by hon. members.

Hon. Mr. Robarts: I really think that the secret to this problem in this country lies in the area of expansion and productivity and not in the restraint and constriction of our economic endeavours.

Mr. MacDonald: A final supplementary question: So far the Prime Minister is correct, but would he not agree, in spite of the dismissal as being simplistic, that a meaningful imposition of the burden on managed prices and profits as well as wages could achieve the purpose without having to consider the straitjacket of mandatory price and wage controls?

Hon. Mr. Robarts: Mr. Speaker, in answer to that question I would say of course you have to cover the whole spectrum. You cannot take one portion and hope that by imposing controls there—but let me say too that following our meeting last August in Ottawa and the decisions made then and the action that was taken by government, I think we have had some meaningful results.

Mr. MacDonald: Meaningful?

Hon. Mr. Robarts: Yes, pretty meaningful; take a look at the price index.

Mr. MacDonald: Take a look at nickel prices.

Hon. Mr. Robarts: Well, of course the member is so biased that he will only see one side of the situation in any event.

Interjections by hon. members.

Hon. Mr. Robarts: Mr Speaker, there is no way I can talk to the hon. member, because he really sees it from only one point of view.

Mr. MacDonald: And so does the Prime Minister. That is the problem.

Hon. Mr. Robarts: The member is quite wrong—

Interjections by hon. members.

Hon. Mr. Robarts: I really enjoyed jousting with the hon. member over the years, Mr. Speaker, and I hope that his announcement this morning will not change the basis upon which I will be jousting.

Mr. MacDonald: Cheer up, there will be many more years.

Interjections by hon. members.

Hon. Mr. Robarts: Now those members should keep quiet in the back row for a few weeks. They may, if they are lucky, have their turn.

I have an idea that in this country we are approaching this problem really in much too unsophisticated a manner. I think we need some 1970 thinking to deal with the problems of 1970 and I do not think we are getting any imagination from the federal government when they simply restrict credits and control the flow of money and attempt to impose restraints on wages, prices, profits and so on. I think we need to go at it from the other end, and I have said this in the House before, of course.

Interjections by hon. members.

Hon. Mr. Robarts: Over a period of some 26 years, I must say in all honesty and at the risk of blowing my own horn and that of my party, Ontario has done quite well, Mr. Speaker, for the last 26 years.

Interjections by hon. members.

Hon. Mr. Robarts: And, Mr. Speaker, we have followed very consistently certain policies in this government over that whole period of time, and if members choose to read history it is there for them to see, but none so blind as those who do not care to see.

Interjections by hon. members.

Hon. Mr. Robarts: Prosperity in this province, Mr. Speaker, has been based on a continual policy of expansion, more jobs, more wealth. We have created an atmosphere of—

Interjection by an hon. member.

Hon. Mr. Robarts: Well I just have to tell the members. I have to tell them—

Hon. Mr. Grossman: The federal government.

Mr. Singer: The minister is against Ottawa.

Interjections by hon. members.

Mr. Speaker: Order, order!

Hon. Mr. Robarts: All right, all right! That young man was not here but he might recall in 1956 we debated a level of unemployment after the Korean War of about 5.6 or 5.7 per cent and it was a big problem in Ontario. Now we are working with a four point, is it two or three per cent?

Really we are very fortunate and we do very well; and of course it is the result of the policies of this government.

Mr. Speaker: Are there further supplementaries?

Mr. C. G. Pilkey (Oshawa): Supplementary.

Interjections by hon. members.

Mr. Pilkey: Does the Prime Minister believe that we can have full employment, higher incomes and price stability all at the same time?

Hon. Mr. Robarts: Mr. Speaker, it would be the endeavour of this government, to achieve precisely what the member says.

Interjections by hon. members.

An hon. member: What are members asking for, an election?

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Welch presented the annual report of The Department of Highways for the fiscal year ending March 31, 1969; the annual report of the Niagara Parks Commission for the year ending 1969; and the 45th annual report of The Department of Health for the year 1969.

Mr. Speaker: Motions.

Hon. Mr. McKeough moves that the order for third reading of Bill 102 be discharged and the bill be referred back to the Committee of the Whole House for a further amendment.

Motion agreed to.

Mr. Nixon: There are a good many amendments we want to put to that bill too.

Mr. Speaker: Introduction of bills.

Before we enter on the orders of the day, there are several questions which have been referred to Mr. Speaker which I think should be dealt with and disposed of before the House recesses. And with the indulgence of the House, I shall now proceed to do that.

Last week the hon. Minister of Justice and Attorney General rose on a matter of privilege with respect to a certain cartoon appearing in the Toronto daily press. I agreed with his serious view of this matter and stated that I would give it consideration.

Since the matter in question was so phrased as to refer to the Canadian Parliamentary System, I may advise the members that I am in communication with the hon. Speaker of the Canadian House of Commons to ascertain the opinion of himself and the members of the House of Commons in this matter. Thereafter, if action by me should seem required, I shall most certainly report to the House.

However, my course of action in this matter does not preclude any members of this Assembly from taking any action with respect to the incident which may be provided by our Act, Rules, Standing Orders, Procedures or Traditions.

Last week the hon. member for High Park raised with the Deputy Speaker and again with me the question of privilege concerning the alleged breach of confidence respecting correspondence between himself and the Minister of Justice and Attorney General. I have been unable to find any authority for the proposition that this is any concern of the House whatever. I can think of no basis on which it could be referred, as has been suggested, to any of the standing committees of the House. It is a matter entirely between the two members concerned.

The other day the hon. member for High Park raised with the Deputy Speaker and with myself the question of threats against the safety and life of himself. There is no doubt that threats against members with respect to their conduct in the House, or things said by them in the House, are breaches of privilege or contempts. This is supported in May's Parliamentary Practice, 17th edition, page 124, and The Legislative Assembly Act of Ontario, RSO 1960, chapter 208, section 45. However, even though members today usually stop short of moving for the offender to be brought before the bar of the House, this is

undoubtedly the correct procedure and is certainly the procedure contemplated by section 45 of The Legislative Assembly Act.

In other words, when raising a point of privilege, a member must be in a position to name the offender and move that he be brought before the bar of the House for trial and, if guilty, punishment. There is no procedure by which a member can raise a point of privilege to relate to the House a hearsay threat made by some person or persons unknown. Obviously, the member for High Park was not in a position to name the offender or make the necessary motion and, therefore, what action of the House was he requesting? Nor would it it appear that the member's remarks could have been made as a personal explanation, as suggested by the member for Sudbury. Personal explanations relate to the member's own conduct, not to the conduct of some unknown person. Again, May, page 373, says:

"In regard to the explanation of personal matters, the House is usually indulgent, and will permit a statement of that character to be made without any question being before the House, providing that the Speaker has been informed of what the member proposes to say and has given leave. . . . No debate should ensue thereon, but if another member is involved in the personal statement, he is generally allowed to give his own view of the matter and to say whether he accepts it or not."

Abraham and Hawtrey's Parliamentary Dictionary defines a personal explanation as follows:

"A member who wishes to explain, excuse, justify or apologize for, his conduct is allowed to make a statement, known as a personal explanation, immediately after question time. Examples of such statements are those made by ex-ministers explaining their reasons for resigning office, and those made by members whose conduct has been subject to criticism. These statements are made by the indulgence of the House, and not of right, since there is no question before the House at the time, and no debate can take place."

Wilding and Laundy's Encyclopaedia of Parliament gives this definition:

"A statement made by a member before the commencement of public business, permission having previously been obtained from the Speaker, explaining his conduct in regard to a particular question or occasion, replying to an accusation made by another member, or correcting an alleged misrepresentation. No debate should follow, and general arguments or too distinct a reference to previous debates are out of order. The Speaker of the House of Commons himself made a personal statement on 11 December, 1947, when he apologized for having treated a member unfairly."

I am, therefore, confirmed in my opinion that the Deputy Speaker was correct in stopping the member from speaking as a matter of privilege to an alleged threat of unknown origin. The member could, of course, make his remarks in the budget debate or even in the discussion of the estimates of The Department of Justice, if he could satisfy the committee of its relevance to one of the votes of those estimates.

Then again, the Deputy Chairman referred to me the point of privilege raised with him yesterday by the member for Riverdale. Whether or not the matter is a breach of privilege depends, of course, on whether it can be construed as reflecting on his behaviour as a member of the House. It has been held that speeches or writings reflecting on the conduct of members as members is a breach of privilege. (May, page 124.) Unless it can be connected with his actions as a member, it does not concern the House at all. Otherwise it would be a matter for whatever action the member may decide to take in the courts. I am doubtful that the document reflects on his conduct as a member as it does not quote any speeches by him in the House or any action on his part as a member, even though it refers to his position as an MPP.

However, if the member so desires, he can, under our Standing Orders, move the required motion and then it is up to the House to decide whether or not a breach of privilege has actually occurred, and is so, how to deal with it.

Mr. Singer: I think the person complained of is up in the gallery too.

Mr. Speaker: And then yesterday the hon. member for Windsor-Walkerville rose on a matter of privilege with respect to a certain letter purporting to have been directed to me by the member for Windsor-Walkerville but not bearing the name "Newman" as signature. I hasten to assure the hon. member that his seat is not presently in danger and to advise him that the—

Hon. Mr. Grossman: Oh, I do not know about that.

Mr. Speaker: —article in question was a speech delivered by Master Bruce Diorio sitting as member for Windsor-Walkerville in

the mock Parliament held by the present group of Legislative Pages. I am sure the hon. member must be honoured to have had his riding selected for representation in the Mock Parliament and I am equally sure that his perusal of the document mentioned by him will indicate that his seat was occupied by a very bright Grade 7 boy.

Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 43, An Act to establish The Ontario Educational Communications Authority.

Mr. Speaker: I am sorry, was the member on his feet?

Mr. T. Reid (Scarborough East): Mr. Speaker, I would just like to reiterate very briefly the position that this party has taken on this particular bill. We are very sorry that the minister has not seen fit to amend this bill to include wider representation on the ETV authority, particularly to include teachers as a matter of right and students as a matter of right.

We repeat that basically we find that this bill does not change the way in which educational television programming and broadcasting will be managed in the future. Channel 19 is something new, but the minister's department could run it in the same way as the present ETV authority is going to run it. In short, Mr. Speaker, we stand by the position we took on second reading of this bill. We shall vote against third reading because we believe it is a continuation of the centralized bureaucratic practices of the minister through an agency that he calls an ETV authority.

There is no difference between what exists now and what will exist under this authority because it does not provide participation by the community, it does not provide participation by the teachers in any way in a legal sense. We feel that the decision-making body should be representative of the wider community—the teachers and the students in particular.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, I would just like to make one comment on third reading. I was reading an article in the newspaper today in connection with the report of the study of needs and resources of immigrants in Metropolitan Toronto. There is no doubt that you will remember, Mr. Speaker, that we moved certain amendments, or tried to make certain suggestions to the Minister of Education (Mr. Davis), in connection with making available ETV for the purposes of teaching English as a second language to immigrants through its facilities.

Of course, the Minister of Education has failed to acknowledge the strength and presence of the ethnic community in Ontario by not accepting our amendment, Mr. Speaker, that the Provincial Secretary (Mr. Welch), shall nominate one member of the board of the educational communications authority.

I want to warn him that he is going to live to regret this error, Mr. Speaker. The community of Ontario residents and of Canadian citizens-to-be whose second language is English and who will be looking to the broadcasting facilities of channel 19 to help them bridge the cultural gap between the generations, will not easily forgive the insensitivity of the Minister of Education to this very important matter.

I have gone around this province, Mr. Speaker, and attempted to convey the fact that there is sort of a cultural gap and that one of the ways to bridge that gap is an understanding of the English language by immigrants who come to this country.

Mr. Speaker: I wonder if I might interrupt the member, so we will all understand where we stand on third readings. Because the principle of the bill has been debated, presumably it has had section-by-section examination if required.

The debate on third reading, in my opinion —and I have tried to confirm it—can take two courses only; one is a so-called hoist motion and the other a brief statement of the reasons—as has been made by one of the members of the Opposition—why the bill will not be supported on third reading. But we are not entitled, as we do on second reading and at other times, to wander all over the educational field.

So I would ask the hon. member to observe that, otherwise I will have to declare he is out of order.

Mr. De Monte: Mr. Speaker, I just wanted to make the point to the hon. minister that he should consider this aspect of the situation, that the immigrant community is a large community in this province and that he should necessarily consider this very important aspect of educational TV in Ontario.

THIRD READINGS
(continued)

Bill 61, The Business Corporations Act, 1970.

Bill 69, An Act to amend The Mining Act.

Bill 79, An Act to provide for the preservation of the Niagara Escarpment and its vinicity.

Mr. J. Renwick (Riverdale): Mr. Speaker, on third reading of Bill 79, I want to ask the government if, before they introduce their omnibus bill dealing with this problem across the province, they will give very serious consideration to the considerations which were raised by the opposition members at the time of the debate on second reading of that bill?

The bill departs entirely from the proposition, as we understood it, that the government as a whole was interested in the overall preservation of the Niagara Escarpment. I believe that the points which we made during the course of that debate were valid ones. I trust that they will be seriously considered and incorporated in any new bill which deals with this whole question of the extractive quarrying and pit mining in the province of Ontario.

THIRD READINGS
(continued)

Bill 80, An Act to establish the district municipality of Muskoka.

Bill 83, An Act to prevent discrimination in employment because of sex or marital status.

Mr. T. Reid: Mr. Speaker, our position is that with regret we support this bill. We do not believe it goes far enough. There is one simple additional point. Since the committee stage last Thursday we—particularly the hon. member for Dovercourt and myself —have been at some pains to discover whether, in fact, there was any validity to the remarks of the member for Ontario (Mr. Dymond) and the complementary suggestions of the Minister of Labour (Mr. Bales), that abnormal pregnancy, regarded as sickness, is covered in the majority of cases by agreement between employer and employee. And, as we suspected, we discovered that such a statement is absurd. We have gone through a number of contracts, sir, and we find that the sickness provisions provided for by contract, by negotiation between unions and their employers, are totally inadequate to meet the needs of abnormal pregnancies. We have further found, sir, that one in five pregnant women experience an abnormal pregnancy that results in sickness.

Therefore, we say to the minister that we further oppose his bill because it excludes those women in the labour force who need this protection the most. But we, regretfully in a sense, will vote for the bill because it is a very small step forward. We remind the minister that he should be doing his research much better to realize the number of women —almost 1,000,000 women—in the Ontario labour force, and half of them are not included in the terms of this bill when they are pregnant. We regret this very much.

THIRD READINGS
(continued)

Bill 94, The Waste Management Act, 1970.

Bill 98, An Act to amend The Tile Drainage Act.

Bill 103, An Act to amend The Succession Duty Act.

Bill 136, An Act to amend The Athletics Control Act.

Bill 137, An Act to amend The Regional Municipality of Ottawa-Carleton Act, 1968.

Bill 148, An Act to amend The Ontario Energy Board Act, 1964.

Bill 149, An Act to amend The Energy Act, 1964.

Mr. R. F. Nixon (Leader of the Opposition): Just one comment on third reading, Mr. Speaker. This transfers the responsibility for The Energy Act and the bill before it, The Energy Board Act, to a new ministry. I just want to recall, Mr. Speaker, that while the energy board was under the jurisdiction of the Minister of Energy and Resources Management (Mr. Kerr) he made a commitment to this House that he would make public the recommendations of the energy board in the matter pertaining to Consumers Gas and Union Gas before announcing the government's decision. I hope that undertaking will be transferred to the new minister.

Bill Pr26, An Act respecting the City of Ottawa.

THE GAME AND FISH ACT, 1961-1962

Hon. Mr. Brunelle moves second reading of Bill 146, An Act to amend The Game and Fish Act, 1961-1962.

Mr. T. P. Reid (Rainy River): Just a few comments, Mr. Speaker, very briefly. We on this side are very pleased to see these amendments, especially in regard to the snowmobiles, particularly the clause in the bill dealing with the hunting and destroying of animals by moving vehicles and we would like to congratulate the minister, when he says "in the fullness of time", that he only means about six months instead of the customary two or three years of his colleagues.

Mr. Speaker: Is there any further debate on this bill? if not, the motion is for second reading of Bill 146.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE PUBLIC LANDS ACT

Hon. Mr. Brunelle moves second reading of Bill 147, An Act to amend The Public Lands Act.

Mr. T. P. Reid: Again, Mr. Speaker, just a couple of brief questions to the minister. I understand that this bill means that Crown recreation lands now being sold, from this point on, will also include the right of the purchaser to the trees on that land, is that correct?

Hon. R. Brunelle (Minister of Lands and Forests): Yes, that is my understanding, Mr. Speaker.

Mr. T. P. Reid: That is fine. And the second question is that I believe it still reserves to the Crown the right to the minerals that will be found on that land; is that correct?

Mr. Speaker: The hon. minister will reply in the proper manner at the end of the debate. The member for Timiskaming has the floor.

Mr. D. Jackson (Timiskaming): I have a couple of questions, Mr. Speaker. The first one is on the reservation of trees before 1869; will this affect Algoma Central Railroad in any way and how many other holdings will it affect and what total acreage will it affect in Ontario?

Secondly, at the present time, what is the land that is mentioned in section 3 subsection (2)—the Methodist church land—what is it presently being used for?

Hon. Mr. Brunelle: The Methodist church.

Mr. Speaker: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I enter the debate as one not particularly knowledgeable in the development of this type of reservation. I would ask the minister to comment briefly on the approach, which is now apparently the province's view, with respect to the withholding of certain timber rights from the grant on crown land.

It would seem to me that it might well be in the public interest that the provincial government should be able to have some supervisory control over the use of natural timber when lands are granted. I do not think, of course, that there should be a very narrow view taken of this. As the recreational areas of our province become in more demand I think we should be following certain policies that will encourage the management of lands, especially when they are developed for summer resort locations.

I think that if there were some general conditions imposed by the provincial government to ensure that the purchaser was not able to simply clear off the land, we would be striking a better balance. I agree that the actual ownership of any kind of timber can well be within the purchaser, but I am wondering if the minister can advise as to whether there are any reservations being made in any way to ensure that the land is simply not laid waste.

Does the department maintain any type of approval for development of those lands? Are there any suggestions given for the use of certain stands of timber in a recreational sense, or in an artistic or beauteous sense? Perhaps the minister can enlighten me in that area?

Mr. Speaker: Any further member who wishes to speak to this bill? The hon. minister.

Hon. Mr. Brunelle: Mr. Speaker, with reference to the member for Rainy River, who asked the question about the mineral rights. The mineral rights are not affected by this bill. My understanding is that when one buys land today, if it is privately owned land, most of the sales do not contain the mineral rights. We are speaking about crown land, and sales of crown land today do not include the mineral rights.

The member for Timiskaming asked how this bill affected the ACR—Algoma Central Railway. This bill does not deal with the railway lands.

With reference to the church lands, this is the second part of the bill. This bill provides for the amendment of two letters patent granting two lots in the town plot of Goganda. These lots were restricted for church purposes and the department has undertaken to clear the titles for consideration. The crown is reserving a major portion of the sale price of the lots—$150 out of $250—and the legislation will affect the crown's undertaking to clear the titles. As mentioned in the Act, these originally belonged to the Methodist church and were bought for the purpose of building churches, but in 1970 it does not apply, so that is why we have to pass this legislation.

With reference to the member for Kitchener, Mr. Speaker, again he referred to mineral rights. This bill does not deal with mineral rights. With reference to crown land today, he mentioned timber rights. We do not sell any crown land for timber purposes; we lease land through permits or licences. Our only sales of crown land are mainly for summer cottage lots, and also there are some isolated cases like the one that was mentioned today in the House, of which we have had only one or two in the past few years.

Mr. Breithaupt: I just wish to enquire, Mr. Speaker, as to whether or not there were any conditions placed by the department once the land was actually sold with respect to the use or abuse of the trees on the lots?

Hon. Mr. Brunelle: Most of our land sales, Mr. Speaker, are for cottage lot purposes, for people who are buying these lands to build a summer cottage and we have no restrictions. The only restrictions we have are that they must build within two years, and they must build a cottage of a certain size. Of course, before we dispose of these, The Departments of Health and Energy and Resources Management, and the Ontario Water Resources Commission are consulted to make sure that the land is of a sufficient size to install a septic tank or whatever sanitary facilities must be included. Those are the only restrictions on our sales.

Mr. Speaker: The member for Timiskaming may ascertain if the minister will entertain a question, otherwise questions at this point are out of order.

Mr. Jackson: Yes, Mr. Speaker, would the minister answer the question I previously asked on the total acreage involved?

Hon. Mr. Brunelle: In the sale to the churches?

Mr. Jackson: No, in the first part of it where you removed land before 1869.

Hon. Mr. Brunelle: How many acres are involved?

Mr. Jackson: Yes, total acres.

Hon. Mr. Brunelle: I could get that information, Mr. Speaker; I do not have it here. But there were few instances and most of these species were mainly oak and whatever they used to build the ships in those days—oak and white pine. That is why they had those reservations on the lands for those species that were used mainly for shipbuilding and, of course, this dated back prior to 1869.

It is more of a nuisance; today if one of these trees happened to fall on a building, legally we are responsible so that is why we are asking to void these—

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE LEGAL AID ACT, 1966

Hon. Mr. Wishart moves second reading of Bill 141, An Act to amend The Legal Aid Act, 1966.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

Hon. Mr. Davis moves second reading of Bill 152, An Act to amend The Secondary Schools and Boards of Education Act.

Mr. T. Reid: In looking over this bill, which after this reading will go directly to third reading, there are a couple of comments on the principle of the bill I would like to make and perhaps the minister could answer the questions.

Mr. Speaker: May I just remind the member and the minister that we would like to follow the proper procedure and have all the questions answered at the end.

Mr. T. Reid: In looking over Bill 152, Mr. Speaker, we have found that, if you like, the political power base of the bill still rests on property to very great extent, as opposed to the number of children in the school system, for example. We find throughout this bill that the people who make decisions are the clerks, for example, of "the three county municipalities having successively the greatest residential and farm assessment for public school purposes."

We find that the clerks from these municipalities, who get their power—if you like, their political power—from the assessment base in their municipality, make some very fundamental decisions concerning representation on the school board. This is a question of principle in the bill that we have severe reservations about.

We find, for example, Mr. Speaker, the clerks from three counties in the particular divisional school board area have such power as to determine "the municipality or municipalities to be represented by each member to be elected in the school division by the public school elector."

We feel the time has come in this province to get away from this type of representation based on assessment, on property values, and get it back to a principle of representation based clearly on the number of children, if you like, from a particular municipality in the school system. We would like to have that principle incorporated in the bill rather than a continuation of a traditional principle that has existed in this province for many decades.

In short, we find that the political power representation in the bill is based on a regressive taxation system and we find this to be particularly obnoxious. I would like to remind the minister that if instead of financing education in the public school system so much by the property tax, he should pursue the policy of financing it to 80 per cent, which is our position, from provincial revenues, and that change would change a principle in this bill.

The change in payment, we believe, should change the principle of representation from one based on assessed residential, or assessed value, to one based, for example, Mr. Speaker, on the number of children a municipality has in the school system. Our position is that education is not a service to property but a service to people and political power in education should be defined in terms of people and not property.

The second reservation we have about this bill is that in its various sections it spells out clearly that municipalities within a county system are now legally forced to collect the education taxes set by the divisional boards of education even if, for example, Mr. Speaker, that divisional board of education, or county board of education, has not provided those municipalities with spending estimates for the forthcoming year. We find this to be an understandable state of affairs in the light of the conflicts that have gone on in this province between quite a few municipalities and the new county boards of education; but we note with regret that the minister's way of trying to meet that problem, which is only partially a financial problem, is a very limited approach.

Surely the minister could have spelled out in this bill, Mr. Speaker, that there would be established joint liaison committees, in a formal sense under the legislation of this province, between the county boards of education and the municipalities within the jurisdiction, educationally speaking, of that county board of education.

Surely there is no justification for the position that the minister takes in this bill. I suppose it is a question of principle, that a municipal government must collect the education tax levy on that municipality for the county board when that county board has not supplied that particular municipality with the budget of the board of education. I find this to be an impossible situation for the minister to actually incorporate in legislation.

We would have recommended—or we do recommend but it would be impossible to put into this bill as it is now presented to us—that a much better way of solving what we feel is a growing crisis between quite a few municipalities and the county boards of education would be not to force the municipalities to collect the taxes, if they have not received spending estimates; but to say that there shall be provided to each municipality the estimates of the county board of education by such and such a date. If the county boards of education in this province, or some of them—and they are very small in number—are incapable of providing detailed expenditure estimates by, I believe, March 1, if I remember correctly in the bill, then those boards of education must be severely repri-

manded by the minister and by the public in those areas.

Interjection by an hon. member.

Mr. T. Reid: We would have liked to have seen in this bill an indication for requiring that there shall be established between the county boards of education and the municipalities within that county, joint budget and planning liaison committees which would have to meet at least four times a year. It is not good enough to leave it up to the various municipalities within the county to get along with the county board of education when in a number of those counties the animosities are so great they will not even sit down and talk. This is the second point I wished to make, Mr. Speaker.

The third and minor point—one could pick out about five or six more, but I will not—is that it would have been nice to have seen the Minister of Education taking the lead in establishing permanent voters' lists. I know he is going to say it comes under another minister and this sort of thing, but he is a member of the cabinet, and I daresay he is a leading member of the cabinet—

Mr. R. F. Ruston (Essex-Kent): Oh yes.

Mr. Nixon: He is a has-been.

Mr. T. Reid: Surely he could have got together with various other members of the government, particularly the Minister of Municipal Affairs (Mr. McKeough), I believe, and said, "Look, for election of trustees, I would like to have a permanent voters' list. Can we not get together on this?" And I say again that the minister has just fluffed on this particular issue once again.

With those remarks, Mr. Speaker, I would close our position on it. We will, of course, vote for the bill.

Hon. C. S. MacNaughton (Treasurer): Is that not nice?

Mr. Speaker: Any other discussion on the second reading?

The hon. minister.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, just to reply very, very briefly—just to outline the procedures. The procedures are very simply this, Mr. Speaker—and we are trying to adjust to some of the changes.

The boards must make their requisitions; the dates set out here are not new: there is no change in principle—this is a matter of interest, I guess, to the hon. member. If he would check the legislation of a year ago and two years ago, he will find that there has not been any basic change in principle.

The municipalities, unless they do so voluntarily, are not paying moneys until they are requisitioned, in any event. There was some suggestion that we might change the date from March 1 to some later date, but a large number of municipalities, and we think the boards, can eventually meet this without too much difficulty and much prefer to have it at the earlier date. And so, Mr. Speaker, we have continued with the date of March 1, because we think this is in the long-term best interests of the boards and of the municipalities.

I would also point out, Mr. Speaker, that when one gets into the determination of representation that while one might go to straight population figures, as we discussed at the time—

Mr. T. Reid: Another piece of legislation.

Hon. Mr. T. Davis: Well, Mr. Speaker, I think one could make a very lengthy and prolonged argument, and perhaps, a very logical argument, where, in some municipalities, if one were to take student population alone this would be perhaps somewhat unfair to many of the ratepayers within that municipality, particularly when you go into some sections of the province of Ontario. And, of course, there is no question that using farm and residential assessment—and perhaps a member coming from a large urban area like Scarborough East is not as interested in this—you know, it does give some—

Mr. T. Reid: We have got farms in Scarborough East.

Hon. Mr. Davis: —it does give some slight—yes, I know the rural part of the member's constituency. It does give some slight—

Mr. Ruston: I will settle for that.

Hon. Mr. Davis: —some slight weight to the less urbanized and rural areas within any county board jurisdiction. This is something, I think, that his own leader some year or so ago, supported in principle, because he felt that it made some sense. And I think he still does today, Mr. Speaker.

Hon. Mr. MacNaughton: How about that?

Mr. Speaker: The motion is for second reading of Bill 152. Is it the pleasure of the House the motion carry? Carried.

Motion agreed to, second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading? Agreed.

THE SEPARATE SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill 153, An Act to amend The Separate Schools Act.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Yes, thanks, Mr. Speaker. I am pleased to see the section in this bill about the renting of services by separate schools to public schools. It not only removes a definite injustice which has rankled the separate school supporters of this province, but sharing the facilities and services between both boards should lead to closer co-operation. It will mean that special remedial classes and such, now provided only by the separate school boards in those areas where the public school population cannot provide it, will now be available to public school children who require them.

Mr. I. Deans (Wentworth): Hear, hear!

Mr. Ferrier: This amendment should enhance the educational opportunities available to many pupils in this province, especially those in the northeast.

Subsection 5 of section 5 of this bill provides the opportunity for a separate school board to have the apportionment of the trustees within the county or district to be reviewed by a judge in the year an election is to be held when there is reason to believe that the apportionment of trustees has not been properly made.

In the present Act such a review has not been possible. This subsection will provide an opportunity for the section of the Cochrane-Iroquois Falls Separate School Board in my riding of Cochrane South to have the allocation of trustees in the district completely reviewed.

It appears that the judge, in his original decision of the matter, did not make as careful an allocation as the facts warranted. As a result the northern area of the separate school district has been over-represented while the southern end has been under-represented. There has thus been no decision as to where the board's offices should be located, nor has there been a director of education hired and the work of that school board has been hampered because of this malapportionment.

While the trustees from Cochrane and the administrative personnel of the board did not want this situation to be changed, the minister met with myself and a delegation of the trustees from my riding and he promised to look into the situation and to make the necessary amendments to rectify the condition.

This bill meets the problem that has arisen in my riding and on behalf of the trustees and municipal officials in the separate school district of Cochrane South I wish to thank the minister for bringing in this required amendment at this time.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: We are pleased to see, of course, the principle of the bill that enables separate school boards to sell some services, if you like, to the public school board. We have pressed for this for some time.

What I cannot understand, Mr. Speaker, is why the minister has made this possible exchange of services so restrictive. I find it amazing that he restricts it, if I read the Act correctly, to "a course or courses". That is very specific in terms of educational terminology. I would ask the minister, therefore, why has he not incorporated in this bill the principle of complete exchange of services, whether they be athletic facilities or equipment, whether they be joint use of libraries? These are things that are not courses, but facilities, which are very expensive and should be shared.

For example, in West Hill, Mr. Speaker, there is the St. Malachy Roman Catholic School, a new school on Bennett Road. Beside it is the George Miller Public School. These two schools are adjacent. They share a common boundary. I think it would be very helpful to share services, in terms of saving dollars. I am sure in this particular case there would be a real attempt to share almost all facilities, from hurdles, if you like, to the basketball court—things that are not "a course or courses" in the school system.

I find it amazing that it will not be possible for St. Malachy Roman Catholic School in Scarborough to make an agreement with the Scarborough school board to sell to the Miller Public School services other than courses. I know the Malachy school has more modern facilities than does George Miller. It has a better library. Surely it

should be possible for a financial transaction to take place between those two schools. I say, with regret, that the minister has made this exchange unduly restrictive.

The other comment I wish to make on the bill is, I suppose, on a point of clarification of principle, Mr. Speaker. Does the amendment in the bill, or do any of the amendments in this bill, make it possible, in the case of a mixed marriage, where the husband is a non-Roman Catholic and is the owner of the house and the wife is a Roman Catholic and the children are in the separate school system; is there anything in this bill which incorporates the principle that the taxes should be allocated to the school system where the children go, provided that the children are Roman Catholics? That is the second question.

The third question, Mr. Speaker, is am I correct in saying that the sections relating to arbitration will, in effect, make legal the proceedings of a number of arbitration committees in the province, which have not made decisions or reports on arbitration?

With those three comments, Mr. Speaker, I conclude my remarks with the statement that we shall vote in favour of Bill 153.

Mr. Speaker: Does any other member wish to participate before the minister replies? The hon. member for Peterborough.

Mr. W. G. Pitman (Peterborough): I would like to say a word—and it will not be more than a word—to say that I reiterate what has already been said by my colleague. We are in favour of this legislation. We see it as a first step and we would hope to see this concept of the legislation broadened. Perhaps the minister, in his remarks, might indicate to the House whether he as well sees this as a first step and whether eventually we will see the machinery set up for the sharing and for the full exchange of services between separate and public school boards in the province of Ontario. I know that the Roman Catholic trustees and many of the principals and teachers and parents indeed hope that this does open up a whole new direction in the relationship between the separate and public schools in this province. I would hope that the minister might give us that assurance when he rises to comment on this bill.

Mr. Speaker: Any further discussion? The hon. member for Windsor West.

Mr. H. Peacock (Windsor West): I would just like to follow the question of the member for Scarborough East in which he asked why the selling of services is limited to courses. As the minister knows, in the Windsor area there are a number of facilities operated within the separate school system but not part of it—private boards operating high schools—although some of them obviously operate Grades 9 and 10 within the separate school system. At least three are closing within the next two or three years and a large number of students from these Roman Catholic high schools will be entering either the classrooms of the Windsor Board of Education or the classrooms of the Essex county board.

It seems to me, Mr. Chairman, where there are several instances of great distress and hardship going to be imposed on students within the public school system of the county of Essex by the decision of its board of trustees to withdraw its pupils from the classrooms of the Windsor Board of Education at the end of this term and bus them at great distance, some up to 25 miles from their homes on the border of the city of Windsor and its southeast quadrants to General Amherst High in Amherstburg, that the bill should well provide for the purchase of facilities and space in the facilities as well. Because many of those children—if the Essex county board were of the mind, and I know that it is not—could even temporarily attend separate school facilities, at least in the Grade 8, 9 and 10 levels, within the facilities of the Essex County Separate School Board or, if the space were not available for them within the classrooms of the Windsor Board of Education, within the classrooms of the Windsor Separate School Board.

I would just like to bring one other matter to the minister's attention in this same regard. As he knows his assistant deputy minister was recently—at least within this year—in attendance at the official opening of the new resources centre of the Windsor Separate School Board, a very impressive building indeed. And it would strike me as unusual for this minister, in a piece of legislation such as this, to stop short of enabling the separate school board of the city of Windsor to sell the services it can make available through that resource centre to the Windsor Board of Education, should it wish to negotiate for them.

Mr. Speaker: Any further debate on the principle of this bill? The hon. member for Essex-Kent.

Mr. Ruston: Mr. Speaker, I think it has already been mentioned, but I just want to mention that the thing that I would be interested in, in the enlargement of the bill, would be the sharing of facilities probably for recreational purposes, or not necessarily recreation, that might be classed as part of their curriculum. In my own area where we have separate schools with large auditoriums or gymnasiums, and where public schools only a mile and a half away do not have them, it would seem to me that this would be an opportune time that this could be done. Would this be part of a curriculum so that it would be eligible if it were a gymnasium, as we will call it? And if the school was putting that in as part of their course in some way, maybe the minister could answer when he speaks if this would be possible. I can see where it could really be used in some areas that I am speaking of. It just means taking the pupils there on whatever days are necessary, rather than building new facilities someplace else. So the minister, perhaps would mention that in his reply.

Mr. Speaker: Any further discussion? If not, then the hon. minister.

Hon. Mr. Davis: Mr. Speaker, just to reply very briefly, I would like to thank the member for Cochrane South. I recall very well the discussions we had, related to the establishment or the question of representation up in his part of the province.

But to reply to the observations made with respect to the section in this bill and a complementary section in the next bill that we are to consider. Of course, Mr. Speaker, one has to be very careful in the determination of definitions. The member for Essex-Kent talks about recreation or physical education. Of course phys-ed is a course; it is recognized as a course, so there is no problem inherent in that.

I would point out to the member for Windsor West that really the problem he has faced in his riding as it relates to the provision of secondary school accommodation, really is not covered under this legislation in any event. Provision already exists whereby the Essex county board could purchase from the city of Windsor board accommodation to suit the needs of their students for this interim period of time. So that this legislation really does not apply; there is the mechanism presently there for this sort of thing to take place.

I just want to make it very clear, Mr. Speaker, that we are talking here about the provision of services. When you get into the question really of physical facility, it is not just a question of their sharing, it is a question of the determination and the legal basis for the development of a physical plant, and the apportionment of cost—debentures and so on—that could be related to this.

This is a matter that is of current interest to all of us, but I would suggest that it is something once again apart from the provision of services which can be done in this fashion and by contracts or agreements between the board jurisdictions. As I say, the matter of joint or shared facilities is another matter of government interest and concern, but it is a very complicated area that relates to the financing on a legal basis for this possibility.

So I think with those very few comments, Mr. Speaker—

Mr. T. Reid: How about mixed marriages?

Hon. Mr. Davis: Oh this bill does not refer to the matter that has been discussed here. I think there have been one or two private members' bills, if my memory serves me correctly, to the question of mixed marriages. This is a matter of government policy where, when we resume here in the fall, perhaps there may be some further indication of the government's thinking in this regard at that time.

Mr. Peacock: Would the minister permit a question?

Is it the minister's intention to give the words "course or courses" the broadest possible interpretation?

Hon. Mr. Davis: Mr. Speaker, I like to give all words the broadest interpretation.

Mr. Peacock: Yes, that is what I thought. The minister likes a lot of flexibility in most instances.

Mr. B. Newman (Windsor-Walkerville): How about the words, "of course"?

Hon. Mr. Davis: Oh, that is very broad.

Mr. B. Newman: Since when?

Hon. Mr. Davis: It means all intelligent, enlightened people, right?

Mr. Speaker: The motion is—

Hon. Mr. Davis: Sorry, Mr. Speaker.

Mr. Speaker: All right. The motion is for second reading of Bill 153. Is it the pleasure of the House the motion carry?

Carried.

Motion agreed to, second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading? Agreed.

THE PUBLIC SCHOOLS ACT

Hon. Mr. Davis moves second reading of Bill 154, An Act to amend The Public Schools Act.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: This is really, to continue the discussion about "courses" just for a moment —well courses are courses are courses; a course by any other name is a course. Where is the definition of a course? Is there some definition the minister has in some manual, or regulation?

It would be helpful to know just what the definition is, because if the definition of the word "course" is vague, then the school boards are going to get into a great deal of trouble. As a matter of fact, if there is no exact meaning of what is a course and what is not a course, then this could inhibit co-operation between the two branches of the public education system.

So while it is nice to have the minister say that of course a course to him means a very broad course the school boards are going to be awfully confused, of course, unless the minister defines the word "course" much better than he has up to now.

Another point in this section, Mr. Speaker, is this. Would it not have been possible for the minister to have included in this section that a separate school board could sell services, however restrictively defined, to the municipality? For example, the recreational facilities—

Hon. Mr Davis: It can be done now.

Mr. T. Reid: Oh, it can be done now?

Hon. Mr. Davis: Under contract, the school board can enter into an agreement with the municipality.

Mr. T. Reid: Does the same thing apply to the libraries?

Hon. Mr. Davis: By contract, you can do almost anything.

Mr. T. Reid: The final comment I would make, Mr. Speaker, on this is that I can appreciate the problems of apportionment of capital facilities the minister talks about. But it should not hang up the discussion of that issue because, I think, more and more, and particularly, if you like, at the elementary school level, where a school under the jurisdiction of a separate school board and a school under the jurisdiction of the public school board are adjacent there is the real desire to have joint classes in things, like family life education, and areas, such as French language and training in kindergarten. I know in a number of cases, where I have personal knowledge, that it would be very possible for two schools adjacent to have a common playground facility, to have a common library facility and so forth.

I would urge upon the minister, Mr. Speaker, to move with some haste to meet the position that both opposition parties have put to him, concerning the sharing of facilities between the two branches of the public education system. I think it is a problem of urgency, because there is, if you like, a backlash against school expenditures now, generally speaking. We as legislators who make the laws, must move very quickly to make it possible for local school boards to move ahead on the joint use of facilities. I think we can reduce excess capacity, if you like, of facilities, and indeed, capital equipment of all sorts that are not provided for under operating budgets. I think the minister must move under this and I would hope that he will come to us in October with a bill that spells out the basis, however complex, on which it will be possible for separate school boards and public school boards to really get involved with shared facilities without getting hung up on the issues of apportionment.

You know, Mr. Speaker, the minister can come up with formula financing of universities on the operating side and formula financing on the capital side—

Hon. Mr. Davis: It is a great formula.

Mr. T. Reid: A great formula, he said. Very complicated issues. If he can come up with a formula for that type of allocation of funds, surely if he put the same amount of effort and the same part of his brain into the problem, he could come out with a formula of some sort to solve—

Mr. Nixon: It does not leave much left over.

Mr. T. Reid: —the problem in a reasonable way, of the apportionment to various taxpayers of capital facilities that are being shared by the separate school boards and the public school boards.

I urge the miniser to allocate his very scarce mind to this very important problem and solve it, because it can be solved.

Mr. Nixon: Take time out of his busy schedule.

Mr. Speaker: The hon. member for Peterborough.

Mr. Pitman: I wonder if I might come to grips with the problem, perhaps, by suggesting some examples, and find out whether the minister could see how this would work out.

If, for example, a separate high school enrolled a number students, and enrolled them—

Hon. Mr. Davis: A separate high school?

Mr. Pitman: That is a Roman Catholic high school which is—

Hon. Mr. Davis: Does the member mean a private high school?

Mr. Pitman: Just a minute!

An hon. member: Yes, that is what he means.

Mr. Pitman: All right, if the minister wants to use that terminology—

Hon. Mr. Davis: One has to be very careful.

Mr. Pitman: And they wished to—all right! What the minister is saying in this particular bill is only in relation to elementary schools.

Hon. Mr. Davis: We are not in private high schools.

Mr. Pitman: Let us take it in the public schools.

Would it be possible for a group of students enrolled in the separate school to go over to another school where they have, for example, a gymnasium or a large programme room and be able to take, say physical education in that school, and they would be able to pay for that particular service? Would it be possible for a group of students in two sets of schools to trade services? That is, for example, if one school system was offering one set of courses which those in the public schools wanted, and the other was offering those that the separate school wanted, could they actually trade services in this situation?

Hon. Mr. Davis: Give me all the hypothetical questions.

Mr. Pitman: What I am simply saying is this: Is this not the beginning of a method by which you can eventually move this into the high schools whereby, for example, you could have students enroll in one high school, who could then go over and take a vocational course from the public school system and receive the grants with which they would be able to pay for those vocational courses? Is this a potential thought that the minister has in his mind? Might this be the next step which the minister considers as the most effective way whereby we can have the sharing of services, where we can give justice to separate school students and parents, at the same time allowing them to have their own schools with their own atmosphere without any kind of duplication of facilities?

Perhaps the minister could just simply engage himself in those examples, as they come under this legislation.

Mr. Speaker: Are there any further members who wish to participate in the debate? If not, the hon. minister.

Hon. Mr. Davis: No more hypothetical situations?

Well Mr. Speaker, it is very easy to deal with the first hypothetical situation, of course. This is what the legislation is intended to cover. It is not confined to courses in the sense that perhaps we might determine them here. It also includes, shall we say, psychological services and so on—

Mr. Pitman: Physical education would be one.

Hon. Mr. Davis: —that can be provided by one board or another.

Mr. Pitman: Could it be programmes? It could be a programme for special education.

Hon. Mr. Davis: Yes, special education is one of the very obvious areas where this kind of legislation will be helpful.

To get to the second hypothetical situation, this legislation does not cover the purchase of services from a public school board by a private school.

Mr. Pitman: Could they trade services?

Mr. Speaker: The motion is for second reading of Bill 154 .

Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THE ONTARIO MUNICIPAL IMPROVEMENT CORPORATION ACT

Hon. Mr. MacNaughton moves second reading of Bill 165, An Act to amend The Ontario Municipal Improvement Corporation Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THE MUNICIPALITY OF METROPOLITAN TORONTO ACT

Hon. Mr. McKeough moves second reading of Bill 156, An Act to amend The Municipality of Metropolitan Toronto Act.

Mr. Speaker: Shall the motion carry? The hon. member for Wentworth.

Mr. Deans: Mr. Speaker, just one matter. I think that we would find no disagreement with the first two sections. I am just curious to know from the minister why exactly this section 3 was amended, why it is that they have moved from the one-tenth of one mill in terms of the grants that can be made to an organization where any amount can be granted whatsoever? If you can answer that, I am sure there there will be no problem with the rest of the bill.

Mr. Speaker: Any further discussion on the principle of this bill? The hon. minister.

Hon. W. D. McKeough (Minister of Municipal Affairs): The answer is simply because they requested it. I think they actually requested an increase, as I recall—this was some time ago—because apparently it is not enough money. The dollar amount that this produces is not enough for their budgeting purposes. I think they actually requested, if I am not incorrect, a quarter of a mill—perhaps it was a half a mill. We decided that there was no point to have a limitation on it at all.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THE VILLAGE OF POINT EDWARD

Hon. Mr. McKeough moves second reading of Bill 157, An Act respecting the Village of Point Edward.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THE SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY ACT, 1930

Hon. Mr. McKeough moves second reading of Bill 158, An Act to amend The Sandwich, Windsor and Amherstburg Railway Act.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I will not be too lengthy on this, other than to rise in support of the bill. It is a bill that has been asked for by the city of Windsor and essentially transfers the assets of the SW&A Railway Company to the municipality itself, or to the corporation. One of the things I do sort of object to today is the name of the bill—The Sandwich, Windsor and Amherstburg Railway Act. I think that now the city is taking over the transportation system and intends to pass it on to a group that is going to operate the system, now is the time that Sandwich, Windsor and Amherstburg should have been changed into some other type of name. In the first place, Sandwich is no longer existent insofar as a municipality is concerned. It was absorbed back in 1933, if I am not mistaken, and the system itself no longer has a railway. It is not a railway, it is a bus franchise essentially; consequently a better name for the whole system would be better. However, I will leave that as it may.

Hon. Mr. MacNaughton: I think we would be happier if we did.

Mr. B. Newman: That is right.

Mr. Ruston: Call it "the Newman express".

Interjections by hon. members.

Mr. B. Newman: I certainly would not want this to be called the "Newman express" by

any stretch of the imagination because bus systems throughout the length and breadth of Canada and the United States have not been able to operate without some kind of a subsidy and I am not prepared to subsidize the transportation in my community.

Mr. Nixon: That is right: "Newman pays his own way".

Mr. B. Newman: Mr. Speaker, the bill itself has quite a few principles mentioned in it; however, I am going to bypass these principles for the time being and speak generally to the bill itself, rather than to a specific principle of the bill.

In the first instance, I think that this should have been an opportunity for the government to extend GO-Transit, a bus GO, into the city of Windsor. This bill gives the city the authority to operate the bus system, and it would have been a perfect chance for the government to see if a bus system based on the GO-Transit in the city of Toronto would be feasible and practical. This could have been a model programme. It could have been a pilot programme and if it actually worked in the community, then it could have been copied throughout the length and breadth of the province of Ontario.

Now when it came to GO-Transit, the department and this government did not hesitate to subsidize GO-Transit very heavily. In fact, looking at an article written by Bill Prager who writes in the press gallery here, he makes mention that the average single trip subsidy on GO in the city of Toronto is 90 cent—90 cents subsidy for each trip taken by a GO passenger—that is a $9-a-week subsidy.

Mr. Speaker, a minor subsidy to this transportation system in comparison to the GO-Transit would have been able to have operated the system for a very nominal amount. As it is today, the number of users of the transportation system in the city has sort of been in reverse proportion to the number of vehicles that you find in the communities.

For example, back in 1950, there were 30 million passengers carried; there were 29,000 cars registered in the community. In 1969, the number of passengers carried had dropped to 10 million. In other words, one third of the number and at the same time the number of vehicle registrations had increased from 29,000 to 86,000.

So you can see where the number of motor vehicle registrations tripled, and the number of passengers carried on the bus system or on the transportation system in the community decreased by one third.

So in an attempt to operate or to see if any operation of a bus system would have been practical and feasible, I think some department of this government, and I would say The Department of Highways because they are the ones that are involved in the GO-Transit, should have taken over this bus system for a trial period to see if it could be operated on the same basis that GO-Transit has been operated on. You could have provided some type of a subsidy. Not only would the operation of this by the government have beneficial effects on the community but it also would have meant that there would not be the necessity for large and heavy expansion of highways in the community.

The E. C. Rowe Expressway, before it is completed, is going to cost well over $100 million and were The Department of Highways to give a substantial subsidy or some type of subsidy to a bus transportation system, it might have meant fewer highways in the community; it would have meant better transportation to the residents in the area; it would have meant less pollution and problems in the community and it could have meant far better transportation.

Mr. Speaker, I am not going to speak any more on the bill. There are other Windsor members that wish to talk on it. I support the principle of the bill but I would have liked to have seen some department of the government, and I should say The Department of Highways, use this bus system as a pilot project in an attempt to provide better service, a cheaper service, a more convenient service. As it is, the highest cost for transporation in any community in Canada, I understand, is the present bus system in the city of Windsor, 35 cents per passenger. In no other place in Canada do you find a fee that high.

Mr. Speaker, I will take my seat and allow other members from the community to speak on the bill.

Mr. Speaker: Does any other member wish to participate? The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, under the agreement that the city of Windsor is proposing with Windsor transit, we understand that fares will be reduced from 35 cents to 30 cents, and for senior citizens down to 20 cents. These are attractive features that we cannot but approve and applaud. Public transport is essential in any large, modern city. There are minimal services that must be maintained and there are few, if any, public

transport systems in Canada that can operate at a profit and still give adequate service to all parts of the city. Subsidization is inevitable by some level of government.

The provincial government has been most generous in subsidizing public transportation in the Toronto area through Highway 401, through the TTC subway system and through the GO-Transit. The people of Windsor do not take very kindly to what they consider this form of regional favouritism and they are sorry that the provincial government has seen fit to deny them any support in this respect. However, Mr. Chairman, we have no choice but to give our support to this bill and to expedite its passage.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. Ruston: Mr. Speaker, I will speak very briefly on it. I was looking over the financial statement for the last years of its operation and really, I think that the system is on a reasonably sound financial basis as it stands now. I do wonder a little that it was so difficult, to receive a financial statement from them in the past, but, however, that is the past.

I have had quite a long time reading this statement and did go over it with an auditor friend of mine and I will say that I think the system does have reasonably good assets. If it is operated by people who understand the bus transportation system as it should be then I think, perhaps, that it could give a good deal of service to the people of Windsor. It would appear to me that the transportation systems in the future are going to have to change, much as we all like to have cars, and I think they will still be building cars because we are a large country and everyone is still going to own a car. I think that the bus systems must look at new types of transportation in the cities.

I think of minibuses that run up and down some of the main streets, probably at frequent intervals, maybe five minutes, on which you do not bother with fares. It seems to me that this could be used in some cities. I would think they should be tried in the near future and I would like to see this done maybe in Windsor or some of the other cities as well.

I think the member for Windsor-Walkerville mentioned the idea of the amount of money that we, as Ontario citizens, pay to help people in the Toronto area get to work in the "golden horseshoe." As much as we know we need transportation here and the people seem to want to come to the large cities, on the other hand I do not think it is reasonably fair to expect people in the smaller cities to support the ones in the larger cities to get to work.

I would hope that when the city does take over the operations in Windsor which it will be doing, I understand it is hiring a firm of management people to operate the system. I would hope that the city would, with the city manager, keep a very close eye on it. I think the city is quite capable, probably, of overseeing the operations of this system.

Whether they need management people or whether the city manager could have set up his own administration to handle the bus system, I think, it could probably have been done that way.

However, this will be up to the city of Windsor as to how they want to handle it. I would hope that this system would be run for the benefit of the people of Windsor. I would hope that the province would take a look at it in the very near future, to give some assistance in order to keep public transportation going in the city of Windsor.

Mr. Speaker: Any further discussion? If not, the hon. minister.

Hon. Mr. McKeough: I do not think I have any comments, Mr. Speaker, except to say that the name of the bill was chosen by the city of Windsor as the bill was drafted by them. I assume we understand there will be further changes in the bill next year, probably as a private bill. No doubt they may change the name of the bill at that time.

Mr. Speaker: The motion is for second reading of Bill 158.

Motion agreed to, second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THE PLANNING ACT

Hon. Mr. McKeough moves second reading of Bill 162, An Act to amend The Planning Act.

The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I speak to the principles of this bill which include several amendments, two of which are very important in my view. I would

like to say that we support this bill. There are several areas in it that I would like to discuss and some questions which the minister will probably answer on his reply.

First of all the principle involved in the first section of the bill states that all land in Ontario shall be placed under subdivision control. This, of course, is something which, I suppose, is controversial from certain points of view. It is something which I am sure will create what might appear to be hardships in some areas to some people. On the other hand, I feel and I think we in this party feel that this is a step forward; it is something which, if we are going to have orderly development in the province of Ontario, is very necessary.

It is frustrating to see as one travels the highways back and forth to cottage areas the strip development taking place along our major highways, much of which results in the reduction of speed limits on these highways because of areas which have been built up in rather a poor manner without proper planning in years gone by.

Now with subdivision control placed on all sections of the province of Ontario, it means that to accomplish this control there is going to have to be a change made in the manner in which control is based. The consent that will be given in areas, first of all in unorganized areas, where there are no committees of adjustment, will be given by the minister. Consents by committees of adjustment where they do now exist may be given up until December 31, 1973. These consents, I believe, as referred to in the first section, deal only with consents of non-conforming use in areas and enlargements of buildings in non-conforming use and the consents that would be required for severances.

Where a committee or adjustment does not exist, the municipalities, as I understand the principle here, may set up a committee of adjustment, if at the present time they do, in fact, have an official plan. So here we see the little old lever coming in again trying to get municipalities to establish an official plan. I will speak a little more on that later.

Where, in fact, there is no official plan, where there is no committee of adjustment prior to June 15, or they cannot set one up after June 15 because they have no official plan, then the minister will, through a means of persuasion, tell the counties that they must set up a land division committee. This land division committee will be similar, I presume, to a committee of adjustment, but on a larger and more sophisticated basis. It will deal with all areas within the county or within the municipality that do not have their own committee of adjustment.

This then gives the minister control over consents where there is no committee of adjustment until such time, I presume, as a land division committee can be set up. Also in this bill the minister has been given considerable authority over committees of adjustment. I understand there is a section here that states if they do not act within what he considers the best interests of the area—I suppose that would mean if they give consents to the wrong type of development or too many consents—then in fact he can rule them out of existence and turn their duties over to a land division committee, if there be one in that area. Or, I suppose, until there is one he would keep that duty for himself.

Large municipalities I presume all have committees of adjustment at the present time and will continue to exist until December 31, 1973, at which time if the municipality does not have an official plan approved and filed with the minister, these committees of adjustment will be ruled out of existence.

At this particular point I feel that I must state something of the means and levers that the government is using to get these municipalities to have official plans approved and filed with the minister. We find instances where a subdivider maybe is buying in an area, a holiday area—the one I have in mind is for a subdivision of 150 lots—and they say, "We will approve 45 lots and if you can talk the township into filing an official plan with us or if in some manner the township does file an official plan with us then we will approve the rest of your lots. We have nothing against your subdivision, we think it meets all the requirements, it has been through all the necessary processes." So here we have the government using a lever to get an official plan filed.

Now there is a real weapon coming into play here, in that by 1973 committees of adjustment are going to be out of existence unless the municipalities have an official plan.

I would just like to say this one thing and say it rather forcefully: that a little bit of money filtering down from the provincial government to some of these townships would get official plans much more quickly than any other method that you are trying to use. This has been proven in many other areas. I think that planning in the province of Ontario at the present time is of such importance that the government could well

spend some money to develop plans from both ends—the local level—and, as we now see the first signs of movement with the development of plans, from the provincial level.

The second important principle in the bill which I would like to just deal with briefly is the section regarding subdivision control, which section will plug the loopholes that people have been using to divide land by a means which has been inconsistent with the intent and objects of the old planning Act. This, I think, has been drawn to the minister's attention. He told us that they were working on it.

While the procedures were upheld as not contravening section 26 of The Planning Act in a decision handed down by Mr. Justice Fraser last November, the amendment as it now reads, I understand will prevent this device from being used to contravene the Act. It is a very complicated procedure. I read through it and had it explained to me, and my legal advisers who sit in the back row with me tell me that the new section now does in fact, accomplish what had to be done in that it does prevent this contravention of the Act by introducing a third party into their dealings.

The only lands that will not be subject to this subdivision control and the need of a registered plan of subdivision will be those lands acquired or disposed of by Her Majesty in the right of Canada, Her Majesty in the right of Ontario, and municipalities, regional municipalities and district municipalities. This concerns me to this extent, and I would like to have this explained to me as to whether or not the Ontario Housing Corporation—the minister responsible I see is here—would be exempt from filing a registered plan of subdivision with The Department of Municipal Affairs if it wants to dispose or separate its lands. I think this is a very important point and I would like an answer on that because the way I read this section I think they would probably be excluded from having to comply with the regulations of The Planning Act.

Another principle of the bill allows that a municipality may order a subdivision which has not been developed for a period of eight years not to be a subdivision. Had it been properly registered—that is in the existing Act —well then it is re-enacted for some reason in this Act.

Hon. Mr. McKeough: Yes, I might say Mr. Speaker, the previous principle which the member mentioned about the Crown and OHC is in the previous Act too. To close the loophole it was necessary to rewrite a number of these sections and he will find that perhaps only one or two words in each section have been changed. It was necessary to do it that way, but neither of those principles are new.

Mr. Good: Well fine. Thank you. Now, I think the section, the principle here which controls a part lot—I think that is new—a lot which is in fact within a registered plan of subdivision may no longer be divided even though it was within a previously registered plan of subdivision, and without consent of course. And I think that that is a worthwhile thing to have done.

The procedures of the committees of adjustment and the land division committee will now be laid out, I suppose, in regulations by the minister and authority is there to do it.

There is another section in here dealing with the five per cent dedication, or what the minister may ask on areas in which he is giving consent, and the others.

And I would just like to say this in that regard that the dedications regarding—oh, yes, it says it right here—"where consent is granted and it depends on certain conditions", which I presume would be the dedication of land for highway or street purposes. We see here the old municipal blackmail principle which I do not like.

I think that it should be set up very clearly and it is very important that any consent given for severance for any purpose has to stand on its own merits and should not be contingent upon condition, such as, "We will give you this consent, if you do this for us." I do not think this is a good principle. I know it has been used on the municipal level too frequently. I would hope it is not being used at the provincial level.

We support the bill and we realize the necessity for the two major principles to be enacted as quickly as possible.

Mr. Deans: Mr. Speaker, we support the principle of the bill. It has been a long time coming. We can see the need. We would have thought that had this been done some time ago we might have avoided some of the difficulties that we have had in many sections of the province in the last little while, with regard to land developers moving in.

The one problem with it perhaps is that much of the power is vested in the minister, and it is a difficult thing; it is the centralization of power that really ought to be spread out to some extent, but I am hoping that as

regional governments come about, and official plans are registered, that this will eventually be handed over to the regional governmental areas and that they will be able to administer it entirely within their own jurisdiction.

There is one part that I am a little concerned about. That is that in order for this to work, every municipality is going to have to work out a registered plan—an official plan. Many of the small municipalities are probably going to be faced with some difficulty in financing the endeavour, and I am wondering if the minister has given thought to providing any financial assistance to smaller municipalities who undoubtedly are going to have difficulty with it. If he has, then I think probably that we can press ahead with it and we will not have to wait until 1973 to see most of the municipalities well under way in the production of an official plan.

It is unfortunate, as I said, that it has not been in effect for a number of years. There are places—and my colleague from Peterborough will speak about it—there are places where it would have served a very useful purpose and would probably have avoided a great deal of hardship, heartache and loss of finances. We support the principle of the bill and a couple of my colleagues have comments to make on it.

Mr. Speaker: Any other member? The hon. member for Peterborough.

Mr. Pitman: Mr. Speaker, I do not want to prolong the discussion on this particular piece of legislation because I have, since I came to this Legislature, been asking the minister to do exactly what this bill suggests—that he take some responsibility for the one resource which the people of Ontario have a right to have preserved and that is of course the land surface of this province.

I have appealed to him to take it upon himself to recognize that the land surface of Ontario is close to a very ravenous population concentration. I appealed to him to take over southern Ontario last year—the total area of southern Ontario. I am pleased to see that he is now being sufficiently enterprising to take over the entire province of Ontario. I recognize from now on planning will mean something—it will not just mean something in areas where people are interested in planning, but it will be the responsibility of the province to see that the land surface of this province is looked after in the best possible interests of the people.

I might say, too, that I notice that the report of the advisory committee on pollution —pollution in the lake country or cottage pollution—have recommended this as well, that the minister should take over this responsibility.

I must echo the comments that have already been made, and indeed, one even echoes the editorial columns of the *Globe and Mail,* suggesting that the minister has a responsibility as well to provide financial assistance.

I know the minister has answered me on this point on two, or three, or four occasions in the past. Each time he says it is a matter of will—that if a municipality really puts a high priority on planning, then they can find the money.

Well, I again have said to the minister that this is a very highly sophisticated form of servicing, one which is very hard for a local politician to show to his people in December when he comes up for re-election. He may be able to show a road, or he may be able to show a garage, or a tool shed, or any other number of activities which the province of Ontario very often quite generously supports, but it is very hard to wander about the township or the municipality with a bundle of plans under your arm and say, "This is the official plan for the municipality. Look what I have done for you at a cost of $10,000 or $15,000."

As well as that, as I have said, again, it is very difficult for a single municipality to carry on any meaningful kind of planning. It has to be done on a regional basis or even before the municipal regional government comes.

The minister has got to take this responsibility and I do hope that he will pull together his political acumen and all that nerve—and some would say gall—which he has used in the past to put forward his proposals—and they were not entirely acceptable to all those on his side of the House—and do something about this particular matter of making sure that every municipality has within its hands the tools for carrying out its responsibilities under The Planning Act.

So I, Mr. Speaker, have nothing more to say but that I am very delighted that the minister has now conceded the importance of protecting—and I mean that in its fullest sense of the word—protecting the land of this province. I hope that he will, in the next step forward he takes, look after the financial assistance of those who are trying to assist him in planning.

Mr. Nixon: Mr. Speaker, just a word or two on this bill. As a matter of fact I would even like a short course on how the minister is

going to react to his new responsibilities as the requests come in from across the province and from those municipalities which are not equipped to deal with them on the local scene, even in part—

Mr. E. Dunlop (York-Forest Hill): Brilliantly.

Mr. Nixon: —continuing brilliantly and very slowly—as one of the problems that have been really part of the community planning branch so far is that those municipalities have been subjected to approval of the community planning branch. Finally the minister complained about the time lag associated with decisions of this type.

But we are not here to argue that. We can go over that again some time because I am sure it is not going to change under this minister's jurisdiction and so we will probably have a chance to be criticizing that for another two months anyway.

But, Mr. Speaker, the thing that does concern me a bit, while we approve the principle of this bill, and that there will no longer be the rights of certain companies and certain entrepreneurs to wholesale tracts of land without the approval of anybody who has some concern over the proper planned use of the land, still, once again, we are putting more and more power in the minister's hands. More and more decisions are to be taken in his office at 801 Bay Street, by those people who, while they are expert in these matters, are very remote from the scene, and deal with them off and on and in an out-basket basis.

I really would like a statement of policy by the minister in this regard. I would sincerely hope that the minister would state, without equivocation, that it is his goal to have more and more of these decisions taken by those people in the scene who are appointed by elected people, and that the minister does not have the power to overrule, or veto, or second-guess planning decisions taken at the municipal level.

I would like also to have a statement of policy which would indicate that while he is taking this power now—and we support him in the Act—that really the whole process is to revert the responsibility to the municipalities, so that planning decisions will be made there.

I have always been attracted to the statement that was made in the study of regional government in the Waterloo area by Dr. Fyfe, where he said that if the decision is made locally, the minister and the community planning branch should not have the power to veto it after a very limited period of time, so that the final decision—and this is well-known —rests with the local officials and not with some person on a political pedestal at Queen's Park.

Hon. Mr. McKeough: Not have an appeal of any kind?

Mr. Nixon: The minister asks would there not be an appeal of any kind.

I would not consider that an appeal should be abolished, but certainly I would like to consider an appeal other than to the minister or to the community planning branch.

If the local elected council makes decisions along these lines I would hope that their decision is sent to the minister's department so that it can be examined to see if it fits in with the overall plans of the type that Ontario will finally have. But there should be no wait while the minister's department considers this and gives their approval. If the minister's department is not prepared to enter an objection then the thing should automatically carry.

Now as far as the appeal on the local level is concerned, it could be simply to the department, or it could be through some other manifestation of appeal procedure.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Yes Mr. Speaker. I cannot speak with any authority on this except the fact that an individual contacted me by telephone this morning and said that he strongly objected to section 1, subsection 4—that is on the bottom of page 3 of the bill itself—and he mentioned that this part lot control would make it extremely difficult now for the individual to dispose of any properties, even though he may have purchased them at one time in good faith with the intention of having them subdivided and put to use.

Hon. Mr. McKeough: Was he from here?

Mr. B. Newman: No, I think he was a local fellow that made this complaint.

Hon. Mr. McKeough: From Toronto?

Mr. B. Newman: It could have been.

Hon. Mr. McKeough: I have an amendment.

Mr. B. Newman: Yes, so I would leave it with that. I know the minister is aware of the position of the individual and will act accordingly.

Mr. Speaker: The member for Oshawa.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, we are happy to see that the minister brought in some amendments to The Planning Act and particularly as it relates to subdivision control.

I really do think that we did need planning in this province from one end to the other, and particularly—as the minister pointed out when he introduced the bill—from the standpoint of transportation, financial impact, education requirements, environmental sanitation, and provincial and municipal growth policies, because obviously without some control and planning these things grow in a haphazard way as they have in the past. So I feel rather elated that the government finally got around to it. I hope it was not that court decision that prompted it into amending the Act. Obviously it is something that was needed for some time.

On the question of consent in the bill—the delay to 1974—I really do not understand why it takes so long to provide more control from the minister's point of view. Why wait until 1974? That is the only defect I see in the bill, and there could be some answer for it. Nevertheless I am sure this is a step forward in terms of planning, and I feel confident that the House will support it.

Mr. Speaker: Is there any other member who wishes to speak to this before the minister?

The member for Essex-Kent.

Mr. Ruston: Perhaps when the minister is replying in regard to the committees of adjustment—and I have to admit I have not studied it that much, but they can only be appointed where there is a plan. Is there any other method the minister is considering by which the committees of adjustment then would be on a local basis, that they could be appointed in any other way, other than that they have a plan?

I am thinking of another system that they use in some areas where they put on zoning bylaws, the committees of adjustment. I just make that remark.

Mr. Speaker: Any further debate before the minister?

The Minister of Municipal Affairs.

Hon. Mr. McKeough: Mr. Speaker, I want to thank the members for the support which they have expressed for the principles embodied in this bill. I think it is fair to say the bill has perhaps been some time in coming, I think it would be fair to say that our people would not have accepted this bill up until perhaps two years ago.

Mr. Pitman: The minister has no faith in the people.

Hon. Mr. McKeough: I have great faith in the people of Ontario and I know the member for Peterborough has too, but I think this bill is possible at this point in time. It is a reflection of the things which I mentioned on first reading, or concerned with the things I mentioned on first reading, whether it happens to be the William R. Allen Expressway or whether it happens to be mercury pollution in Lake St. Clair in my part of the world.

All those things have added up to a concern which has been particularly manifested in the last six months.

I could answer just a few of the questions which were asked. The member for Windsor-Walkerville asked about the part lot control section. This will be going to Committee of the Whole, and I will be moving an amendment which will allow the municipality to pass a bylaw exempting part or all of the municipality from the part lot control put on by the bill.

I do not think frankly there are problems which the member's phone call might have indicated, but we may have some problems and we want to create a little bit of flexibility in this. We know of a municipality where there may be some problems and we will be moving an amendment to give it a little flexibility to sort that particular one out. The member's phone call may well be concerned with that.

The member for Oshawa asked why so long. With the best of intentions and all the money in the world, there will be many municipalities in the province which will not even meet the 1974 deadline for official plans or suggested deadline—it is is not a deadline—if they want to have their own committee of adjustment. We think they should have an official plan.

There are not enough consultants in the province; there are not enough trained people in the province to do it that quickly. And I would have to say there are many municipalities which, perhaps, do not need official plans all that badly. They will not need them for a few years; so that will be sorted out by then.

The member for Essex-Kent asked if we had given any consideration to where there is not an official plan. Of course, this is the purpose of the land separation committee.

They will not be able to deal with variances but they will be able to deal with severances and that, we think, fills that particular bill.

The member for Waterloo North asked if OHC would come under this. Well, it is the same as before; there is no change in principle here.

OHC, being the Crown, is exempt from this kind of legislation. As a matter of policy, yes, they do, when they subdivide land, follow these procedures. But as a matter of principle, one branch of the Crown cannot bind another branch of the Crown. I suppose that is the theory, so this is why the exemption is there. There is no change in the principle at that point.

On the principle of the land division committees, perhaps I might speak to the point of the Leader of the Opposition first. I hasten to assure him that I am four-square with his goal, perhaps not of all of what he has said, but it is my goal to return some of the decision-making process to the local municipalities. This is a minor step in that direction, the creation of the land separation committees. I would have to admit that that is part of the reason.

The other part of the reason is that we are being swamped with this particular problem. Something like 92 per cent of the people of the province, prior to the enactment of this bill, live in areas of the province which are covered by subdivision control, so we are not talking about that many people or that many properties which are not already covered. But we can look for a further increase in this because we are bringing in the other eight per cent in the remainder of the unorganized territories.

At the present time there are something like 15,000 or 16,000 severances in the province in the course of a year which have to be approved. The eight per cent coming in will add to that total.

But just dealing with the 15,000 or 16,000, about 10,000 of them are dealt with by committees of adjustment—some of them dealt with well by committees of adjustment in my view, and some of them not so well dealt with by the local committees of adjustment. We have some committees of adjustment in the province which have presented some real problems.

Interjection by an hon. member.

Hon. Mr. McKeough: They all come to us. They go to all affected parties, of which we are one, and we have 14 days to appeal those decisions. I think that last year we appealed something in the neighbourhood of 100 decisions of committees of adjustment, of which 60 were in one municipality.

That is the reason for the amendment to which the member for Waterloo North drew attention. We cannot go on like this. Sooner or later, if they are not going to follow their own official plan they had better be dissolved and revert to a different kind of method.

We appeal about 100 and I make no secret of the fact that we probably should appeal more of those 10,000 than we do. Many of them are not even looked at when they come to us—I think, from metropolitan areas and large cities. We do not pay that much attention to them; the newer municipalities—

Mr. Nixon: Why does the minister continue to require any of them to come in?

Hon. Mr. McKeough: Because the Act requires 14 days for anybody to appeal. That is a good point.

In the regional legislation—and I mentioned this the other day—I think we will be turning that review over to, for example, Metro on behalf of the boroughs. We will be getting rid of some of that work.

The 10,000 do not present all that many problems to us, but we should be looking at more of them, perhaps appealing more of them. Actually, what happens is that we look at some of them as they are going through. If they are doing something illegal —not illegal, but if they are creating a lot which is not going to have a clear title we draw that to their attention as quickly as we can, and we might appeal that on those grounds for the benefit of the citizens.

If they are just creating bad planning by their actions we would probably draw it to their attention, and although the appeal has long since gone by, they do not do that sort of thing again. But the 10,000 really do not create all the problems; it is the 5,000 which the minister has to approve. Of the 5,000 which come to us, I am told, we approve about 90 per cent of them. The minister and the department sure hear about the other 500. I am sure there would be members—

Mr. Pitman: We hear about them too.

Hon. Mr. McKeough: The member hears about them too. Together we hear about them, and they create no end of problems and I do not think we deal with that 5,000 as well as we should.

You cannot write rules about them. What makes sense, I say to the Leader of the Opposition, in South Dumfries might not make sense in North Dumfries. You just cannot write rules. That is what a local committee, a local group is all about.

Mr. Nixon: There does seem to be a difference in the approvals.

Mr. Ruston: I wonder why.

Hon. Mr. McKeough: I was not drawing that differentiation. The Leader of the Opposition knows me much too well for that, particularly—

Mr. Nixon: I certainly do.

Hon. Mr. McKeough: —particularly in this non-partisan atmosphere as we get to the end of the session.

Now, the 5,000, plus what is going to be added, can be dealt with better locally. We are saying to the counties where there are not committees of adjustment, you set up these land separation committees and you deal with them. We will still have the same power to look over their shoulder and appeal them if it is necessary, but this is a start toward getting this back on a local basis, where, in the long run, it is going to be much better handled locally.

We think this is a very positive step forward, and I say to the Leader of the Opposition that we are four square with him on moving in that direction. And I would say to him, too, that if we have a reputation for slowness—which I would completely deny—but if we do have such a reputation among some people, probably more in South Dumfries than North Dumfries, but if we have that reputation, then, this is one of the reasons because we are spending too much of our time looking at severances.

I do not know how many people are involved in looking at the 5,000. Often, they make field trips and they go out and look at one severance a day or two severances a day, or they may go out and not find the severance they were supposed to be looking at. That staff would be much better engaged in, if I can put it this way, the missionary work of planning rather than the supervision work of planning.

Mr. Pitman: Very good.

Hon. Mr. McKeough: If we cannot get the money for planning that we would like, perhaps we could use some of these people to better advantage out settling these matters. This is not going to happen overnight, obviously, but we would hope to switch the emphasis in that direction.

I would also say this and put it on the record. We may well be back at this in the fall. There may be some kinks in the land separation committees; we explored this with the Association of Counties and Regions some months ago in very general terms. I do not know whether this is as well written, or as perfectly written, as it can be. We will be meeting with the counties this summer, setting up these committees or helping to set them up. It may well be that there are some changes that will be made in the legislation, although we tried to make it as broad as we could to get these committees organized. We hope that they will be organized by the end of the year and in business and that these severances will no longer be the problem they are to the minister, the department and to so many members of the Legislature.

Again, I thank the members for their support of the principles of the bill, Mr. Speaker.

Mr. Good: Mr. Speaker, would the minister answer a question—

Hon. Mr. McKeough: Yes.

Mr. Good: The question was asked by two members regarding the inclusion of a little money to get official plans going?

Mr. Pitman: He answered that rather obliquely.

Hon. Mr. McKeough: I answered that rather obliquely, I think.

Mr. Good: Well, I am a little obtuse.

Hon. Mr. McKeough: I have to say this. Certainly, I would love to have the money, and we are getting that. My colleague, the Treasurer, is being very generous with us in terms of money for a variety of things. I am not sure that we should be getting as much down to the local level with that money. As a department we are spending close to $1 million in the Oshawa area planning study; that is planning money. We are spending 75 per cent of the cost of the Waterloo-South-Wellington study. We have spent a little bit of seed money, for example, in the Beaver Valley—

Mr. D. M. Deacon (York Centre): They do not spend any of it in York, though.

Hon. Mr. McKeough: York does not need the help.

Mr. Nixon: Let us get back to the York bill as soon as possible.

Mr. F. Young (Yorkview): Very wealthy people in York.

Hon. Mr. McKeough: There are still enough municipalities that we should be working with that can afford to do this before we start sweetening the pot. We have been spending some money, and we will be spending more, helping planning boards in northern Ontario, which have some jurisdiction, or which are helping us in unorganized territories around them. Your point is well taken and I hope that my colleague reads your remarks.

Mr. Pitman: Look at eastern Ontario once in a while.

Hon. Mr. McKeough: Oshawa?

Mr. Speaker: The motion is for second reading of Bill 162.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be directed for third reading?

Committee of the Whole House? Agreed.

CITY OF KINGSTON

Hon. Mr. McKeough moves second reading of Bill 166, An Act respecting the city of Kingston.

Mr. S. Apps (Kingston and the Islands): Mr. Speaker.

Mr. Speaker: The Leader of the Opposition.

Mr. Apps: Mr. Speaker, I would—

Mr. Speaker: Normally the Leader of the Opposition has the first opportunity. Will he defer to the member for Kingston and the Islands?

Mr. Nixon: I would be delighted.

Mr. Apps: Thank you, Mr. Speaker, and thank you, Mr. Leader of the Opposition. I thought that probably since this affects the city of Kingston I might be given the opportunity to speak to it first, and I appreciate the courtesy extended to me by the Leader of the Opposition.

I would be rather remiss in my duties as the member for Kingston and the Islands, if I did not take this opportunity to say a few words on second reading of Bill 166, which will permit the city of Kingston to pass by-laws of the preservation of buildings or structures considered to be of historic or architectural value or interest.

The city of Kingston, particularly, I think, of all cities in this province, has a wealth of old historic buildings and has been seeking for some time the opportunities provided to them in this bill to give them the power to preserve many of the buildings that are of historic interest to our city. I would just like to extend to the minister and to the government our thanks for this bill. It is something we want very badly and it is something that the citizens of Kingston themselves have been working on a great deal over the past few years.

I know I speak for them as well as myself when I say how much we appreciate this bill which will give us the opportunity to do much more than we have been able to do, to preserve the many historical buildings in our city.

Mr. Nixon: I know of no city in Ontario in which there are more beautiful, pre-confederation buildings than in Kingston, and having visited that beautiful city on a number of occasions, auspicious and otherwise, I have always been struck at how well the citizenry have been able to maintain those fine old buildings. Mind you, they are solid limestone and there is not much they can do to destroy them.

I particularly recall one fine building. I think it had been taken over by a law firm and had been upgraded substantially and maintained in all of its pre-confederation splendour for purposes of doing business in that profession.

I really must say that I cannot for the life of me understand why the minister has undertaken to pass such a bill as government legislation on behalf of the city of Kingston when there are so many other centres in this province which could obviously make use of the same powers and must be granted the same powers.

Mr. Pilkey: Surely it is understandable.

Mr. Nixon: It is understandable in many ways. But I suppose there is the fact that John A. Macdonald's birthday—or something like that—is hanging in the balance, I do not know. It is great to have the power to restore some of these important buildings, and bring them under public ownership and use public funds to keep them as they must be

kept. There are many places across the province—even many places where John A. Macdonald slept—yes, he slept all over the place they tell me—

Mr. Pitman: He drank all over the place too.

Mr. Pilkey: How about erecting one for Brigitte Bardot?

Mr. Nixon: I cannot see why this legislation could not have been put forward with general application. There are all sorts of safeguards in it insofar as the Ontario Municipal Board gets into the act as usual, so that nothing is going to be done that might be considered by the most ultra-conservative administration as being as rash, or risky, or perhaps in support of the preservation of the buildings associated with the wrong politicians.

I really feel that the Minister of Municipal Affairs has made a mistake in not making this general legislation. I feel that it should be made general legislation at the very first opportunity. And we could spend a great deal of time talking about those structures in the province associated with our history or associated with architectural excellence that must be saved by the municipality. And I believe that the government is going to have to initiate a much more effective programme than they have already, to provide assistance for this purpose.

Mr. Speaker: The member for Peterborough.

Mr. Pitman: Mr. Speaker, I share with the Leader of the Opposition the frustration of realizing that this will help only one small part of this province, a very important part.

Mr. Apps: Very important.

Mr. Pitman: As a student of history I realize that Kingston was once the capital of this province. It is the resting place and the community with which Sir John A. Macdonald was most closely associated. There are many great names that come from the Kingston area which could be recounted as having played a very major role in the events of this province.

But the point that has to be made is that this legislation may not save a single building unless—and this is where I think the point comes—unless the people of Kingston are prepared to designate and to face the unpopularity in some cases of making that designation; of finding the resources; the money to save those buildings and this is what bothers me about it. There is first the limitation of the legislation and the responsibility it places upon the municipality.

Now the municipalities of this province, and any other province, are the areas of jurisdiction least able to find the funds and in spite of the Minister of Tourism and Information's—I always forget what it is called—Heritage Foundation? Is that what it is called? In spite of the money that is available there, which is really very minimal in terms of the number of structures and the amount of areas of historical interest in this province, in spite of these things, it does not seem to me likely that very many buildings are going to be saved as a result of this piece of legislation.

Mr. Apps: The hon. member does not know the people of Kingston.

Mr. Pitman: I do know a great many in the city of Kingston. You have a fine university there. You have a very highly public-spirited people, but in view of the comments of the member for Kingston and the Islands over the past number of years, and the necessity of the province of Ontario trying to find some assessment for the city of Kingston, particularly as related to the buildings and lands of the university, it seems to me that the municipality of Kingston does not have a great deal of money lying around which it can use to support a project of this kind.

Just a few moments ago I spoke rather pointedly to the minister with regard to the problem of planning. There are not a great many people in any municipality who are inclined to contribute money for that. There may even be fewer people in a municipality who would want to see their municipal funds used to save historic buildings. I say this because Kingston has a rather large concentration of these buildings. But you know, these buildings really belong to the province of Ontario. They are really our responsibility, all of our buildings.

Those of us who live in Niagara Falls and North Bay and in Timmins, we all in a sense have some interest and some concern in these buildings which represent our history and our background and virtually represent us as people, because until you understand your history, you cannot understand yourself.

Now I appealed to the minister and he reacted rather negatively to the legislation—rather simplistic legislation—that I put forward. I admit it is simplistic—

Hon. Mr. McKeough: I thought I reacted rather politically.

Mr. Pitman: Politically? Nothing could have been more unpolitical or apolitical than for a city to save a building that is more than 100 years old. I do not care where the building happens to be—in whose riding.

Hon. Mr. McKeough: I meant my reaction to your suggestion.

Mr. Pitman: Oh, I see, the minister's reaction was political. Well, that may be, and in this—you might say euphoric—atmosphere we have right now, we will not bring up all these old confrontations.

The point I want to make is: for heaven's sake, make sure that this legislation does the job. I appeal to the member for Kingston and the Islands to see that something happens as a result. I understand that this legislation is already extant in Toronto and they have not even got a single building designated. Is that true? Not a single building has been designated by the legislation and it was put through four, five or six years ago.

So I say to the member for Kingston and the Islands, do not think because you have got a bill, that you will save any buildings at all in this province. You may not have saved a single one. Just as the city of Toronto has not saved a single one, by having legislation like this.

In other words, it demands, I think, not only a provincial thrust in terms of general legislation, it demands a massive thrust in terms of deciding the heritage of this province is going to be maintained. It can only be maintained by the resources of the province, not by the resources of a single municipality.

Having said this, I still must say we will support this legislation because it is legislation going in the right direction, but it is really one very small step toward many many miles where we must go if we are really going to save the history of the province. And I say to the minister five, six, seven years from now he may have lost 50 per cent of the historic buildings in this province—they are going that quickly, and that is why I think it is desperately important that he gets his government concerned about this matter, not just in terms of legislation, but with his colleague, the Minister of Tourism, and even the Minister of Education, because he is involved in this too. You really cannot teach history without teaching historic buildings, because that is what it is all about.

I complete my remarks by expressing the hope that the minister will simply regard this as one small step.

Mr. Speaker: The member for Yorkview.

Mr. Young: Mr. Speaker, in commenting on this bill, I would add my voice to those who wish it were general legislation, because I think this is desperately important.

I think the member for Kingston and the Islands may find himself in a different position than he hopes, if this bill is acted upon, as the member for Peterborough has pointed out. If he is hoping that this is going to be an asset to him as well as the city, as the mill rate goes up, as buildings are saved, then the finger may be pointed directly at the present member as being responsible for the increased mill rate.

Mr. Apps: I am willing to accept that responsibility if that happens.

Mr. Young: All right. It may well be, in the future, that this bill may be invoked to save the house where Syl Apps lived—the great hockey player—at one time. Who knows? That may well happen. And so perhaps the member is looking towards the future, I do not know.

Mr. Apps: That would be in Brant County.

Mr. Young: Oh, in Brant County. But he is not living in Kingston now?

Mr. T. P. Reid: There is one resolution on the order paper already.

Mr. Young: But there is one feature of the bill which I am disturbed about. That is section 4, which says that within 90 days of the passing thereof, unless certain things have happened, the corporation shall forthwith repeal the bylaw. Now, this, it seems to me, is hardly long enough if we are going to be realistic, because municipal budgets have a way of being pretty inflexible, and once a budget is struck for the year, the answer for worthy causes is generally, "Well, there is nothing in the budget to serve this particular purpose". It may be that in June or July, a building is suddenly going to be demolished, or somebody has bought it and the wreckers are going to move in and something has to be done right away.

Now, you only have three months here to act, and before the end of the fiscal year, before the end of the budget year, you may have real problems in meeting the obligations, particularly if you get two or three buildings in that period. And so I would think that this limitation of time is rather too short, and it should be extended to cover at least the budget year so that if a building is found now, there is time to make provision for it in the following year's fiscal planning.

I simply point that out and I would hope that the minister would look at this carefully and perhaps make provision for a somewhat longer time before the legislation is going to be repealed.

Mr. Speaker: The member for York Centre.

Mr. Deacon: Mr. Speaker, I am pleased to see some steps made in this direction, as the other members have said, toward enabling municipalities to preserve older buildings. However, I think we need more than this in legislation for it to really be a help to Kingston or any municipality.

If one preserves an historic building and somewhere in the community another building goes up of a brand-new design, a modern design completely out of character with the rest of the buildings around it, we can actually destroy most of the benefit that could be achieved by having preserved one of the historic buildings.

So I suggest that when we are considering legislation of this sort, we should include the power of the municipality to control and direct the type of architecture that is going to be used, particularly in some of these smaller communities where they want to maintain some of the character of the past.

There are many communities in this province where there has been charm in the past but the buildings have got into a state of disrepair—or many of them have—and they are beyond being reclaimed; they really have to be knocked over by a bulldozer. But if the municipality has power over the type of architecture as well as the ability to purchase these old buildings, then we could develop over a period of time, some very, very charming communities—much more so than perhaps they ever were originally. And I suggest that when we bring in general legislation the minister consider enabling municipalities not only to purchase old buildings that may be demolished and have control in that direction, but also have control over the general architecture in certain designated areas.

Mr. Speaker: Does any other member wish to speak before the minister?

Hon. Mr. McKeough: Mr. Speaker, just briefly to comment on the question the member for Yorkview raised about the 90 days: Kingston had drafted this bill and I would not want to change it without consulting them. They perhaps feel that it is adequate, and if it is not, it can be changed at a later date.

I recognize the concern of the members that this is not general legislation—it has been pointed out here, I guess by the member for Peterborough, that this particular legislation is similar to the Toronto legislation and the Toronto legislation is not working. Now I am not anxious to introduce legislation that is not going to work; I am anxious to let Kingston get on with their particular job.

We have had this under consideration for three or four years in the department and felt we should do something about it. Kingston held off with their private legislation hoping that we would have general legislation, and frankly we did not have the studies done that we would like to have done. This is the reason why Kingston's time for a private bill expired and the member for Kingston and the Islands suggested to me, rather strongly I might say, that we had better put it through as a government bill and I was happy to accede to that request.

Mr. B. Newman: Did he threaten you?

Mr. Nixon: He got sick and tired of waiting for you people.

Hon. Mr. McKeough: That was the point he made.

Mr. Nixon: That was not the only thing he was getting sick of.

Mr. M. Gaunt (Huron-Bruce): Did he threaten you? Call him to the bar if he did.

Hon. Mr. McKeough: While I am on my feet, I will say that we have now a study underway perhaps leading to the general legislation. Perhaps I might tell you briefly what form it is going to take. We have acquired some staff for the summer months to do this; we found some money to do it. The purposes are: (a) identify the nature and extent of the loss of, and damage to, historic or architecturally valuable buildings and groups of buildings occurring now, and attempt to forecast what may occur in the future; (b) investigate the techniques of preservation and renewal, including the relevant legislation and use in other jurisdictions in North America and perhaps elsewhere, notably in Europe; (c) determine the applicability of such methods in a Canadian context and if necessary develop appropriate alternatives; and (d) propose new, or changes to existing legislation and any other action necessary to implement an effective preservation programme.

I think that covers the waterfront as to what we have under way this summer. We

hope to have a report probably this fall, and I would hope that would lead to general legislation, hopefully next year.

Mr. Nixon: He has got a gun to your head.

Mr. Deacon: What about the point I raised?

Hon. Mr. McKeough: Really, you are really stretching it to bring that point in on this bill.

Mr. Young: Is the minister concerned about the time factor?

Hon. Mr. McKeough: The member was very busy talking to his colleagues, no doubt.

Mr. Young: I am sorry.

Hon. Mr. McKeough: No doubt trying to get proxies—I do not know.

But what I said was that they have drafted us to these 90 days; I would not want to change it without their approval.

Mr. B. Newman: Was he seeking support for leadership?

Hon. Mr. McKeough: I wondered—

Mr. Speaker: The motion is for second reading of Bill 166. Shall the motion carry?

Motion agreed to; second reading of the bill.

Shall this bill be ordered for third reading?

So ordered.

CITY OF HAMILTON

Hon. Mr. McKeough moves second reading of Bill 169, An Act respecting the city of Hamilton.

Mr. Speaker: The member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, this bill provides permission for the city of Hamilton to take certain action requested by an industry in Hamilton. I would like the minister to explain, for my information, the importance of the necessity for this permission, as it explains, that the industry can build over the public highway, a street in the city of Hamilton, buildings and structures and equipment as an anti-pollution measure.

My second question is, does the minister's department ascertain that the plans for the construction and the equipment are wholly and solely for anti-pollution measures; have they removed all doubt that any of the structure will be used as a processing structure? For in the two questions, in my mind, the principle involved is not quite clear.

First I would like to know what necessitates the permission being granted by the minister's department, and if they have satisfied themselves that there is some specific reason that they have to grant the permission. Because there was some concern within the city council as to whether it was necessary to give permission for the construction of this structure over that street; that there could have been alternatives developed inasmuch as the company could have taken that street over entirely as part of their property and provided an alternative route either at the east or the west end of the plant, because that street, as it is at the present time, has been encroached upon so much by that company that it is almost an inconvenience to the travelling public.

They have built right out to the sidewalk edges; they are continually using the city property on that street to drag and clean the sewers that are underneath the street and their interplant traffic across the railway tracks and across that street is a real hindrance and inconvenience to the public of Hamilton. I would like the minister to explain the principle; was it necessary for them to receive permission from the government and if so, in giving permission, what was the criteria that the government wanted established in giving permission? Did they ascertain that the structure will be wholly used for anti-pollution equipment?

Mr. Speaker: Are there any other members who wish to speak before the hon. minister replies? If not, the hon. minister.

Hon. Mr. McKeough: Mr. Speaker, perhaps the member was not here when I introduced the bill on first reading because I did speak to it.

The necessity for the bill arises from the fact that a municipality can on their own volition grant authority for a bridge, for example a walkway across a public thoroughfare, if the owner owns both sides of the street. This is obviously more than a walkway. It is a structure designed for pollution control equipment, and to do that requires legislative authority. There is some doubt in my mind as to whether we should put this kind of authority in general legislation or whether we are better to deal with it on an *ad hoc* situation.

I am afraid I cannot answer all the questions that the member has asked. I learned

about this on Thursday last, and today, six days later, here we are. For my satisfaction the city council, I think at their meeting last night or on Tuesday, passed a resolution asking for this legislation. Whether they did so unanimously or not, I do not know. I am assured by his worship the mayor, by OWRC, by Energy and Resources Management and by Dofasco obviously, that this is the only place this particular structure, or this particular equipment, can go if it is to be effective.

From our point of view, I suppose before we pass this kind of legislation normally we might want to be more satisfied about this than I am prepared to indicate to the member that I am satisfied now. Perhaps we all might go and have a look at it. But I think you will realize that Dofasco wanted to get on, or we want them to get on, with spending some $22 million on equipment of which this is an integral part. And if we do not give this authority now, then they could not get on until the fall when we sit again.

Interjections by hon. members.

Hon. Mr. McKeough: The bill, of course, says this space has to be for pollution equipment. I suppose if they started to use some of it for storage, they would be doing so illegally, in the face of what the bill allows the city to do.

The controlling feature, of course, is that this simply authorizes the city to enter into an agreement to allow the construction. If the city decided tomorrow it did not want to do it, the bill would never be used. I assume, for example, that the city is going to be paid for that air right, I do not know, but that would be part of the agreement.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE MOTORIZED SNOW VEHICLES ACT, 1968

Hon Mr. Haskett moves second reading of Bill 163, An Act to amend The Motorized Snow Vehicles Act, 1968.

Mr. Speaker: The member for Yorkview.

Mr. Young: Mr. Speaker, by and large I think we agree with this bill as a partial solution to the problems presented by the snowmobile in Ontario. It is a bit disappointing that it is permissive, that is, the municipalities are allowed to pass certain legislation in respect to where the snowmobiles may travel on public highways.

I think this is going to lead to a great deal of confusion on the part of snowmobile drivers. Each municipality may pass its own regulations. One municipality may say the snowmobile cannot operate on any part of the highway, others may say they can operate on the shoulder and there may be other places.

Since there are no boundary signs, if I take a snowmobile out into rural Ontario and start to operate it along a highway in one particular jurisdiction I am allowed to do it, but suddenly unbeknownst to myself, I cross a boundary line and in that other municipality there are different rules that I may not know about.

So if I am going to travel, I suppose first of all I would have to go to the town hall in each one of these municipalities and find out what the regulations are before I can travel safely.

So this will make for confusion. It seems to me that the minister ought to introduce general legislation which lays down that snowmobiles may not travel on the paved portion or the operative portion of the highways, except perhaps to cross intersections by the shortest possible route, or words to that effect. So that part of the bill, it seems to me, is defective although it is one step toward better regulation of the snowmobile.

As far as the reporting is concerned, we feel that again is a step forward. But it does not in any way, I think, solve many of the problems which have to do with the accident rate in the province. This is part of it, of course, I agree, but there are many other things; regulations that might be brought in with respect to the construction of snowmobiles and their operation; whether we want helmets and this sort of thing, which would, I think, cut down the death rate rather remarkably in the province.

This is a start, and since it is a start, we are not going to oppose it on this side of the House. But we do urge upon the minister that he seriously consider this whole matter of the confusion which is inevitably going to result with the permissive nature of this bill in respect of municipalities.

Mr. Speaker: The member for York Centre.

Mr. Deacon: Mr. Speaker, it is a great disappointment to me to find this minister, a

minister who is usually quite thorough, bringing in an Act which I think has serious deficiencies in two or three spots.

First of all, in many of the communities where this sort of legislation would be desired, the major roads in the communities—Flesherton, Massey, and others all over the province—the main streets of the communities are provincial highways. And this specifically puts the municipality in a position where it has no control over what happens on the main street.

They can pass a bylaw and they will not have any snowmobiles running up and down the back streets of the town. But on the main streets, the snowmobiles which the townfolk are trying to control, can run up and down at free will if The Highway Traffic Act so permits, and that is the case. What we have here is a major loophole so that municipalities say: "What is the point of our bringing in a bylaw here when we have a law which says we have no control over the main streets of our town?"

I suggest it is a major mistake not to have control in every street within the jurisdiction of that town, including the provincial or county roads in that municipality, so people can know where they stand.

Another point that is a very serious deficiency is the way that the bill does not have control over those coming into the province from outside—a province or a state or another country wherein the laws for those in charge of a vehicle are not nearly as strong as our own. For example, it might be that a province permits any youngster over 10 years of age to get a licence to operate a snow vehicle, a motorized vehicle, and here we have that person coming into Ontario with his permit, and saying, "I have my permit to operate in Manitoba, or whatever province, or in Iowa, so I can operate here in Ontario."

What would our Ontario residents think under this circumstance? We should have the same situation prevailing for those coming in as for our own residents; that they must be authorized to operate any vehicle, have a chauffeur's or an operator's licence, or an equivalent licence, in order to operate a motorized snow vehicle in this province.

I suggest that the minister certainly disappointed us when he brought in legislation that leaves these two serious loopholes which really nullify the major things he is trying to achieve. Naturally we will accept half a loaf, or in this case about one-tenth of a loaf, which is better than no loaf at all; but I am certainly disappointed that the minister has not noticed these two items in bringing in this legislation.

Mr. Speaker: The member for Timiskaming.

Mr. Jackson: Mr. Speaker, I have very few comments to make. We are basically in favour of the bill. As we said during the estimates of The Department of Transport, we felt that some of the articles contained in this bill should have been brought in a long time ago.

I see two things wrong with it. The first one is in the licensing procedure. We allow a person who has a chauffeur's or an operator's licence to operate a Skidoo. We might effectively rule out a great percentage of the population which has no desire ever to drive a car. I can mention one person, my wife, who likes to operate the snowmobile and does a very good job of it, but who has no desire to drive an automobile. Surely we should be thinking in terms of having a special licence for snowmobile operators as we do for motorcycles.

There is also the thought that a person who might drive a car all his life would become a menace on the highway if he were operating a snowmobile. If we are going to licence these people, I would suggest that we think more in terms of a special licence for snowmobile operators so that we do not rule out those who will never drive cars but like and are quite able to operate snowmobiles.

In section 4 of the bill, the owner of a snowmobile shall incur certain penalties if he contravenes the law, but it also says that if someone other than the owner is operating the machine, the owner and the operator shall incur the penalties. Surely, the owner, if he is not in charge of the machine at that moment—in fact he might be 100 miles away—cannot be liable for the actions of the operator. He can be liable if he knowingly lends the machine to a person who has no licence to operate it. But surely if the person goes through a stop light or contravenes some of the municipal bylaws, the owner, who might be many miles away cannot be held liable, too. I would like the minister's comments on those two points.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, I rise to support this bill but with some hesitation. I am very disappointed in the introduction of this bill that the minister has waited so long to do this. We are now into the summer season and we get a snowmobile bill. I had

expected that at this time we would have received a bill for go-anywhere vehicles because we are rapidly approaching the time of the year when these go-anywhere vehicles go anywhere. They are found all over the province; I understand even the Minister of Education is considering purchasing one of those so that he can drive from the front room into the kitchen.

I think the minister has been very lax in not coming forth with legislation that would control the mushrooming, the expanding and the exploding numbers of the go-anywhere vehicles. Not only are the numbers of vehicles exploding so are the numbers of types of individuals driving or riding these types of vehicles. We have got youngsters at practically every age; they serve their apprenticeship by going to these go-kart tracks throughout various communities and simply because they have driven a go-kart around a given area, they think they can operate the snowmobile, or other types of vehicles, safely.

I am very disappointed that the minister has not introduced legislation controlling and regulating go-anywhere vehicles. Likewise, I think the minister should have included the hovercraft in this legislation because the hovercraft is going to be used as a snow vehicle more and more in the future. For one thing the snowmobile generally can travel only on snow or pack ice, but when it comes to a fairly soft snow or slush, it is a handicap, whereas the hovercraft has no difficulty moving.

I am also disappointed that the minister has inserted in clause 3, section 4, that he is allowing residents from outside the province of Ontario to drive this type of vehicle without some type of licencing. An individual coming from Florida naturally would not have a snowmobile vehicle; he would more than like never have driven one, but he can automatically qualify to drive a snowmobile vehicle in the province of Ontario under section 3, subsection 4, and there should be some type of regulation to control this.

Subsection 4 of section 3 is not good enough, as it is written. I think it is high time now that the minister have a special licence—it could be at a very nominal fee—for individuals driving snowmobiles. In this way we could control the age of the individual that is going to use the vehicle.

Likewise, Mr. Speaker, I think the principle in sections 4 and 5 should have included the need for some type of insurance by individuals who own the vehicles or drive the vehicles, and they should be taken off the road, especially in the southern part of the province.

Interjection by an hon. member.

Mr. B. Newman: Mr. Speaker, the Minister of Trade and Development is upsetting me. Will you call him to order? That is the extent of my comments.

Mr. Speaker: The member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, you know all winter we have heard in a variety of press releases about the great set of regulations that the minister was going to bring out, and he brings in a bill where really he opts out of all regulations. He turns it over to the municipalities.

You know, you do not drive a car in Kingston, Ontario, with one set of regulations and go over to St. Catharines and have another set of regulations. In effect, this is precisely what the Minister of Transport is doing, in that each municipality will determine the set of regulations with respect to their own area.

So I suggest that the Minister of Transport has really opted out completely. We are going to have such a hodge-podge of regulations it is not even going to be funny.

To show you just how much he has opted out, he has listed everyone who is going to have the power to make regulations and I wonder who, Mr. Speaker, is going to make the regulations in the unorganized townships of northern Ontario? You have not got that covered.

We have places like Broder Hill with 5,000 people. Who is going to be responsible for making the regulations with respect to snowmobiles in areas where there are no local municipal officials? I cannot find that in the bill; maybe I have misread it, but possibly you can inform me who will have that responsibility. I can name you many municipalities that have no form of government but where there are 500 or 600 people, and I do not see provision for them in the bill. And whether you want to make regulations or not, Mr. Minister, that in itself is going to force this government to introduce some regulations with respect to snowmobiles in Ontario.

I am also disappointed, Mr. Minister, that although during your estimates we talked about such things as size, and you had indicated that this was under active consideration, I do not see much about regulating the size of motors and so on. Again, I think that in some instances the public have to be pro-

tected against themselves and against those people who are operating snowmobiles.

I think the day will come, whether you like it or not, that we are going to have to limit snowmobiles to motors of certain size. They do lack the structure for going 80 and 90 miles an hour, and I think we are going to have to come to a point where, for the safety of people themselves, we introduce a maximum size, except maybe for racing events and so on.

I would ask the minister to comment, as I say, in particular on the areas in northern Ontario that are unorganized.

Mr. Speaker: The member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I do not want to repeat anything that has already been said, but I would like the minister to tell me what he intends to do about those highways that are not considered the Queen's highway like Highways 11 and 17, where under the present Act people are denied the right to operate a snow vehicle. I had an earlier communication with the minister when I asked him if this meant just on the shoulders and the travelled portion, or if it meant the right-of-way or the clearing along both sides of the highway which could be 50, 60, 75 yards off of the travelled portion.

The minister, when he and his advisers drafted the bill, had in mind, I think, those areas of the province where we have relatively flat or rolling land that was suitable for operating these snow vehicles. I am sure the minister must be aware that there are a good many places in the province that are very rough and rocky, very hilly, very heavily wooded, where there is no opportunity for operators of snow vehicles to operate other than on the right-of-way of a good many of our roads.

This does not present any hazards to the travelling public as long as the snow vehicles stay off the shoulders or the travelled portion of the road. In a good many cases they do find it necessary to travel on the right-of-way, but quite apart from the travelled portion or the shoulders; so that if the minister does not bring in some kind of legislation to permit travelling on that portion of the right-of-way he is, in effect, denying a good many people in a good many areas of this province where there is no opportunity to drive these snow vehicles because of the rough terrain and because of the geography of the area, particularly in northern Ontario.

I hope that the minister will indicate that it will be possible for those operators of snow vehicles to operate on the right-of-way, but not on the travelled portion of main highways and secondary roads, particularly in unorganized territories where the department takes over the regulating as opposed to the municipality, as is provided for in this bill, and I would like that assurance from the minister if I could.

Mr. Chairman: Are there any other members? The member for Kent.

Mr. J. P. Spence (Kent): Mr. Chairman, I would like to ask the minister a question in regard to the snowmobiles. We learn that there are wheels that can be put under snowmobiles and they can be operated throughout the year; does this legislation cover that vehicle under those conditions?

Mr. Chairman: Are there any other members who wish to speak before the hon. minister? The hon. minister.

Mr. T. Reid: What about ice boats?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, I think we have had a pretty good indication this afternoon, from the nature of the comments by the members who have spoken, of the variety of conditions that have to be met with this legislation, and we have tried to be reasonable about it. The problem that is mentioned by the member for Kent with the making over of these machines with wheels indicates the problem in the southern part of the province, perhaps, but when that is done it is no longer a motorized snow vehicle.

The members in the north are very conscious of the need for and the role played by snowmobiles. There they have become a part of the life of the people. They are not only useful for getting around, they have become a very necessary part of winter living, whenever you go in the north.

Let us go back to what the original Act provided. The original Act provided that snowmobiles could not be operated on any of the main freeways. They could not be operated on any King's highway unless it was so designated and they could be operated on all of the secondary roads except where they were prohibited from operating. They can operate on the right-of-way apart from the travelled portion on those roads where they are allowed.

Now what we have here, and I think some members are confused with this, is that in

extending to the municipalities the authority of this bill, we are not extending to them any further or any different authority with respect to control over the roads within the municipality, whether they be municipal or township or county or regional roads. What we are doing, is extending to the municipality the right to control other aspects of the operation within the municipality.

It is intended to remove any doubts in the minds of municipal councillors as to the right of the municipality to extend its jurisdiction in respect to the operation of motorized snow vehicles in parks and on private properties and in other areas. And that is the extension we are making, we are not changing the traditional jurisdiction over the roads within an area.

I think that was perhaps one of the most confusing parts of the bill because the section was considered apart from the Act that it is amending. The member for York Centre speaks of the loopholes and I think that that was his problem; he did not relate the section to the original Act and the nature of the extension of municipal authority that was being granted in this bill.

Mr. Deacon: There are still plenty of municipalities where snowmobiles can operate on provincial highways.

Hon. Mr. Haskett: They can be prohibited by the provincial authority on provincial roads and there is not that confusion now.

With respect to vehicle construction mentioned by the member for Yorkview, I have said that the snowmobile was a problem that traversed many lines. For instance, we found that one of the problems with snowmobiles that caused a lot of consternation last winter was the killing of a wolf up on Lake Simcoe. The hon. Minister of Lands and Forests has resolved that problem—it fell within his jurisdiction—by prohibiting the use of vehicles as well as aircraft in the pursuit, or in the harassing, or in the destruction, of animals.

The matter of trespass—of driving on other people's property and damaging their lawns and their gardens and their hedges, of running over golf courses and through orchards and over tree plantations—those matters all fall within the area of trespass and my colleague, the hon. Attorney General is considering the appropriate amendments to The Petty Trespass Act to care for that aspect of this problem. That seems to cover a lot of different aspects.

Another phase of the problem has derived from the vehicle itself, and the noise and the horsepower, and these matters fall within the jurisdiction of the federal government under the arrangements that the provinces have made with the federal government to take responsibility for vehicle safety at the point of manufacture or of import.

For the benefit of the House, I may say to the hon. members that I have put before my colleague, the Minister of Transport in Ottawa, as a result of discussions we have had, that he should consider, in addition to the safety of the machine, the noise emission, which has been excessive. At a time of revving up and high speed it is, for the driver and the passengers, at a level that can cause mental damage.

There is higher emission of noise—a decibel rating emission from snowmobiles at revving up and high speed—higher than standing beside a 707 at take-off, and the manufacturers of these snowmobiles have agreed to reduce the maximum decibels—I think it is to an 84 reading for the coming year's models. It is now some place around 110 or 115; it is a very, very high figure today. We have discussed this with the federal people and the manufacturers.

In the area of speed and horsepower, I have asked the Minister of Transport in Ottawa to have his people consider these matters in going over the requirements for vehicle standards.

There is the other matter of licensing and I think that we have moved well into this field by requiring that snowmobile drivers must have either a driver's or chauffeur's licence. That does not require them to be expert at the operation of a snowmobile; that is not the most important factor from the standpoint of our approach to safety—but to be acquainted with the rules of the road and signs and to have had some experience, preferably in traffic, if they are going to operate on the road. That is where they will need to have licences.

You would not have to have a licence if you are going to operate in your own backyard or away from the highways. We are requiring licences if they are going to operate the vehicle on the highways; they have to be licensed as an automobile driver. Likewise, the Act presently provides that any snowmobile which is to operate on the highways must be covered with regular third-party liability insurance. That is already in the Act.

I think that these are areas of the existing Act that the hon. members felt were deficient. I think if you go over the amendments and consider them in conjunction with the existing

Act, you will find that they have gone a long way to change this picture.

Mr. Martel: What about the unorganized townships?

Hon. Mr. Haskett: I would like to put one more item on the record while we are thinking of snowmobiles. That is on account of the comments by the hon. member for Yorkview that the snowmobile was causing a great many collisions and a great deal of injury and death.

I have said on a number of occasions that I was reluctant to move too quickly into this area—and I repeat that and I say it for a reason—until we knew what we were dealing with and what were the most serious aspects that had to be treated. We find that although there was an increase of about 65 per cent in the number of registered snow vehicles between the 1968-1969 season and the 1969-1970 season, there was actually a reduction in fatal collisions from 26 to 22 and in fatalities from 27 to 26; despite the 65 per cent increase in the number of registered snowmobiles. This is another fact that—

Mr. Nixon: Carried.

Hon. Mr. Haskett: —I found rather different from what hon. members had in their minds. Of the 185 highways collisions, 66 occurred on township roads and 51 on urban roads and only 19 occurred on the King's highways. These are facts that we are collating now and I think they must have a real impact on our thinking and assessing of this problem.

Mr. E. P. Morningstar (Welland): Carried.

Mr. Martel: Mr. Speaker, might I ask a question?

Mr. Nixon: No.

Mr. Speaker: Yes, because many of these have gone through to third reading, we have been allowing questions, if the minister will answer them, at the end of his statement.

Mr. Martel: I mentioned the hodge-podge of regulations in unorganized townships, and the minister did not reply; I wonder if he could tell me?

Hon. Mr. Haskett: —probably have no need to ban snowmobiles from any roads other than the power of the province to rule its own provincial roads.

Mr. Martel: But in any situation? Who can pass any regulation in the unorganized townships?

Hon. Mr. Haskett: The province deals with its roads, and those only. In the unorganized township, I would think that there would be no known restriction.

Mr. Martel: That is what I mean; that is the problem.

Mr. Speaker: The motion is for second reading of Bill 163. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Shall this bill be ordered for third reading?

Mr. Young: Committee of the Whole House?

Mr. Martel: Committee of the Whole House.

Mr. Speaker: It must go to the Committee of the Whole House if not unanimous.

Hon. Mr. Grossman: What month?

Mr. Martel: Whichever month you want.

Mr. Speaker: It must be unanimous to go for third reading.

Hon. R. Welch (Provincial Secretary): Right!

Mr. Speaker: But they have demanded Committee of the Whole House.

Committee of the Whole House? Agreed.

THE HIGHWAY TRAFFIC ACT

Hon. Mr. Haskett moves second reading of Bill 164, An Act to amend The Highway Traffic Act.

Mr. B. Newman: Mr. Speaker, I rise to support the bill, and I am awfully pleased to see that section 2 in the bill now will control vehicles that are coming into the country. I can recall having made mention to the minister of the Toyota, the Japanese car, with three substantial defects that could have been fatal were one to have lost control of the vehicle as a result of the mechanical deficiencies in the vehicle.

I would also like this section to include, in addition to as mentioned therein, that vehicles for resale likewise should meet certain standards before they are permitted to be resold.

I would like to have the minister in his reply to us, Mr. Speaker, explain on page 7,

the hieroglyphics that are there for our enlightenment.

Mr. Gaunt: Pi "r" squared.

Mr. Nixon: Yes, you had better go over it carefully.

Mr. Young: In rising to support the general principle of this bill, we would ask a couple of questions in connection with it and also register some concern.

The bill does prohibit the sale in Ontario by a dealer, of vehicles that do not conform to the federal standards; but the federal standards are pretty well non-existent. They are being established; I suppose this bill is to cover them when they are. But the federal standards are not Canadian standards—they are American standards. Some day, I hope, we will begin to stand on our own feet and establish standards for motor vehicles which have some relevance to our own climate and our own particular country.

However, this again is progress. We are at least paying some lip service to standards and I hope that we will have adequate standards before too long.

I would ask the minister is he perfectly satisfied, and is the Minister of Highways satisfied, that the 42,000 pounds in lieu of 32,000 is all right in view of our highway system? Is it going to do damage to our highway system? Because by and large the highway system is the same system that has existed over the years. We have some new highways and perhaps those new highways have better construction than former ones, but this traffic is going to move over roads that have been there for a long time, and roads which we considered should have no more than 32,000 pound in load. I presume the minister has consulted with The Department of Highways and that The Department of Highways and the minister thereof is perfectly satisfied with this increase in weight.

But I would be very disturbed if we are going to pound our roads to pieces by adding this kind of weight to our highways.

As far as the loading of the trucks is concerned, the axle loading, I think, is a good principle, but I am not sure, as the member for Windsor has just said, that the average truck driver can load his vehicle. We hand him the Act and tell him, "Look at page 7 and load your vehicle in accordance with the hieroglyphics on page 7."

I suppose we are entering the computer age and packaging will play some part here. I presume this kind of vehicle is going to be loaded at the depot scientifically; that the truck driver is not going to be responsible for putting an extra weight at this place and another place, and seeing that the axles are properly loaded as he goes from place to place.

I suppose that this applies only to vehicles which are not going to be partially loaded here and partially loaded there. If so, then I think the average operator is going to be just a bit puzzled when he is given this. I doubt if the minister himself can do what the hon. member for Windsor asked him to do—to explain the hieroglyphics that are here.

Mr. Gaunt: He would certainly have to consult his lawyers.

Mr. Young: Perhaps the lawyers would have some problem working this out.

The question of policing this whole matter is one which I think should also concern the minister to a great extent, because while the provisions are here and the police have certain powers—they can hale the truck up to 10 miles to a weigh scale—we just do not have enough weigh scales in the province to handle this properly. How is the minister going to ensure that the axle load is proper? That each axle is carrying its proper portion of the load? That the distribution of weight is as it ought to be and that everything is copacetic in the trucking industry?

I think there has been a great deal of concern across this province about this matter of loading. I have heard of a great many small truckers who are complaining because operators of certain businesses for whom they are working, demand that they overload. They have to overload, they say, in order to make a day's pay, and unless they agree they will carry more than the load specified, they will not be called in for that job the next day or the day after.

This whole matter of policing, I think, is brought into sharp focus by this legislation. I think the minister, perhaps, has a word to tell us how he is going to effectively enforce this new concept of loading the trucks on our highways.

Mr. Speaker: The member for Cochrane South.

Mr. Ferrier: Yes, Mr. Speaker; subsection 164 of section 9, dealing with the hauling of forest products in the winter, is a section that the pulp operators, the private owners of trucks, will welcome in my riding. I have had correspondence with the minister and talked with his deputy and with the Minister of Lands and Forests about this.

During this year they allowed up to the 10 per cent overload, but if you went beyond that you were fined on the 10 per cent. At this point, giving them that extra leeway will mean that pulp operators can haul a good load and will have the leeway that they need to haul the wood. When they go before the county judge, if they have overloaded they will not have to pay on that 10 per cent as they did this last year. Sometimes they were paying fines of $1,100 or more and a small operator was pretty well put out of business because of that. I understand that it was difficult sometimes to evaluate the weight of different kinds of pulp and wood. I would like to commend the minister for bringing in this amendment and for giving us a little bit of help in the north in the forest products hauling industry. This will give them the encouragement and the help that they have asked of him.

Mr. Speaker: Is there any other member who wishes to speak to this matter? If not, when we resume, the minister will have the floor.

It being 6 o'clock, p.m., the House took recess.

No. 113



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Evening Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

THE HIGHWAY TRAFFIC ACT
(*concluded*)

Mr. Speaker: The Minister of Transport had the floor at the time we broke off for dinner.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, in connection with Bill 164, an amendment to The Highway Traffic Act, hon. members have raised a couple of points that I thought I might like to deal with. Two of them were rather irrelevant to the bill but the questions were stimulated because of the bill.

The member for Windsor-Walkerville asked with respect to the maintenance of some measure of the safety standards that are being established by the federal government. That will be guaranteed, insofar as the vehicle is concerned, at the point of manufacture or of import into Canada, and will be there marked with the safety mark of approval of the federal government.

We are carrying that protection insofar as the vehicle safety is concerned forward to the place where it gets into the hands of the first owner, so that there cannot be a destruction of any of the safety standards required under the Canada safety standards from the time the vehicle gets the mark of approval until it gets to the first user.

Mr. B. Newman (Windsor-Walkerville): Does that apply on the vehicle?

Hon. Mr. Haskett: Yes, the mark is to go on the vehicle.

Mr. B. Newman: Is there anything to prevent the individual from removing that and putting it on another vehicle?

Hon. Mr. Haskett: It will apply to that vehicle and that is the federal government's marking, but we will want to be sure that the vehicle's safety features are not destroyed in any respect before it gets to the first buyer.

Now insofar as a used vehicle is concerned, we have very stringent standards with regard to the examination required of a used vehicle before it can be transferred, and I think the hon. member can be sure that we will retain those standards that will maintain safety standards at least as high as the federal government is asking for.

Now the hon. member for Yorkview (Mr. Young), on the other hand, dealt with the level of the standards being established by the federal government and I think that he would know that I share with him the view that the federal government is not going as far as it might. It is accepting, in the main, U.S.A. requirements and saying: "Me, too!" And that is about as far as they are going at the moment.

We will watch that very carefully, and I intimated to the House on previous occasions that if we feel that the federal government is not doing as much as we think it should do, we have the power to go beyond that. We do not want to create, if we can avoid it, a multiplicity of requirements in the marketing of new cars that are being manufactured in Canada or the United States, for sale anywhere on the continent, but we will have to keep that situation under review. As I have said here before, we had standards in Ontario that were higher than were being set in Washington when we were regulating the standards for vehicles.

On the other matter that we had to deal with, the new axle loading formula, the specific question put was with regard to the safety of that formula insofar as protecting the roads from undue damage. The formula is a Canadian bridge formula. It was designed by engineers in The Ontario Department of Highways. The standards are completely acceptable to The Department of Highways. We have had it out with them and we have gone over it extensively. We have raised the maximum load allowable on an axle unit from 18,000 to 20,000 pounds. In doing that we are going to move from the place where we weigh vehicles as units or combinations of vehicles as units, whereas formerly we could estimate what the maximum would be for a vehicle by totalling the allowance on each axle. Then we applied that total to the overall vehicle, and weighed the vehicle, or combination of vehicles as a

unit. Having gone to this new limit, the highways will require, and we will require, and the law will have to enforce, the observance of that maximum per axle, and the loads will have to be weighed on an axle basis in the future.

You see a glaring example of the avoidance of that axle-loading principle today in the case, say, of the steel hauler, where you will have a tandem tractor and a tandem semi-trailer. That would be a tandem tandem, as we call it, with an allowance of about 74,000 pounds. And a 74,000 pound load, so far as the payload is concerned, is often seen riding over the last pair of axles, entirely concentrated on one pair of axles, and that will not be allowed in future under the new loading enforcement of the axle formula when we bring it out.

He raised the question to the member for Yorkview with respect to the upgrading of the maximum allowed on tri-axles.

Interjections by hon. members.

Hon. Mr. Haskett: Tri-axles were originally rated, I think, at 32,000 and up to 40 and 42,000. Now, under ideal conditions, use of tri-axles can allow a load maximized at three times 20, or 60,000 pounds, and the schedule in the Act shows how the allowable load escalates to a place where it does qualify for a total of 60,000 pounds. But that would be where there is a 192-inch spacing between the group of axles. So this formula that is laid out in section 9, I think it is, of the bill—and that portion of it will be section 163, subsection 2 of the Act—is a fairly complicated formula, but if the members would like I will deal briefly with it. It is found on page 7, and there you find that we are dealing with the maximum weight of an axle unit. That is computed in the formula where wm equals 20 plus 2.07 bm minus 0.0071 bm squared, where bm equals kb and wm is the axle group weight limit—

Hon. R. S. Welch (Provincial Secretary): Would the minister mind repeating that?

Hon. Mr. Haskett: —and bm is the equivalent base length of the axle group, and b is the base length between the extreme axle of the axle group. K is the parameter of the equation. Now I will not give the equation, but if any of the members want to I will take time to—

Mr. R. F. Nixon (Leader of the Opposition): We will keep the minister on. He is the best of the lot.

Hon. Mr. Haskett: This is what I would like to do for any members who would like a further dissertation on that parameter equation.

Mr. E. W. Martel (Sudbury East): Would the minister explain that to us?

Hon. Mr. Haskett: Yes, I would be glad to. I will have a class on this any day.

An hon. member: The minister is kidding!

Hon. Mr. Haskett: I would like to say two things in—

Mr. Nixon: I have heard of cabinet solidarity, but this is ridiculous.

Hon. Mr. Haskett: We are satisfied that that is the formula that has been worth waiting for. We have waited for it for a long time and we have a formula—

Interjection by an hon. member.

Hon. Mr. Haskett: Pardon? It is a formula that will maximize the allowable load on an axle. That requires, as I say, that the axle maximum be enforced.

Now lest there be any fear among the truckers that this is going to cause them some concern—

Interjection by an hon. member.

Hon. Mr. Haskett: —I can assure the House that we will be putting out the regulations with illustrations showing the most usual forms of vehicles and the weight that will apply to them. We are going to send to every registered owner of a vehicle an information sheet to be filled in with all the particulars and we will calculate the weight and return it to him with the—

An hon. member: In French—

Hon. Mr. Haskett: —figure for which the vehicle can be registered.

An hon. member: Do not count that in the same way as—

Hon. Mr. Haskett: Once this has been done, you will find that the manufacturers will start producing machines that will give their buyers the maximum use of the machines they are buying so that the payload will be at the top.

Interjections by hon. members.

Hon. Mr. Haskett: If there is anything further, I would be glad, sir—

Mr. Nixon: Another day, another nail in the Tory coffin.

Mr. B. Newman: This alone will defeat them.

Mr. Speaker: The motion is for second reading of Bill 164. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Can this bill be ordered for third reading?

Motion agreed to.

NORTHERN ONTARIO DEVELOPMENT CORPORATION

Hon. Mr. Randall moves second reading of Bill 168, An Act to incorporate the Northern Ontario Development Corporation.

Mr. Nixon: Mr. Speaker, I am glad the hon. minister is back in the House after so many days in order to pilot this important legislation through the chamber. We had understood earlier in the session that no special legislation would be required to implement the announcement of the Premier (Mr. Robarts) at the municipal-provincial conference some weeks ago when he said that there would be special provisions made for northern development and that there would be improved access to the EIO funds that are administered by the development agency that comes under the minister's jurisdiction.

We were surprised actually, in questioning the ministry, that as the questions were put to the new minister of northern affairs (Mr. A. F. Lawrence) he indicated that the Minister of Trade and Development (Mr. Randall) would be responsible; and that minister, when the questions were transferred to him, of course, said that the new minister of northern affairs would answer for this important departure in policy.

We are glad, however, that the democratic aspects of responsible government have brought this bill home to roost with The Department of Trade and Development and that the minister is introducing legislation which will establish a separate board—I cannot say a separate fund because they are drawing on the same funds as the equalization of industrial opportunity facilities draw on—but anyway the Minister of Trade and Development is responsible for this legislation.

We have a number of objections to it. The first has to do, of course, with the naming of the members of the board itself. The second section of the bill leaves the responsibility with the Lieutenant-Governor-in-Council to name not fewer than five and not more than nine members. If the minister follows true to his usual form these will be people selected because of their political reliability and will, in fact, add little if anything to the development of northern Ontario, which the minister well knows was an important political issue in 1967 and will continue to be so in the election campaign, which must now surely be only a few months away.

We on this side feel that the board should be composed entirely of northerners. We feel that northern people involved in the efforts to improve the northern community resent the fact that the control of their future rests with the ministry here at Queen's Park. And particularly, as I have so often said, with the fact that the minister who must share this responsibility, the new minister of northern affairs, has little or no experience with northern life nor the special needs of the northern community.

We feel that it is an error in judgement that the government has made again in feeling that northern development can be directed, and must be directed in the future, by the Minister of Trade and Development—because his efforts have been so ineffectual in the past.

I well recall the political circumstances in 1967 when the Premier in a speech in the Lakehead—Port Arthur I believe it was—announced in the dying days of the campaign that a programme called EIO—presumably named to appeal to the farm community—was going to be specially designed to improve the opportunity of northerners to share in the general economic development of the community called Ontario.

Since then of course we realize that EIO has had no special significance in the north, that most of the designation has been in the southern part of the province. And I am quick to say to you, sir, that parts of my own constituency of Brant have been so designated, although so far the assistance from the programme has been minimal.

But I think that the northern critics of the original programme had a great deal of validity in what they had to say when their feeling was that the funds allocated for this programme would be diluted to a great extent by the designation of certain areas elsewhere in the province. We, of course, agreed with these criticisms and voiced them at the time of the provincial election campaign in 1967. And I believe that it is significant, Mr. Speaker, for me to recall to your mind that the Conservative Party suffered substantial

losses in the northern part of the province. It was not reflected in all parts unfortunately, and I am afraid we must wait for another few months until we find the demise of that party will be complete.

Mr. R. F. Ruston (Essex-Kent): The handwriting is on the wall.

Hon. Mr. Welch: This is a pretty partisan contribution.

Mr. Nixon: Partisan nothing; I am talking about the principle of a very partisan bill.

I well recall, Mr. Speaker, the minister rising in the House and saying that the announcement that was made in a partisan vein by the Premier at the municipal conference a few weeks ago would not require special legislation because, of course, the development of the north was very close to the heart of the responsible minister. But of course he has acceded to pressures from the north—probably from those of his political persuasion who have pointed out to him that without special legislation the people of the north would realize that it was simply business as usual with the old Tory machine, and that nothing on an improved basis would be forthcoming.

Mr. Ruston: Pretty tired machine!

Mr. Nixon: Now section 2, as I say, leaves the responsibility with the minister to recommend to the Lieutenant-Governor the appointment of those members who will direct this fund; and as a matter of fact the fund has nothing special about it. It is simply the basic pool of money that is made available to the Minister of Trade and Development to spend as he sees fit in the development of the trade and economy of the province. I think it should be noted that a large percentage of these funds has been spent so far in an advertising campaign designed to persuade the good citizens of this province that all is well with The Department of Trade and Development and that all they have to do is to read those ads he has paid for with the $400,000 allocated for that purpose. And that the decision can be made not in the polling booths of the province, but in the advertising agency that responds to the directors of the Minister of Trade and Development.

Now, the Minister of Agriculture and Food (Mr. Stewart) is starting to clear his throat. Perhaps he will enter into this debate because he, along with the Minister of Trade and Development, are very guilty of a partisan approach to the solution of the more serious problems of this province.

Certainly if we are prepared to leave these decisions to the Minister of Trade and Development any longer it means that Ontario and the northern part of Ontario is in serious trouble indeed—because the political overtones that have been exemplified by this minister's statements, and his colleague, the new minister of northern affairs, bode ill for the proper, effective, fair development of the northern part of this province.

I believe that in the naming of the board which will advise the minister, or ODC—as this, of course, is the main operating body in this bill—that the minister would be well advised if he were to select from among those people in northern Ontario who could offer him such advice. It has been my feeling that the elected members from any political party from the northern constituencies should by virtue of their election have a place on such an advisory board. I think that, for too long, Tory politics have interfered with the development of northern Ontario. This bill, if it did include those elected members, would at least be a first step in the progress away from such a retrograde position that has interfered with northern development for so long.

I believe in a separate fund for northern development. It was our position in the 1967 election, and was opposed by the hon. members opposite. It was our position that such a fund be set up and that it be divorced from ODC and that it have northerners only directing its expenditure, so that the northern part of the province would have at least some hope of sharing in the general prosperity of this province. Certainly, we feel that this is still the position that the minister should take.

I, for one, would have felt that it would have been more consistent if the new minister of northern affairs had been responsible for this new legislation. In my view, the legislation is largely window dressing, simply to meet the criticism that has been forthcoming from this side, which has indicated that it was simply an extension of the ODC policy and the EIO programme, which was announced in the north some two-and-one-half years ago.

I am surprised that the minister has not been able to come up with something more progressive, something which would meet more directly the needs of northern Ontario. I know my colleagues have some comments to make on some specific approaches in this bill. But one matter I wanted to raise has to do with an approach which, I felt, merited much more substantial consideration during the debates than a similar matter in the campaign of 1967 and that is that the minister

should make use of the powers that are available to him in legislation in his department to make use, not only of public funds, but of private funds in the development of the north.

I believe that the necessity for entrepreneurs and, particularly, mining and forest developers, to turn to the markets of New York for capital is a major flaw in the economic development of Ontario, and that this minister is sadly remiss in his duties in that he has not brought forward a programme which would funnel the savings of our own people—the citizens of Canada and the residents of Ontario—in the development of the north.

This is a matter of grave concern to citizens in the north and elsewhere. The minister in his statements, based on the philosophy that a buck is a buck and he does not care where it comes from, surely does not reflect the views of the majority of the citizens of this province.

Now since this bill does construct a special group of people which is designed to advise the minister on northern development, and particularly the allocation of scarce funds, then we will support it. But I reflect, and I hope the minister will reflect, on the statements made by his predecessor, Robert Macaulay. I believe they were made while this minister was chairman of the Ontario Economic Council, that group which he himself seems to have substantially lost confidence in since he has left the chairmanship.

I remember the statement made by Mr. Macaulay when he was talking about northern development and he had an excellent point. He asked the House for $100 million not $7 million, which was about the extent of the funds that might be available for the development of the north, and he said when that is done we will ask for another $100 million.

I believe this minister has run out of initiative; that he has lost the progressive objective in his political associations and the conservative aspect has come to the fore. He knows that northern Ontario is not well served by the administration of this minister, nor by the new minister of northern affairs. That the administration is doing its best to counter the political losses are apparent to it in every reading that they take in northern Ontario, and obviously this bill is not going to meet the requirements.

Once again it is a half measure. It does not emphasize the involvement of the citizens of northern Ontario itself. It still leaves the responsibility in the hands of the Bay Street clique, and surely this is an offensive aspect that should be changed.

We believe that the minister, in putting this bill forward, is offering a piece of window dressing. It does emphasize within itself, within its sections, the fact that this Legislature is concerned with the development of northern Ontario. We on this side believe that the administration has been sadly lacking in responding effectively to this requirement. This bill meets the requirements, partially at least, by recognizing the needs of northern Ontario, but it is a very weak reed indeed upon which the administration is basing its approach to the people.

Mr. Speaker: The member for Sudbury East.

Mr. Martel: Mr. Speaker—

Mr. Ruston: Northern minister.

Mr. Martel: Mr. Speaker, I only learned recently how well off we were in the north. Coming from the north I did not realize we were that close to having full development. The creation of the department of northern affairs the other night and this bill just prove how wrong we northerners were. If you recall the other bill and the cost for development, there are about 55 people at a cost of $600,000, and we have got tonight's bill where, I am not sure if my recollection is correct, somewhere in the neighbourhood of $1 million might be spent in the first year.

If this is all that has been separating the north from full development, we in the north are not aware of it. We did not think we were that close to having the solution to full development of the north as close as the Tory government seems to think. When one sees in this bill that there are no new moneys really to be made available, one is led to the conclusion, as the Leader of the Opposition said, it is merely window dressing.

If we look at the EIO loans made to northern Ontario in the last number of years we find a little less than $6 million, creating some 974 jobs, and if we consider, I think, that was thrown around at maybe $1 million for the first year, at that rate we should be able to create another 163 jobs in northern Ontario.

Now that is a fantastic amount. It just indicates what I said earlier, that we did not know we were that close, in northern Ontario, to full development. I guess we are way out in our calculations.

It is disturbing that there is no new money. And my colleague, the member for Timiskaming (Mr. Jackson), about six months ago put

on the record one way of raising sufficient funds to finance such an undertaking. I just want to put briefly here just what he has indicated:

> The method of raising capital for such a fund would be by setting aside one per cent of the personal income tax and one per cent of the corporate income tax for the entire year, raising approximately $70 million.

Now, Mr. Minister, if we are going to talk about raising adequate capital to develop the north, this is the kind of money that it is going to necessitate; not $1 million and not $2 million. I think the Tory party still has not learned, after the 1967 election, that they are not going to go around and make promises in the north without delivering the goods. The sooner they realize it the better it is going to be, and the sooner they realize that the type of necessary for full development is greater than $1, the better their chances—and I made the prediction some time ago—of retaining two seats in the north would be enhanced.

Interjections by hon. members.

Mr. Martel: Mr. Speaker, there is another disturbing factor, and I would like to ask the minister—apparently nature has called; I am wondering, Mr. Speaker, if I can wait until the minister comes back? I do not like talking to an empty chair when I want a reply—

Mr. Speaker: If the hon. member wishes to discontinue his speech, then of course he cannot again participate in the debate on this bill.

Mr. Martel: Well, who will I speak to?

An hon. member: Speak to the chair.

Mr. Speaker: The hon. member always must address the Speaker.

Mr. Martel: But the Speaker is not going to answer me.

An hon. member: Neither is the minister.

Mr. Speaker: The hon. member is out of order.

Mr. Martel: Well, what else is new?

We are disappointed that the government would again see fit to make more appointments. If there is one thing the government might do in this case, it is go to the various municipal associations, whether they be the mining municipality associations or not—and there are three or four of these associations in northern Ontario—and the minister might just consider asking these associations to at least name half of those people to this board so that it is not simply a patronage board but rather made up of people in northern Ontario, recommended by those who are in charge of the various municipal associations in the north.

Hon. W. D. McKeough (Minister of Municipal Affairs): The member is preaching for a call.

Mr. Martel: No, I am not really. I will be around after the next election. Some of the minister's colleagues might not be though, and it looks like a job for some of them.

Hon. Mr. McKeough: The member will have his hands very full, though, looking after their new leader over there.

Mr. Nixon: Looking after what?

Hon. Mr. McKeough: His new leader.

Mr. Martel: Hopefully the minister could indicate whether the government would consider getting the variety of municipal associations to name at least half the delegates, or a slate of delegates, and the minister could pick from those delegates members to be named to this board. But to simply have another board created with appointments from Queen's Park certainly does not augur well for the residents of northern Ontario.

The minister might also consider, getting back to funds, the possibility that if we are going to provide capital, that it not be in the form of straight forgiveable loans but that the government might end up with an equity in some of the industries that might be developed as we bring full development to northern Ontario, rather than continue the manner of the forgiveable loans, or even the loans that just give us interest and money back. If we are going to foot part of the bill, it might be wise for us to have an equity in any of the industries that might be opened up, and thus the people of Ontario would share in the benefits of any new industrial development.

Finally, the minister might have indicated in this bill the possibility of something I mentioned to him during his estimates, introducing a study which would look into the feasibility of specialization in the development of industries related to the natural resources which are available. I think if we started to move in this realm, we might be able, as I said in the estimates, to get into lines like Sweden and other countries which specialize once they are able to obtain a market. In this way, we would make the natural resources industry much more viable.

But as the bill presently stands, it is merely window dressing. Unless the minister adds

something to this bill to make it representative of northern Ontario and not merely another gimmick, then I suggest that the whole intent of this bill will be just one more among the line of idle promises, and we have had those for years.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I would like to make just a few short remarks in regard to this bill.

As you are aware, we in this party put forward a few years ago a plan similar to this legislation, except that we felt that the people who were to be appointed to the corporation should consist, firstly, of members of the Legislature and representatives of all segments of the population in northern Ontario.

I cannot hear the Treasurer (Mr. MacNaughton).

Interjections by hon. members.

Mr. Speaker: Perhaps the hon. member will continue as he has been long enough in this House not to be disturbed by the oral interruptions.

Mr. R. S. Smith: I am not disturbed by them at all.

Interjections by hon. members.

Mr. R. S. Smith: I would just like to point out, Mr. Speaker, that the Treasurer said there were only two or three good members from his side who were from northern Ontario. I do not know what is the matter with the other three—the other three members they have from northern Ontario. Would he like to say what the problem is with them, or would he like to name them?

Interjections by hon. members.

Mr. Speaker: Perhaps the hon. member will come back to the principle of the bill.

Mr. R. S. Smith: That is part of the principle of the bill.

Mr. Speaker, I would just like to point out again, in spite of what the Treasurer says, that we feel that there are a goodly number of good members from northern Ontario, even among the party that he represents and whom he seems to hold in such disrepute. We would think that there might be one or two of his backbenchers who could be on the corporation as well, but we also feel that the other segments of northern Ontario should be represented. We feel that at least two of the members should be appointed by the municipal associations; firstly that of northeastern Ontario, and secondly that of northwestern. They should be given an opportunity to appoint members to the corporation. The labour councils in northern Ontario should also be given an opportunity to appoint members to the corporation.

I note that the previous speaker from the NDP party did not include that group as a group that should be represented on the corporation.

Mr. T. Reid (Scarborough East): He is not very bright!

Mr. R. S. Smith: I am sure it was an omission on his part. But I think that generally they overlook labour, after they feel they have them in their pockets, which is not really true.

The third group that should be represented on the corporation is the chamber of commerce. It would be simple to do that as there is both a northeastern and a northwestern chamber of commerce group that could be asked to appoint representatives.

I think in that way we would have members of the Legislature from all parties, the municipalities, the labour councils and the chambers of commerce. In that way we would have a representative group of people in northern Ontario rather than a narrow, politically-appointed group, as it seems to have been in the case of the other commissions and boards that sit in northern Ontario.

The next point I would like to make, Mr. Speaker, is the fact that this bill, as the previous speakers have pointed out, does not provide any new moneys to northern Ontario. It may change the administrative activities in regard to the moneys that will be provided, but certain portions of the bill indicate that the minister will still have strict control on what is done with those funds. I would point out that in section 6, subsection 1(c), the corporation will have the right to provide funds under the equalization of industrial opportunity programme. But in subsection 2 of that section approval of any area of equalization of Industrial Opportunity seems to be rescinded. It is indicated that those areas that are to be under the EIO programme will not be set out by the corporation, but rather the minister will still control what areas will receive assistance and what areas will not. It will still be operated out of his back pocket, just as the EIO programme has been operated over the past number of years.

So really there is not going to be a change to allow the corporation the right to make

the decision of where the money is to be spent and how it is to be spent in northern Ontario. It is going to make administrative decisions under the direction of the policy set out by the minister. We in this party would think that if we are going to set up a corporation in northern Ontario, that at least some of the policy decisions and some of the decisions as to where the money should be spent should be left with the corporation. I think that portion of the bill takes away from the powers of the corporation and the usefulness it might have.

Secondly, I believe that the new grants that have been brought forward for the tourist industry should also be brought under this Act, and those moneys should be given to the corporation to administer. At the present time, as I understand it, they are being administered by this minister and by the Ontario Development Corporation as well.

The amounts that were provided, $1 million for this fiscal year, will not do much good to most of the tourist operators, particularly in northern Ontario. The maximum loan of $50,000 is really a niggardly amount when you look at the amounts of money that are being poured into many other secondary industrial concerns in other parts of the province by the Ontario Development Corporation.

I should think then that the whole question of the appointment of the people to the corporation is essential; and that the minister should look at it in a non-political way and give representation to the people who really represent people in northern Ontario and not those who, because of their political allegiance, the minister feels deserve some kind of recognition. And specifically, that recognition usually costs the people of northern Ontario.

And I should think that the whole question of policy decisions should be left to the corporation—except perhaps for the amounts of money they are going to spend—because I realize that the government must control that. But the question of where the money is to be spent and on what grounds the applications are to be decided should be made by the corporation. If they are to operate under the regulations set out by the Ontario Development Corporation, then I do not see much difference in enacting this bill or not enacting it as far as the development in the north is concerned.

Mr. Speaker: The member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker.

I have gone over this bill several times to try to ascertain whether or not there will be any difference in the administration of the ODC funds that are available, either in a conventional way or through the EIO forgiveable loans, and for the life of me, Mr. Speaker, I see very little difference in the way money is being administered for northern development at the present time, or any changes that will be assured or guaranteed under this proposed legislation.

I notice in the bill that it says the affairs of the corporation will be administered by the board for the time being.

I am wondering if the minister is leaving unto himself the latitude whereby he might bring in some other kind of legislation where if things go sour he might consider changing the composition of the board, or he might consider some other kind of programme, lest this one be much less than what was desired at the present time.

The principle of the bill states that the objectives are to encourage and to assist in the development and diversification of industry in northern Ontario without limiting the generality of the provisions of financial assistance.

Mr. Speaker, I cannot for the life of me understand how this is going to materially change what the minister has said are the aims and objectives of the present plan. Heaven knows, the success of the EIO programme to date has been much less than spectacular when one considers that about 15 per cent of the moneys that have been provided by this plan to the present time have gone to northern Ontario while 85 per cent of it has been spent elsewhere.

Out of about 8,000 jobs that have been created by the EIO programme since 1967 less than 1,000 of those have been provided to the people in northern Ontario.

I am wondering what is going to change that in this bill. True enough we are going to have northerners on the board, but they are not going to be given any more money than was enjoyed before. There are not going to be any more incentives to attract industry than we have under the present EIO programme.

To my knowledge they have not been given any authority to review present mining holdings, present licences issued to lumber companies, to pulp and paper companies, to plywood mills.

There has been no special direction given to them with regard to the kind of meaningful assistance they might direct towards the tourist industry. I think it is fair to say that only one loan has been made available to the tourist industry since the inception of the EIO programme in the fall of 1967.

It is my understanding that not one loan has been made to a mining company under the EIO programme with the exception of some assistance to Selco in the Sioux Lookout area or in the Uchi Lake area to assist in the construction of a road.

It is true some loans have been made available to various secondary enterprises—mills, lumber mills and plywood mills—but there is no indication that this board of directors will be given an opportunity to review present mineral holdings that are left dormant because those people for their own good reasons choose not to exploit them and develop them for the benefit of people in the north. There is no indication that they will be released to people who are much more anxious to develop them for the benefit of communities, such as Geraldton, that need them so badly.

As a matter of fact when I suggested to the minister's colleague, the Minister of Mines (Mr. A. F. Lawrence), last week in a question to him that perhaps money from this fund would be made available to make a mineral exploration assistance plan available to that area so that we might assess the mineral potential and thereby assure the survival of a northern community such as Geraldton, an obvious service centre, an obvious growth centre—a centre that we cannot allow to die because it is absolutely essential to the survival of the whole area—it was suggested that nothing could be done until this legislation was brought in.

And yet, there is nothing in this legislation that would give us some reason to believe that the terms of reference within which this new board will operate will be any different from the present programme administered by this minister's department through EIO loans. There does not seem to be any difference other than the consultative services that will be available. It seems to me that you are only handing over this responsibility to people in the north, without assuring them that there will be a co-ordination of all departments of government in an attempt to foster regional development based on resources in the area.

There is really no evidence that there will be anything new that might happen as a result of this legislation. I do not see that it was designed to complement the existing EIO programme, something in addition to that, something more of an incentive to offer to people of northern Ontario over and above what is offered to most places in Ontario by the present EIO programme.

I would be all for this legislation, and be the first to applaud the minister for having introduced it, but there is really nothing in it that indicates to me that there is going to be anything different from what presently exists in the programme.

I do notice that the loan clause is restricted to a maximum of $500,000 which is the same maximum figure in the EIO programme. As the minister well knows, $500,000 is precious little when one considers that to establish a major industry based on a resource in northern Ontario, it is going to take considerably more than that. If it is going to provide the kind of assistance to the mining industry that is so badly needed in northern Ontario. It becomes quite evident that the kind of money that is going to attract a major mining enterprise or a major steel processing plant in northern Ontario close to the supply of hundreds of millions of tons of iron ore, the provisions of such a programme are going to have to be much more generous than what is outlined in this bill. So, Mr. Speaker, from my point of view, I am very disappointed in this kind of legislation, and unless the minister has a few aces up his sleeve, unless the terms of reference and the spirit of co-operation is much greater than it has been to date, I see very little hope of this programme having much success.

I hope I am wrong because if there was ever a time and if there was ever a place when governmental assistance is so badly needed, it is in northern Ontario and it is now. When you consider towns like Geraldton and Beardmore—

An hon. member: And Macdermott.

Mr. Stokes: —Macdermott, a good many of these towns that are based on a non-renewable resource, it becomes obvious that this government has a responsibility to step in and assist to the greatest extent possible the kind of development that is necessary, based on resources in the area.

And in areas where we do not know what the resource potential is, I think it is incumbent upon this minister, through this programme, to make a complete assessment and make sure that we have all the facts and that we do not miss any opportunities to develop resources around existing communities before we allow them to die and

waste away the services that have cost millions of dollars both in government money and in individual money. Then we walk away from them and allow them to spring up at considerable expense elsewhere, many miles away, based on another deposit of a non-renewable resource.

I think this is the kind of thing that this minister must take into consideration when he establishes this kind of fund. He must make the terms of reference sufficiently broad so that money could be used in unusual ways to meet unusual circumstances, to meet unusual kinds of problems that people and small communities have in the north. They are having an ever increasing problem in providing the kind of resources, the kind of capital to provide services that people have come to expect in this day and age.

The only way you are going to do it is by taking the burden off the property owner and providing the kind of commercial and industrial assessment to make it possible for them to afford the kind of services that are so badly needed in northern communities. We lack so many of the amenities and so many of the services that are taken for granted in more affluent parts of the province.

I am hoping, when the minister responds to the remarks of members from this side of the House, that he can give us some assurance that this bill is fostering the kind of action that will provide for the kind of development that is needed in northern Ontario, based on those resources. And that the provisions of the legislation and the latitude given to the corporation and the kind of funds that will be made available are flexible and generous enough to do the things that should be done in northern Ontario.

Mr. Speaker: The member for Kenora has the floor.

Hon. Mr. McKeough: The member made a good speech.

Mr. L. Bernier (Kenora): Mr. Speaker, I want to say a few words on the introduction of this particular bill. First, I want to compliment the minister; I think he has answered the call of many northern organizations. I know I have been here for some three, three and a half years now; every organization that has come down to Queen's Park has asked for a development corporation such as the minister is introducing tonight.

Certainly the opposition members who have spoken this evening—many of them are northern members—they disappoint me considerably. I—

Mr. Nixon: They are preaching for calls to the board.

Mr. Bernier: If some of the northern people could hear what they have said tonight they would be very disappointed indeed. Because they will take credit for anything that happens in this corporation; they will be glad to jump on the bandwagon when things happen. But tonight they are so busy tearing down and pleading gloom and doom. You would think, Mr. Speaker, that northern Ontario was "Lower Slobbovia"; that it was the boondocks and things were really terrible up there. I get really disappointed—

An hon. member: A poor excuse!

Mr. Nixon: Why is it that they think the member is a good northerner?

Mr. Bernier: Things are really going ahead in northern Ontario. Things are going ahead; do not let them kid you, things are happening. I invite you to come up to the Kenora riding and see.

Mr. Nixon: I knew the member before he sold out.

Mr. Bernier: The Ontario Development Corporation has assisted practically every community in my riding.

Mr. Nixon: Why was the hon. member not made minister of northern affairs?

Mr. Bernier: And certainly the setting up of this particular development corporation will just add that much more.

Mr. Nixon: I thought the hon. member said they had forgotten Kenora.

Mr. Bernier: No, I did not.

Mr. Nixon: The member said that.

Mr. Bernier: I just want to make a brief comment, Mr. Speaker, on summing up on the board for the development corporation. I notice the Act says the board will be made up of five and not more than nine members.

Mr. Nixon: Now we get to it.

Mr. Bernier: I do hope the minister will consider making this a full nine-man board. As the member for Nipissing has pointed out we want a—

Mr. Nixon: That is right. There ought to be $1,000 a year in it for the hon. member.

Mr. Bernier: We want a broad representation. The area that this board covers is quite a large area, it covers all of northern Ontario—the districts of Algoma, Cochrane, Manitoulin, Nipissing, Sudbury, Timiskaming. The great riding of Kenora—my good friend's riding; Rainy River and—

Mr. Nixon: They might move the hon. member over to the other side.

Mr. Bernier: —Thunder Bay; and I think that we must have a nine-man board to give us broad representation from all these areas, and—

Hon. Mr. McKeough: Hear, hear!

Mr. Bernier: —certainly they will be picked from all fields and all walks of life.

Mr. Nixon: And all parties!

Mr. Bernier: I also am concerned about the aspect of the Indian co-ops in our area. I do hope that maybe not the initial appointee, but maybe some consideration will be given to appointing an Indian to the board of directors. I think, as time goes on, we will see the development of Indian co-ops and we will be providing assistance to the Indian people on their reserves. Certainly this is something that we should consider.

Mr. Speaker, I just want to re-emphasize that I will have—I do have right now—every faith in the board members who will be appointed to this corporation. I know that as northerners—

Mr. Stokes: Do you know who they are?

Mr. Bernier: —they will guarantee that we get the best for our area—

Mr. Stokes: Does the member know who they are?

Mr. Bernier: —I am certain of that. I want to end up by saying that I want to compliment the minister again. Certainly, he has all the support and the help of the member for Kenora.

Mr. Speaker: The member for Port Arthur.

Mr. R. H. Knight (Port Arthur): Mr. Speaker, it is a pleasure to rise on the opposition side of this House and speak in favour of something, instead of against it, for once.

I certainly want to speak in favour of the principle of this bill which I understand to be to establish a vehicle to channel—

Interjections by hon. members.

Mr. Knight: —more industry, more money and more jobs into northern Ontario. And since I first arrived in northern Ontario in 1959, it seems to me that is what the people have been talking about, and so the idea is good. It is a really good idea, and how it is handled I do not think anyone in this House is going to really decide. I think that northern board is going to decide exactly.

Interjections by hon. members.

Mr. Knight: I would like to see the legislation broad enough so that it can be amended when it has to be. The one thing that bothers me a bit is that where you mention the number of members that are going to be on this board, you do not put northern, so it is not nailed down in this bill that the members of the board of directors will be from the north. But it is nailed down in *Hansard* where the hon. minister, in answer to questions from myself and others, has stated this board of directors will be definitely from the north. So I would not like to see the announcement come out that there are five members from Toronto on this board and three from northern Ontario.

I just have to presume, and inasmuch as the minister has promised this is the way it is going to be it is going to be that way. I am all for the principle, but I am just wondering about the practicality of this thing. After all, if it is 900 miles from, say, Thunder Bay to Toronto, it is also about 1,000 miles from Kenora to Sudbury, and I was wondering how this board is going to be able to meet often and do a good thorough job. After all, regardless of what we put down on paper here in this House, it is going to be the way that this group of members, the board of directors, handles this thing.

I expect to see a real crackerjack group here, really going right to town, and meeting very often, but I do not know how they are going to do it. If you are going to have a good cross-section of representation across northern Ontario, where are they going to meet, how often are they going to meet? I think the suggestion of the manager of the northern Ontario development council, Mr. Lackie Phillips, is still the best one, and that is that it be at least split into two divisions—one for northeastern Ontario and one for northwestern Ontario. I do not see how this board can really serve a real practical purpose the way it is now.

I also think that the problems, the development problems of northeastern and northwestern Ontario, are quite different, and

it might very well call for two different types of groups to handle this thing properly. I must say I am disappointed not to see that indicated in the bill from the outset, because you are starting the hard way. You are going to have one board of five to nine members for that entire area and I think you are going to be starting very slowly and in a very sluggish way. I think they are going to have a lot of difficulty in meeting often, and the result is going to be sort of a bureaucracy.

I suppose in management of the corporation, the underlings will pretty well handle things, and the board of directors will meet possibly a couple of times a year and smoke cigars and put their signature wherever it belongs.

You know, I really think that you should recognize—

Mr. Nixon: The minister of northern affairs will fly up to proceed—

Mr. Knight: —the many thousands, the hundreds of thousands of square miles that are involved there, and split that area into two parts.

In any event, Mr. Speaker, I am personally on my feet to support the minister. It has been a long time coming. We have got to get a start somewhere, and at least this is a start, and I look forward to the minister and his department following through on his two major commitments; number one, that the board of directors will be composed of northerners and northerners will finally handle these matters themselves; and number two, that the number of loans that will be made in the north will be unlimited.

That is what the minister told me when I discussed this during the estimates of his department. He said, "The number of loans will be unlimited", and I, therefore, have to assume that the amount of money available also will be unlimited, perhaps not for each industry, but in the overall thing. Whatever is required to keep pace with the requests for loans up there will be made available. So I expect to see these two things happen, and with that hope in mind I certainly support the principle of the bill.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker, I have just a few brief comments on this bill.

In prefacing my remarks, Mr. Speaker, I often find it difficult to read the *Hansards* dealing with northern affairs, and especially those of the speeches of the member of Kenora, and contrast the remarks we have heard recently with the comments he first made when he came down to this Legislature some three and a half years ago. At that time, he came down here and he was rather a radical backbencher and said that northern Ontario was not getting enough of the productivity from the government—

Hon. A. Grossman (Minister of Correctional Services): Well now they are, because of his actions things have changed.

Mr. Nixon: He is fighting for his political life.

Hon. Mr. Grossman: He is a good man and he got things done.

Mr. T. P. Reid: Well, Mr. Speaker, as the Prime Minister is often wont to say, I can tell by the barking on the other side that I touched a sore spot.

Interjections by hon. members.

Mr. T. P. Reid: I can say to you, Mr. Speaker, that the people of the north elect the members to come down to Toronto, not to be apologists for the government, but to stand up and ask for and demand of this government the services and the requirements that we need in northern Ontario.

I say to the member for Kenora, Mr. Speaker, that I think that he should read his speeches from three and a half years ago when he had not been bought by the government opposite.

Mr. Nixon: Those were good speeches.

Hon. G. A. Kerr (Minister of Energy and Resources Management): He would be proud to—

Mr. T. P. Reid: Now he has a nice little office—

Mr. Speaker: Order!

Mr. T. P. Reid: —across the hall from the Legislature—

Mr. Speaker: Order! Let us get back to the bill.

Mr. T. P. Reid: —in nothing that this government does, can they do any wrong.

Mr. Nixon: He has had his price and it was very low. He should have held out for the department of northern affairs.

Mr. T. P. Reid: Mr. Speaker, I preface my remarks with that comment, because I am surprised that the very intent of this bill, or what I thought would have been the intent of this bill, is not contained in the legislation. Bill 168 does not guarantee, Mr. Speaker, that the representation on the board of directors of the northern Ontario development corporation are, in fact, going to be northerners. Surely, what we are here to do in this bill is to make sure that the northern Ontario development corporation is run by northerners who now live and are residents in the north and know the problems of the north and the particular situation.

The Minister of Trade and Development, Mr. Speaker, on many occasions, in answers to criticisms from this side has said, "I am the minister. I am on the spot. I know what the particular problems of this specific case are."

Mr. Speaker, I digress for a minute to say that the member for Sudbury East was complaining not 15 minutes ago, that the Minister of Trade and Development was not listening to him and there he is now, Mr. Speaker, occupying the minister's attention while I am trying to make a point. However, I am sure the member for St. Andrew-St. Patrick (Mr. Grossman) will agree one only needs half an ear to listen to the member for Sudbury East to try to figure out what he is saying.

Hon. Mr. Grossman: Whatever the member is going to say I am not going to agree with.

Hon. Mr. Kerr: He is reading his speech from *Hansard*.

Mr. T. P. Reid: I reiterate, Mr. Speaker, because perhaps the Minister of Trade and Development did not hear me.

The point of this bill, I was under the impression after what the minister said in this House, was that the northern Ontario development corporation was to be run by northerners. That was the whole point; otherwise it is just window dressing. Yet in this legislation there is nothing to indicate that any of the members of the board of directors—whether they be five, six, seven, eight or nine—that any of them in fact come from northern Ontario. And I say to you, Mr. Speaker, and I serve notice on the government, that we are going to have to put this bill, especially section 2, through the Committee of the Whole House for amendments that will guarantee that those directors come from northern Ontario—perhaps with the exception of the vice-president of the Ontario Development Corporation, who is an ex-officio member, but that—

Interjection by an hon. member.

Mr. T. P. Reid: We will not argue with that, but I am surprised that the member for Kenora, who is supposed to be the great party spokesman in this government for northern affairs, did not bring that to their attention and allowed the minister to come in with a half-baked bill. But it does not surprise us on this side because less than two weeks ago, when the government gave its intention of bringing in a bill such as this—which, incidentally, is a pure steal from the Liberal platform of the last election—

Interjections by some hon. members.

Mr. T. P. Reid: If you will read our campaign literature, the very words "northern Ontario development corporation" are part of the Liberal platform—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. T. P. Reid: —to be run by and for northern Ontario, and it is there in black and white for you to read. Now, usually the Minister of Trade and Development does not have that much imagination even to steal ideas from the other parties, especially this one, but after three years the idea finally filtered through and he brought this bill forward. But he neglected the most important part of the bill, and that is that northern members, or northern people, should be the ones directing the affairs of the corporation; otherwise the bill does not mean anything. It does not mean a thing.

As I say, Mr. Speaker, we are going to amend this bill to ensure that the people on the corporation are residents in northern Ontario.

Interjection by an hon. member.

Mr. T. Reid: Well the minister was at Bay Street.

Mr. T. P. Reid: Now we have the interjection from that great northerner, the minister of mines and northern affairs. He is not even north of Bay Street, Mr. Speaker, that is how far north he is.

Mr. Speaker: Perhaps the hon. member will return to the principle of the bill.

Mr. T. P. Reid: Mr. Speaker, I am glad but I was provoked again; the minister of

mines and northern affairs is always provoking me.

But he raises a good point, Mr. Speaker, because the principle of the bill setting up the department of mines and northern affairs was to co-ordinate all services and to provide a communication system with Queen's Park and the people in the north, and the very next thing we hear is that the Minister of Trade and Development announces the intention of the government to bring in this bill. Subsequently, we asked the minister in this Legislature, the minister of mines and northern affairs, if he is going to be responsible for this legislation, and he says, "No, it is not going to be I" in his impeccable English.

He does not even speak like a northerner, you see. He said, "No, not I; it is going to be the Minister of Trade and Development"; who sounds more like a northerner all the time.

Subsequent to that, as a matter of fact the very next day, and this shows you the cabinet co-ordination, we asked the Minister of Trade and Development, "Are you going to bring in the legislation?" He said, "Who, I?"—actually, he said, "Who, me?"—he said, "No, the minister of mines and northern affairs is going to bring it in".

Now this is the kind of co-ordination that we have within the cabinet. There is a suspicion, and there was in the bill we debated in this House yesterday of the minister of mines and northern affairs, as to how concerned this government is about northern affairs.

When we examine the bill—and I am sure the minister of mines and northern affairs is not going to appoint 25 civil servants from Renfrew South or Renfrew North or the southeastern section of the province to be northern Ontario liaison officers—and yet the next piece of legislation we have dealing with the north does not provide that the very principle of the bill will be lived up to by ensuring that people from the north will serve on this board.

So as I have said, Mr. Speaker, we serve notice we will amend this bill to make it read as it sensibly should, because without that amendment in there, Mr. Speaker, the bill is nothing but more political propaganda put out by the Minister of Trade and Development.

Mr. Speaker, there are just two other matters I would like to deal with in connection with the principle of the bill, that is the representation on the board of the people themselves, or where these representatives will be drawn from. Now, I accept it as a first principle of this bill that the people on this board will be resident in northern Ontario, and I hope that the minister himself will bring in that amendment. But I believe my colleague from Nipissing has already outlined in fair detail, as has the Leader of the Opposition, where these representatives from northern communities should be drawn.

We mentioned the northwestern chamber of commerce, the northwestern municipal association, but any of these northern corporations or clubs or organizations that represent a broad spectrum of the people of the north I think should be allowed to at least nominate somebody from within their organization or from within the north itself to serve on this board.

One further point, Mr. Speaker. I hope that when the minister rises in his place tonight to defend this legislation, that he will outline for the edification of the House how the NODC will tie in with the federal plan.

There is a great deal of confusion presently in the province as to how the federal-regional development plan and the EIO plan of Ontario dovetail. I would hope that as a matter of education for the members of this chamber perhaps the Minister of Trade and Development could lay down some guidelines, could give us an indication of the reconciliation he has come to with Ottawa in this regard and whether or not the northern Ontario development corporation will follow the same kind of guidelines and fit in the same way with the federal-regional plan.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, in this bill I hope that the oversight of the fact that these directors are to be northerners is just a slip. I would hope that the minister will make sure that these people who are directors are northerners.

Afte all, the minister himself has never been known as a person who is terribly friendly to the north and he really will need somebody to liaise with the people of the north to get a better image for this government up there through this department.

It is interesting to note that in this bill there is provision for a vice-chairman, and this vice-chairman is to be ex-officio a member of this corporation. I would suspect that this is a way the government has of providing

another moonlighting job for one of their own MPPs.

Mr. Bernier: Here, here; do not talk like that!

Mr. Ferrier: I am just wondering if the hon. member for Kenora, who has made that interjection, will be first in line for the job.

If these men are northerners, I would be disappointed if this government continues its policy of appointing those who are loyal to the Tory party to fill all these kind of jobs, because I think there must be a diversity of people in the north on this board.

It has been mentioned that we should have a representative of labour and education and others—agriculture I suppose. With the small board as it is, it will not be possible to have every group represented. But I hope it will not be all the big business establishment people of the north.

After all, some of these big businessmen in the northeast have not been as friendly and as helpful to the north as they ought to have been.

Not too long ago, the major shareholder who controlled Northland Trust Company decided for one reason or another that he had to sell his shares. He put them up on the market for northerners to buy and he gave a time limit when he had to sell. There were northern businessmen who had the money to buy these shares but they thought that this man was not intent in selling them. They thought that if they went beyond this deadline they could get the shares at a cheaper rate. As a result, they did not pick up the shares at the right time.

The man sold his portion, the controlling interest in Northland Trust, to Golddale Investments here in Toronto, and you had another northern company that was serving the people of the north no longer in the control of northerners.

And so, as I say, the people who are appointed to this board of directors must come from more than the business community if the true interests of the north are to be represented. There must be other segments of the population represented, and I suggest that they should be picked for their ability and not for their true blue Tory colours.

Mr. E. Dunlop (York-Forest Hill): We always specify where people come from.

Mr. Ferrier: Not necessarily. I have not found it. You should come up to the north to see the good people of the north and you would not find that that many of them are Tories. I do not think this bill is going to do terribly much for the north. It seems to me that it is going to be a continuation of the legislation that is already in effect, only it is going to be administered by a corporation that is supposedly northern. There is no extra money allocated for this. A prominent Tory, who has now got the nomination in Nipissing riding, said before the last election that all the northerners get from Queen's Park are the crumbs under the table. This kind of legislation is going to perpetuate that kind of situation.

Interjections by hon. members.

Mr. Ferrier: If the man was totally sensible, he would not be running under the Tory banner at this point.

Hon. A. F. Lawrence (Minister of Mines): Things have changed.

Interjections by hon. members.

Mr. Speaker: Order, order!

Mr. Ferrier: Mr. Speaker, the EIO programme has not helped that much to develop the north. Other members have said exactly how many loans have been made available, and certainly the bulk of them have not been going to northern Ontario. Hopefully, if we get the right people on the board of directors and they are more aggressive, then this idea can become more operative and we might get some extra help from it.

I would also like to see more provision made for some of the small businessmen in the north. This has been one of the failures of this department up until this point, that small businessmen trying to expand their operations have never been able to get the kind of assistance from government that the big businesses have, and I think that there is a need here that should be considered in this bill.

I would also of course like to see, as a socialist, that provision would be made for crown corporations to be formed to develop industries in the north. I have been told by regional development officers at the federal level that northeastern Ontario could support a meat-packing plant, that the conditions are there for market and supply, and so on, where, if it was operated on a sound financial basis, this would be a viable industry. There was one there and it was not operated on a sound financial basis and so it went under, but I would hope that this kind of development corporation would have enough scope to be

able to go ahead and to operate in this kind of a field, if possible.

I notice in this bill that one of the objects of the corporation is the provision of site, equipment, premises, facilities and services. Now, after the northern development conferences of last September in my own area, the request was made by the municipalities of Porcupine that the minister give provision to providing legislation or the opportunity of building industrial parks in those areas of northern Ontario where secondary industry could come in and be made viable.

I hope that what the minister has spelled out in this bill is one of the objectives—the provision of the site—and that this is what he has in mind, and that this will be one thing that will be proceeded with that will put northern communities on a better footing.

I would have hoped that this commission would have been given some direction as to the study of freight rates. Freight rates have been the big factor in killing secondary industry in the north. It comes up at every development conference. The Prime Minister rose in his place near the end of the last session and said, "Yes, we have got to make a study, we have got to do something about it." Well I hope that maybe they will quit talking and will do something, and perhaps this corporation will spearhead the movement.

As I say, we in the north think that it is a great country up there. We have got the natural resources, we have got good schools, we have got clean water and good air, but we desperately need secondary industry to broaden and diversify our economy to provide for growth needed there. I have not seen secondary industry in northern Ontario in all the years that I have lived there. We have talked about it and pleaded for it. We have done everything under the sun and it has not come under this government.

If one is the eternal optimist as the Minister of Lands and Forests (Mr. Brunelle) always is, maybe we can hope that this will be the thing that will give us that added push and help that will really open up the north and do the job that we have been wanting for so long.

My inclination is that this government has not produced in the past and I am very sceptical that it will produce on this score. But if I was to be proved wrong on this point and this was the agency that really made the north develop its potential, well, I would be wonderfully happy. I just wish that the government would prove me wrong at this point.

These are about the only remarks that I wish to make at this point. We hope it goes, but we are sceptical that it will.

Mr. Speaker: The hon. member for Scarborough East.

Hon. Mr. Grossman: Now we have a northerner.

Mr. T. Reid: Yes, Mr. Speaker, the Ontario northern development corporation, we believe, should be an instrument of policy; it should not be an excuse for a policy. I think what we need is a basic minimum, some agreement or some statement from the minister on broad policy guidelines for this development corporation for the north. I think he should spell out the principles of such a policy; and then given such policy, the parameters, the purposes and nature of the Ontario northern development corporation could fall into perspective. But without such a perspective, Mr. Speaker, the ONDC may become a liability and not a bright initiative at all for northern development in Ontario. I would like to spell out in terms of the principles of the bill some of the ideas that I have been discussing with other members in the Liberal Party over the past three or four months concerning the principle, if you like, that the Ontario northern development corporation should have stated in terms of its objectives a principle concerning the Canadianization of the economy in this province. I would like to spell that out to the minister.

I think we should try to clarify its role because, essentially, this bill that the minister has introduced in this House does not contain anything different from the Ontario Development Corporation itself, except to say that it is going to have a special body looking after northern Ontario.

Well let us try to clarify its role.

Hon. C. S. MacNaughton (Treasurer): Just vote against it instead of talking about it.

Mr. T. Reid: Should it be a provincial corporation or should it perhaps be a gigantic mutual fund?

Hon. Mr. MacNaughton: If the member does not like it vote against it.

Mr. T. Reid: Should it be government controlled or should it simply have a government minority interest?

An hon. member: Trust him, the hon. minister may learn something.

Mr. T. Reid: Should it be a passive holding company or should it be an active management partner?

Should it be concerned with buy backs and pre-emptive purchases, or with future investments, or all three? Should it be a pool of entrepreneurial talent? Should it be an agent, if you like, of Canadianization? Just what does this minister mean by the ONDC, Mr. Speaker? What are its purposes?

I would let the minister know that we on this side would like to see as a principle in the bill, Mr. Speaker, a specific objective that this provincial government will take a firm and positive position on the question of U.S. control and economic domination over decision-making in this province. We would like to see that principle incorporated in the bill.

Now let me spell out, if you like, a conceptual framework in which the principles of the bill can be clearly seen.

Hon. Mr. Grossman: Is this the same old Liberal party of free trade and no chauvinism? Let us vote, the hon. members could cause a war if they keep that up.

Mr. T. Reid: We are talking, Mr. Speaker, I would like to put my remarks into this context. We are talking about the regulation, or should be talking about in this bill, the regulation of foreign decision-making control.

But that principle ought not to be an end in itself. That principle in this bill, which is omitted in the minister's legislation, must be considered, if you like, as part of a total industrial policy for northern Ontario in terms of the Ontario and Canadian contexts.

I suggest to the minister that there should be two general propositions lying at the basis of this bill which are not lying at the basis of this bill at the present time.

First, we need to adopt an industrial policy which is expansionary, entrepreneurial, outward-looking, future-oriented, and research-supported. Perhaps I should not underestimate the minister on this, Mr. Speaker. I think perhaps that principle is included in this bill.

Secondly, and this is where I disagree, our future prosperity and standard of living will depend, as it has in the past, on the development of our natural resources, their processing under our control, and on the competitiveness of our other manufacturing industries.

That second principle, or objective, as I spell it out, is not contained, as I see it, in this bill.

Underlying these two objectives are nine subprinciples. Some of them are contained in this bill, but the key essential ones relating to American economic domination and decision-making control in northern Ontario are not contained.

Mr. Speaker: I should point out to the hon. member that we are debating the principle of this particular bill, and for the hon. member to introduce many things that are not in the bill is out of order. We can debate only the bill that is before us.

Mr. T. Reid: Right, Mr. Speaker. I would like to point my remarks in this context of this bill.

In my opinion, a principle of this bill is to increase the degree and extent of U.S. economic ownership and decision-making control in northern Ontario.

Hon. Mr. Grossman: Holy cow! You have to have pretty good imagination for that—

Mr. T. Reid: That is a clear principle in this bill.

Mr. Speaker: There is no such principle enumerated in the bill.

Mr. T. Reid: The principle is there. The principle of this bill, Mr. Speaker, is that there is no distinction whatsoever between Canadian entrepreneurship and non-residential or non-Canadian entrepreneurship. There is in this bill, a principle that there is no distinction in terms of loans as to whether a person is a Canadian or whether they are American or non-resident or resident.

Hon. Mr. Grossman: Why does the member not just declare war on the United States?

Mr. T. Reid: There is no principle in this bill, Mr. Speaker, that differentiates a government policy based on a principle—

Mr. Speaker: If it is not in the bill, the hon. member should not be discussing it.

Mr. T. Reid: The principle of this bill states clearly that money will be lent to any Charley-come-lately that applies.

An hon. member: Charley-come-lately?

Mr. T. Reid: Charley-come-lately.

Interjections by hon. members.

Hon. Mr. Grossman: You know that was one of the causes of the last war—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. T. Reid: Mr. Speaker, I would like to continue because I believe that there is a basic principle in this bill that amounts to a sellout to the Americans in northern Ontario. That is in this bill, and I wish to speak to that principle, because I object to that exclusive concern with economic development and growth regardless of the consequences on who owns and controls the decision-making in key industries in northern Ontario. That is a fundamental principle, sir, and I would like to continue my remarks and I shall try to keep them as short as I can.

Interjections by hon. members.

Mr. T. Reid: I would like to say this bill does incorporate the following principle which I accept. That principle is that we should adopt policies which will improve and extend the efficiency and competitiveness of industries located in northern Ontario. I can see that as being incorporated in the bill as an economic principle.

Second—and this is not incorporated in the bill—we should encourage the development of Canadian-controlled corporations, including existing and potential multinational Canadian-controlled corporations.

Third, I think that this bill should differentiate—as it does not differentiate—as a matter of principle, among three different types of foreign investments. One, investment in a resource industry; two, the establishment of branch plants and wholly-owned subsidiaries, particularly of U.S.-owned corporations; and third, the takeover of existing corporations.

I think we should adopt different ways of dealing with each situation and this bill, Mr. Speaker, does not adopt different approaches to those three types of corporations.

I suggest to the minister as a matter of principle that in relation to resource-based industries he should adopt explicitly in this bill that all future developments should have a 50 per cent Canadian participation rate in terms of equity ownership and voting rights. The other 50 per cent can be in the hands of one owner or many, but there should be, in terms of this programme of the northern Ontario development corporation relating to resource-based industries, clear and explicit criteria.

Mr. Speaker: Well the hon. member is expressing his own opinion as to what should be in the bill. It is not in the bill.

We can only discuss the matters that are in the bill as a principle of the bill. I would ask the hon. member to refrain from referring to principles that are not in the bill.

Mr. T. Reid: Mr. Speaker, I would like to argue it this way then. To bring it in context of this debate that this bill contains a principle that resource-based industry in northern Ontario can be—that the loans can be made to completely wholly-owned American subsidiaries up north.

That is a principle of this bill and I am saying that I object to that principle. It is clearly in this bill.

Hon. S. J. Randall (Minister of Trade and Development): It is not a principle of this bill.

Mr. T. Reid: It is. There is nothing in here that says that the minister—

Hon. Mr. Randall: Where does it say that?

Mr. T. Reid: It says that the minister will lend money "to persons carrying on any industrial undertaking in northern Ontario where, in the opinion of the board, the funds and circumstances are not available elsewhere on reasonable terms."

Mr. Speaker: And that is the limit of the clause and the principle in this bill in that respect. The hon. member will refrain from any further reference to the matters he was discussing previously.

Mr. H. Peacock: (Windsor West): Mr. Speaker, on a point of order. I would ask you to rule whether the word "person" in the clause cited by the member for Scarborough East includes a person or corporation envisaged by this Act, and includes a person or corporation, resident or non-resident, in the province of Ontario.

Mr. Speaker: I see no obligation upon the Speaker to rule on a definition within the bill.

Mr. Peacock: Then please, Mr. Speaker, do not try to rule the member out of order that he is not relevant to the principle of the bill.

Mr. Speaker: I wish to point out to the members of the House that when we are debating a principle of a bill we debate the matters that are contained in that bill, not principles or matters that are not in the bill or that other hon. members believe should

be in the bill. They can introduce their own bill, if they wish to, to introduce new principles; but we are debating only the principle in the bill before us.

Mr. Peacock: Do not push us just because it is late.

Mr. Speaker: I did not hear that.

Mr. Peacock: Mr. Speaker, with respect I say to you, do not push us just because it is late.

Mr. Speaker: I still did not hear that. I did not recognize the hon. member. He is out of order.

The hon. member for Scarborough East.

Mr. T. Reid: Well, Mr. Speaker, it looks like you are going to have to deal with two of us and I am going to stand up until you throw me out. And I am going to tell you this—

Interjections by hon. members.

Mr. T. Reid: Look, I happen to be part of this—

Mr. Speaker: Order!

Mr. T. Reid: I happen to see this minister as continuing to bring up policies raised under the Ontario Development Corporation.

Interjections by hon. members.

Mr. T. Reid: Mr. Speaker, let me try to put it like this—

Interjections by hon. members.

Mr. T. Reid: Mr. Speaker, let me try to clarify the matter like this.

Hon. Mr. Grossman: The member is not going to fool the public with that garbage.

Mr. T. Reid: Well, we will see.

Mr. Speaker, would it be proper to ask the minister at this point, without losing the floor, whether his definition of "a person" under subsection (1) a) of section 6 includes a non-resident or includes someone who is a non-Canadian? If I can have that established then I think I can argue that I am not debating out of order.

Mr. Speaker: It would be out of order for the hon. minister to reply at this point.

Mr. T. Reid: In that case, Mr. Speaker, I will argue that my interpretation of that section is that a person refers to a Canadian; that a person refers also to a resident of Ontario or Canada; and that it also includes a resident of another country, but that it also includes an American citizen or a citizen of another country, either corporate or person. If that is the case, I object to the principle included in that definition of a person, because it includes, without discrimination, American investors in Ontario.

And I argue very strongly that if I can make that definition and the minister cannot stand up and refute it, that therefore I am completely in order to discuss the question of American penetration, control and ownership of very many resources in northern Ontario. I would like to say that that is a fundamental principle of this bill to which I object. If you rule me out of order, sir, I do not know how you can do it.

Mr. R. D. Rowe (Northumberland): Vote against it.

Mr. Speaker: Well, if I rule the hon. member out of order and he persists, I will apply Rule 17.

The hon. member has requested the minister to provide information which is out of order in this debate. However, for clarification purposes, if the minister wishes to provide the information he may do so.

Mr. T. Reid: Could I ask the minister whether the term, a person, includes people who are neither resident nor citizens of Ontario or of Canada?

Hon. Mr. Randall: Mr. Speaker, the answer is yes, the same as in the ODC Act. If a person comes from any part of the world and wants to open a business in the province of Ontario, he will get the same opportunity, the same service. Until the federal government brings down a national policy, this policy stays.

Mr. R. Haggerty (Welland South): Leave the federal out of it.

Mr. T. Reid: Mr. Speaker, I would respectfully suggest—

Hon. J. Yaremko (Minister of Social and Family Services): There are no walls around Canada. We need people and we need their money.

Hon. Mr. Grossman: That used to be the Liberal policy.

Hon. Mr. Yaremko: Is the hon. member for people coming in or is he against people coming in? Is he not for people coming in barehanded and for people coming in with resources?

Mr. T. Reid: Mr. Speaker, could I allow the government members to continue, because they have established the fact that there is a principle in this bill to which we object?

Hon. J. R. Simonett (Minister of Public Works): The hon. member has said that three times.

Hon. Mr. Grossman: Four times.

Mr. T. Reid: Mr. Speaker has not accepted it yet. Mr. Speaker, I would say that in the light of the minister's reply to my question, there is a principle in this bill that an American can get grants from him. Americans can get all the benefits of the Ontario northern development corporation just like they have received—

Hon. Mr. Randall: Does the member object to the German or French, or do we provide them with just certain things?

Mr. T. Reid: No. Just as the Ontario Development Corporation has made grants regardless of the criteria of citizenship or residentiality. Now the minister and I understand one another on this, Mr. Speaker, and we disagree. And that is fine.

Mr. P. D. Lawlor (Lakeshore): Do not count on it.

Mr. T. Reid: We disagree on a principle of the operation of the Ontario northern development corporation. Therefore, Mr. Speaker, I would like to spell out, quite briefly I hope, the reasons why we disagree with the fundamental principle incorporated in this bill.

Mr. Speaker: In my opinion, that is not the principle of this bill.

Mr. T. Reid: Well, Mr. Speaker, I think the implementation of this bill should seek to minimize the erosion of the proportion of Canadian ownership in foreign controlled key Canadian companies located in Ontario that are not already exclusively foreign-owned. We should prescribe measures which will encourage, over a period of time, the repatriation of Canadian control in this province. We need, in short, Mr. Speaker, to encourage the inflow of modern technology from the United States and other countries by the extensive use of patent purchases and joint ventures which are alternatives to direct investment and heavy foreign ownership and control.

I do not see in this bill the concept that the minister will actively pursue foreign technology and foreign investment that are of the form and type that do not result in foreign ownership of shares which results in foreign control of decision-making in those companies.

Hon. Mr. Grossman: The hon. member had better read the history of the 30s and find out how we got into wars with other nations.

Mr. T. Reid: I suggest, Mr. Speaker, that if the minister adopted such policy principles or guidelines in this bill that a clear and precise role could be formulated for the Ontario northern development corporation. It would become one of the instruments of policy, not simply a sterile vehicle for the transfer of funds. A northern Ontario development corporation in these terms would have a supporting role to the private sector. In effect, it would be a lender or investor of last resort.

For example, under what we propose—a 50 per cent Canadian equity participation guideline for the Ontario northern development corporation and also the resource development project — entrepreneurs would have to choose Canadian partners. This they would likely do from the private sector, and we would hope that they would do so from the private sector. They would be under no obligation to deal with the Ontario northern development corporation. If, however, they could not find sufficient private capital in Ontario or in Canada to make up the 50 per cent, they would have recourse to the Ontario northern development corporation.

Hon. Mr. Grossman: No wonder the member's friend from Rainy River left this debate.

Mr. T. Reid: Now such a role for the Ontario northern development corporation would not be punitive in the retroactive or expropriation sense, and it should not frighten foreign capital away.

Mr. Speaker: Order!

The hon. member is making too many references to matters that are not in the bill.

Hon. Mr. MacNaughton: I hope he is not. I hope it is just his own.

Hon. Mr. Grossman: What about "directors of education" coming from the United States? That is not important, I guess that is only the education of our children.

Mr. T. Reid: Mr. Speaker, I very rarely quit, but I will on this occasion. But I just tell you this. I tell this government this—

Hon. Mr. Simonett: The member is not ahead either.

Mr. T. Reid: I will just tell you this, Mr. Speaker—

An hon. member: We are ahead in Sharbot Lake.

Mr. T. Reid: I will just tell you this, that this Minister of Trade and Development, unlike the minister of mines and northern affairs and unlike the Minister of Education (Mr. Davis), is more than any other cabinet minister in any other provincial or federal cabinet, responsible for the increasing U.S. ownership and—

Mr. Speaker: The hon. member is out of order; completely out of order.

Hon. Mr. Grossman: He is consistently out of order!

Mr. T. Reid: I just say, Mr. Speaker, that through this bill he is setting up another instrument for the sellout—

Mr. Speaker: Order, order!

The hon. member is out of order. He will discontinue that type of debate.

Hon. Mr. MacNaughton: I hope they send you up north.

Mr. T. Reid: I will conclude, Mr. Speaker—

Hon. Mr. Kerr: Good, good!

Mr. T. Reid: I am absolutely appalled, if you like, that this minister who has emerged as the leading economic spokesman for the government, who completely swamps the Treasury in terms of economic policy formation, that this minister has—and he is honest about it, I must admit—

Hon. Mr. MacNaughton: I support his policy.

Mr. T. Reid: —wants to bring in through this Ontario development corporation, the northern branch of it, more American money and more—

Mr. Speaker: The hon. member is out of order and he knows it. I ask him to discontinue.

Hon. Mr. Kerr: Let us have that conclusion.

Interjections by hon. members.

Mr. T. Reid: Mr. Speaker, section 5 says this:

> The objects of the corporation are to encourage and assist in the development and diversification of industry in northern Ontario.

I say, Mr. Speaker, with great respect—and I do respect the Deputy Speaker very much, and that is probably why I am going to shut up—does this government really believe in a Canada for Canadians? There should be included in that objective, that preference should be given to Canadian companies operating in northern Ontario. And it should be in there!

Some hon. members: Hear, hear!

Mr. T. Reid: It is just like this government selling out crown land—through the Ontario northern development corporation, instead of—

Mr. Speaker: Order!

I have instructed the hon. member on several occasions to discontinue that sort of debate. This is the last time I will so instruct him. The hon. member for Windsor West.

Mr. Peacock: Mr. Speaker, I want to apologize for having interjected in an angry voice a little earlier. I will endeavour to confine myself to your rulings. It is not that late yet and our best debates do not really get started until after 12 o'clock, but nonetheless I will endeavour very briefly to speak of two deficiencies which I see in the bill.

The first is that the powers granted under section 6 of the ODC north bill, Bill 168, are considerably narrower than the powers granted to the original Ontario Development Corporation, whose object of course originally encompassed this very area that we are talking about this evening within the scope of Bill 168. And I question seriously whether, despite the probable appointment of northerners to the board of directors of ODC north, that this crown agency will do any better at the development of the north than has its predecessor, the Ontario Development Corporation.

I say that because, as I have pointed out, the powers to be given by this Legislature to ODC north are so much narrower than the powers given to the Ontario Development Corporation back in 1966. In that bill, I believe many of the objects that members tonight have called for to be the objects of this ODC north bill could have been achieved. They were spelled out in the original ODC north—sorry, the original ODC bill. Had the Minister of Trade and Development chosen to exercise them, he could have.

In this bill before us tonight, ODC north, he does not even give the new organization the powers of its predecessor.

I suggest that without those powers, ODC north will not be able to bring about that more rapid development of the north, that expansion of the secondary manufacturing base, the assistance to basic resource and tourist industries that have been so long neglected by the Minister of Trade and Development and have only been marginally assisted through the budget statement of the Treasurer of Ontario this year, and that none of the objects in clause 6 is going to be undertaken, given the attitude of the Minister of Trade and Development and given the philosophy of his government, in all the respects to which members have been addressing themselves this evening, even to those which you have lately ruled to be out of order and which I believe are relevant to the objects of ODC north.

Now, Mr. Speaker, if the minister or yourself were to compare the objects of ODC north as expressed in clause 6 with those of chapter 81 of the Statutes of Ontario for 1966 as amended, I think you would agree that there is a very serious deficiency in this area; that despite the generality of the language, setting out the purposes and the objects of ODC north in section 6, ODC will not in fact be able to take an equity position in a corporation to which it is granting moneys. It is one of the very grave deficiencies that I think exists in the bill and one of the cardinal mechanisms that I think an organization such as ODC north must have if it is to succeed.

The second deficiency which I see, Mr. Chairman, is that the tools of management advisory staffs, and the skills of officers to be employed by ODC north to vet applications for loans and grants under EIO will be the same as those that we have already examined in the estimates of the Minister of Trade and Development recently.

That programme as it applies to the north and as it will be assumed by ODC north, I think, has failed. There is nothing in this bill which substantially alters the workings of this kind of development corporation from its predecessor; that will give us hope by its operations, by its philosophy, by its staffing, by its advisory facilities and by its ability to lend capital—because it does not have the ability to take a capital equity position—that it will be any more able than ODC to promote development in the north.

For instance, since the inception of the EIO programme, the Minister of Trade and Development told us just a few weeks ago that of 234 loan approvals under the EIO programme, which I assume ODC north will now take over in respect to the northern region of the province, only 74 have been fully disbursed in the amount of $9.8 million.

Another 51 loans as of March 31 had been partially disbursed in the amount of a little over $5 million. The balance of approved loans in that period from the inception of the programme of the EIO under The Ontario Development Corporation yet to be disbursed was $20 million. So that over that entire period of time from just before the 1967 election campaign to March 31 of this year, the bulk of the activity of the Ontario Development Corporation, some of which is now to be passed into the hands of ODC north, was all on paper; was on paper.

Only a small proportion had gone into bricks and mortar and the installation of machinery. I doubt the capacity of ODC north under this legislation to speed up that process given the historic difficulties that we have heard spoken of so much in this House about attracting development to the north. Something more is going to be needed in this legislation to win the northerners the right to share in the prosperity of this province than we have before us in this bill.

We may not have any community in northern Ontario as desperately economically blighted as the city of Cornwall in eastern Ontario. I hesitate to use the extreme adjectives to describe its state because the people there face enough difficulty already as the minister has told us in trying to pull their community back up out of this trough of economic depression that it has been in for so long.

But there must across northern Ontario be many communities in the same plight. We discovered during the consideration of the minister's estimates that his EIO programme in the city of Cornwall had run out of the mimeograph machine stream of press releases about loan applications and loan approvals and we found that only half of them had actually gone into bricks and mortar and the installation of machinery.

Two had been paid out to two textile concerns that were very shortly to be adversely affected by tariff and other economic factors so that the net effect of the EIO support under ODC to those two industries was a net loss of employment. Two more loans had been completely withdrawn and two more were shelved.

Hon. Mr. Randall: We have been over this in the estimates. The member is just—

Mr. Peacock: Right, right. I am not discussing the estimates.

Hon. Mr. Randall: The member is not proving anything.

Mr. Peacock: I am not discussing the estimates. I am attempting to prove something, Mr. Speaker, in saying to you that the past records of ODC in a situation such as Cornwall, which I believe to be analogous to the north—not to the same degree but analogous—would show us that this legislation does not give ODC the effective tools with which to cope with that kind of need.

All we will see from ODC north is more of the same that we have got from Ontario development corporation — many announcements, but far short of the actual fulfillment of what those announcements have forecast.

That is why, Mr. Speaker, I feel that the members in this House from northern Ontario will be watching the way in which this legislation is implemented far more carefully than we have watched the implementation of the ODC programme; because of its far greater concern to that particular part of the province and the importance of this programme under ODC north for that part of the province.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Speaker, you and your deputy will have become aware that there is a lot of nervousness over on this side with respect to the things that are in this bill and the shortcomings that may or may not be in the bill. I am not going to repeat the things that have been said up to this point.

I do want to say that I want very badly to support this bill, and I want very badly and seriously to be able to tell the people of Algoma-Manitoulin that I did support this bill, and that for various reasons—some of which may not be very complimentary—this government has a new awareness, there is no question about that, of the need and the potential of the north.

I would like even to be able to hope that during these long seven years I have had a part in helping to develop that awareness.

I would also like to be able to tell the people of Algoma-Manitoulin that the board will be made up of northern people and that they will be elected, proven and dedicated proponents of northern Ontario—the people who have shown by their many, many efforts and their many, many trips down to 950 Yonge Street that they are concerned. I hope that the board and the new branch will recognize them and be prepared to work with them rather than acting simply and absolutely through an appointed board that may not have any association with elected people.

These are the things that I want to be able to tell the people of Algoma-Manitoulin, and I am hoping that members of the House will support the small amendment that is being offered here tonight with respect to the appointments on the board.

I want to suggest to this minister that first of all there is no great excitement in northern Ontario over this bill, or the announcements that have preceded this bill, except perhaps with the editors of some of the media in the north who are well known supporters of this government. There is a reason why there is no great excitement in the north, and that is that many groups, individuals and organizations have come down to 950 Yonge Street with very little success.

This is well known. Now they are wondering, when they come down to 950 Yonge Street, whether they go to a door marked "south" and walk past and go to a door marked "north" and walk in; and in fact just what is going to be the action that takes place when they do come down here in the same way that they have for years.

So this minister and this bill have got to produce some real and immediate and outstanding action; if not, let me say that the Conservative Party has lost what I consider its last chance to be accepted as a party really interested in northern Ontario. They cannot continue to build the people up like this and let them down again. That has been done too often and it cannot happen again or this will be the end.

So that is a small warning that I make as I tell you, Mr. Speaker, that I am prepared to do what I can to support the bill and to assist in the implementation in the principle of this bill.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have three points I would like to make about this bill based upon my 21 years in the business of trying to attract development in Canadian projects.

First of all, I am sorry that this bill does not envisage share capital. I think that it is important that people have an opportunity to make a direct investment in a corporation, especially here where we have a corporation developing a special portion of the province, where we really do want to have domestic ownership encouraged. There is nothing like

having a direct investment opportunity for the public rather than a very vague public ownership through a government development corporation.

The second point I suggest is that if we have a share capital corporation, directors should be required to invest an important portion of their own assets in the enterprise. To have a board that does not have a major personal stake in the enterprise means that you have an apathetic board that will really not take the same interest in the enterprise as otherwise would. There is nothing that compensates for putting your money where your mouth is. And if people say they are prepared to go on the board and represent people, they should have some sort of personal stake in it so that they take a very much more meaningful interest in what happens to the corporation.

In addition to that advantage, the directors will take a far more independent position and a far more responsible role in directing the policy of the corporation. As it now stands they will really have a nominal role to play compared to what they would assume, and insist upon assuming, were they to have a substantial personal investment.

The last point I make is this: That if we had such a corporation, where we had directors from the area with a substantial personal investment at stake in it, we could then assume that anything these directors did in the way of making an investment in some northern enterprise we would assume that they would pay very careful attention to the worth of that enterprise, to the risk that they are taking, and investigate whether it is going to be a reasonable risk or not.

If they have made a major investment—say to the extent of 25 per cent of whatever that new enterprise's capital requirements are—such an investment should then be the same as getting an automatic approval from the Ontario Securities Commission for other offerings on the same basis to the public. In other words, we would have had a group of knowledgeable experts involved in approval of the project.

One of the major problems that face people who are trying to develop enterprises in northern Ontario is their physical distance from Bay Street and from the headquarters of our development corporation. Were we to have a board of directors composed of northern Ontario residents, with a major personal stake in this development corporation, then any investment that they made would certainly be one that should be in the same position as any offering which is approved by the Ontario Securities Commission.

It would mean that any enterprise seeking capital would save itself a great deal of red tape by having an investment made by this corporation. So I bring those three points before the Minister, hoping that he will give consideration in due course to incorporating those in this enterprise.

Mr. Speaker: Is there any other member who wishes to engage in this debate before the Minister closes it? The hon. Minister has the floor.

Hon. Mr. Randall: Mr. Speaker, after listening through the members over here I am reminded of that old story that everybody wants to go to heaven, but nobody wants to die.

Mr. Nixon: Tell us about that story.

Hon. Mr. Randall: They all want the bill but they want to tear it apart. And outside from the hon. member for Algoma-Manitoulin and the member from Kenora, they all sound to me like fugitives from Bates and Dodd's undertaking parlour when talking about the north. You would think the north is gone. You would think the north was dead.

Mr. Nixon: Which undertaking parlour? I do not want to miss any of these pearls.

Hon. Mr. Randall: Now, Mr. Speaker, let me just see if I can—

Interjections by hon. members.

Hon. Mr. Randall: —see if I can just calm the fears of my friends over here so that they can go home tonight and sleep—

An hon. member: This is not a good day for opposition leaders.

Hon. Mr. Randall: After 3 o'clock—I guess they get home tonight.

An hon. member: This is a bad day for opposition.

Hon. Mr. Randall: I am a man of few words, a man of a few words—

Interjections by hon. members.

Hon. Mr. Randall: I will talk fast and if you will listen fast—I hope you do not get through before I do.

Mr. T. P. Reid: If you put your mind in gear before you put your tongue in gear—

Interjections by hon. members.

Hon. Mr. Randall: Same goes for you my pet.

Mr. T. P. Reid: Quit running your motor; let us have some effective talk—

Mr. Speaker: Order, order!

Hon. Mr. Randall: Mr. Speaker, may I assure the hon. members from northern Ontario that the northern Ontario development corporation was established on exactly the same basis as the ODC corporation, with the understanding—the explicit understanding—that all members of the board would be northerners with exception of one man—

Mr. T. P. Reid: Why not put it in the legislation?

Hon. Mr. Randall: It does not need to go in the bill. You have my assurance and the government's assurance—all the rest will be northerners on the board—

Mr. T. P. Reid: You will pardon us if we are a little sceptical.

Hon. Mr. Randall: —with the exception of one man, which will be the vice-president of the Ontario Development Corporation, to get it started.

Mr. T. P. Reid: Why not put it in the legislation?

Hon. Mr. Randall: We do not have to put it into the legislation. We know exactly what we are going to do. The bill was set up for northern Ontario and this does not have to go in the bill.

Mr. T. P. Reid: We will give you some names.

Hon. Mr. Randall: Ah, yes we are. You send in the names; let me have them. Send in your nominees.

Mr. T. P. Reid: Yes.

Interjections by hon. members.

Hon. Mr. Randall: I will put them in the hat and I assure you we will take a look at them.

Interjections by hon. members.

Hon. Mr. Randall: Now, Mr. Speaker—

Mr. Nixon: You would not even give him a job at the liquor store.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Speaker, I have listened very patiently all night and I hope they are going to listen to me.

Mr. Nixon: Oh, do not hand us that line.

Hon. Mr. Randall: I even listened to the member for Scarborough East who gets all his research off secondhand laundry tickets.

An hon. member: The back side of them.

Mr. Nixon: Well, the minister ought to understand Japanese; he is over there enough.

Hon. Mr. Randall: I do.

Mr. Speaker: We have had considerable trouble dealing with the principle of this bill and I hope the Minister will also now deal with the principle of the bill.

Mr. Stokes: It is a very important bill; I wish he would be serious about it.

Hon. Mr. Randall: Mr. Speaker, I want to assure the hon. members we are going to have northerners on the board and that the NORDC is set up to serve northern Ontario in the same way as ODC has served it in the past and we hope with a great deal more emphasis on the things that will affect northern Ontario.

Now if I said there was no unemployment in northern Ontario, that would not be a correct statement. There is not as much unemployment in northern Ontario as we are led to believe, but there is a lack of development in northern Ontario and that is the reason we—

Mr. Ferrier: The minister has not been up there.

Hon. Mr. Randall: —and that is the reason why we want the northern Ontario development corporation to put funds into new industries.

Let me assure my hon. friends that because you set up a corporation and you appoint a board of nine directors, and they have funds available, there is no assurance that you are going to get factories day after day after day. The applications have to come forward; they have to find these people.

Mr. T. P. Reid: We understand.

Hon. Mr. Randall: No, the member does not understand it. He has been waving magic wands all night.

Interjections by hon. members.

Hon. Mr. Randall: The member does not understand it. I am just trying to tell him not to look for any magic results overnight.

Mr. Speaker, may I also suggest to my hon. friends that there will be ample funds in this corporation. The funds will be taken from ODC this year, and next year at this time the hon. members will have the opportunity of voting special funds, for the northern Ontario development corporation and we can talk about sums of money. But I would just like to suggest that the funds we have for ODC now are unlimited and the funds for the northern Ontario development corporation will be the same way. There is no fixed amount and I have never been turned down by the hon. Treasurer or the Treasury Board on any funds I required either for ODC or the EIO programme, so I do not have to worry about funds.

There was some comment made about there not being enough in the bill compared to ODC. The only thing that has been left out of ODC is the basis of taking securities, and the securities will be handled for the northern Ontario development corporation by ODC, which has the staff to do it. ODC will look after it. ODC will be the credit; ODC will take the funds. They will do all the paper work for the northern Ontario development corporation but that board of directors will make the decisions. That is where the decisions for loans and applications will be made, not down at ODC. So you might as well make up your minds about what is going to happen. I will assure the House this is what is going to happen. So there are certain funds available for northern Ontario to be handled by northerners.

Mr. T. P. Reid: Are the criteria going to be the same?

Hon. Mr. Randall: No. The criteria are much wider for the northern Ontario development corporation, and you mentioned mining companies tonight; you perhaps mentioned pulp mills and a number of other companies. Well, you bring them in and we will be glad to look at them. Anything in northern Ontario will be looked at by the northern Ontario development corporation.

Mr. Knight: Where will they meet?

Hon. Mr. Randall: If you will just wait a minute I will tell you. We are going to have an office in Thunder Bay—that will make you happy—and we are going to have an office either in Timmins or Kirkland Lake, with four people in those two offices—two men in each office—working for ODC. There will also be a trade counsellor from The Department of Trade and Development in both those offices, and this week I opened up a trade office in Minneapolis to work with the northern Ontario offices. I am sure you read the speech.

Mr. Stokes: And he never even invited a representative from northern Ontario to go with him.

Hon. Mr. Randall: As I say, we opened it up. It is ready to go. Now, give me your co-operation and you are bound to get industries.

Hon. Mr. Grossman: But they do not want money from Minneapolis.

Hon. Mr. Randall: Mr. Speaker, let me assure the hon. Leader of the Opposition that we are not going to make partisan appointments to the board of directors. We do not ask what a man's politics are when he joins any boards on this side of the House—I can assure you of that.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Speaker, I can see that my opposition friends have turned a deaf ear to any remarks of the minister but I am going to keep on talking for a few minutes. The comment was made that the EIO programme has done nothing for northern Ontario; Mr. Speaker, I want to assure the hon. members and they know themselves this is not right. A $45-million programme has gone into Fort Frances in the last few months.

Interjections by hon. members.

Hon. Mr. Randall: That is right—into Fort Frances, which will give employment to 400 or 500 more people in that area. And the loans that we have made to northern Ontario, even though they may be 15 per cent, they have been hard businesses to get into northern Ontario; you do not wave any magic wand, and my friends know it.

Hon. Mr. Grossman: Any American money in that loan?

Hon. Mr. Randall: I do not think so.

Hon. Mr. Grossman: Well, we should close the plant up then.

Mr. Stokes: There are $2 billion of wealth siphoned from northern Ontario every year. You close it up and we die in northern Ontario.

Hon. Mr. Grossman: That is what we are talking about. They say: "close it up because there is American money in it." You fellows think we should not accept any American money.

Mr. Ferrier: And Canadian money, too.

Hon. Mr. Yaremko: You mean it is American money generating money for Toronto, is that it?

Hon. Mr. Grossman: We just do not like the flag wavers.

Hon. Mr. Randall: Mr. Speaker, somebody mentioned tourist funds. I want to show the hon. members that the tourist funds we have will also be shared with the north through ODC and through The Department of Tourism and Information. I am sure that next year, if more money can be used in tourism, it will be voted in this Legislature for it and the northern Ontario development corporation.

Mr. T. P. Reid: How does this plan fit in with the federal plan?

Hon. Mr. Randall: I will be glad to cover that in just a minute. As I said, Mr. Speaker, and I am again speaking to the member for Sudbury East, the funds are going to be available, as I pointed out a moment ago. There will be ample funds for the northern Ontario development corporation and, insofar as equities in companies are concerned, which was mentioned by the hon. member for York North, this is under consideration. We are taking a look at it. Perhaps this will be a possibility in the not too distant future. As for the meeting of the board of directors, brought up by the hon. member for Port Arthur, I think if we have a board of nine people we will have to set it up as two committees. One will work in the eastern part of northern Ontario, one in the northwestern part. They will get together as often as they are needed and those nine directors can set up their own working committees and look after the affairs of all northern Ontario, I think, very adequately without having to travel backward and forward.

But our own people are in there; our own trade officers are in there and our own northern Ontario development corporation officers are in there. We will be in very good shape to serve the people of the north. I would like to suggest, Mr. Speaker, that when the hon. member for Scarborough East was speaking about the investment in industries going into American corporations, he did not mention French or English or Irish or Scottish or German—

Mr. T. Reid: No objection.

Hon. Mr. Randall: —he just picked out the American industries and I deprecate his very anti-American attitude. It is a hate programme that I think we can do without.

Mr. Speaker: May I suggest, that the Deputy Speaker ruled, I think quite properly, that this was not a matter for discussion—

Hon. Mr. Randall: Well, he spent an hour telling about that.

Mr. Speaker, Yes, I understand that.

Mr. T. P. Reid: That is creative Canadianism.

Hon. Mr. Randall: Let me just say, Mr. Speaker, for his benefit, when the federal government decides what they are going to do about foreign investment, that is when ODC and the northern Ontario development corporation and this government will make a decision.

Mr. T. Reid: Why does the minister not act first?

Mr. Nixon: He knows what they did about the uranium industry.

Hon. Mr. Randall: I would suggest that, if you want to bring in an amendment to say that no American investment is allowed in northern Ontario, bring in the amendment and we will have a party.

Hon. A. F. Lawrence: No, we do not know what they did about the uranium industry.

Mr. Nixon: They said that Stephen Roman could not sell it to American interests. Where have you been?

Hon. A. F. Lawrence: Is that what they said?

Hon. Mr. McKeough: Ask the member behind you.

Hon. Mr. Randall: I know I am interfering with the debate. I will go and sit down in a minute and you fellows can carry on.

Mr. Speaker, in my estimation and my experience with the ODC, I know that this bill that we are introducing tonight will cover all the things that the hon. members across the hall, as well as ourselves, want to see in northern Ontario.

Mr. Nixon: Progress, that is right.

Hon. Mr. Randall: I just want to point out, once more, that because we do not duplicate

all the bodies that we have in ODC in northern Ontario, it does not mean to say that they do not have an Act that they can live and expand northern Ontario with. And as they require the staff, they will get the staff. Perhaps a year from now they will have 32 consultants, the same as we have in ODC. But, in the meantime, this bill, Mr. Speaker, will do all the things that the hon. members over there have been asking for in the last year. It is just what we want to put in ourselves. I am sure that they will take credit for the bill. As soon as it is introduced—they will take credit for the bill.

Mr. T. P. Reid: The minister has stolen it from our platform.

Hon. Mr. Randall: I know they will highly endorse it and it will not have to go to the Committee of the Whole House; but right now they will—

Mr. Nixon: Oh, yes, it will.

Hon. Mr. Randall: They would not want to see it delayed, Mr. Speaker. I know they would not want to see it delayed. If they want to prove it right now—

An hon. member: Hear, hear!

Hon. Mr. Randall: —they would not want to delay it because if its gets into the Committee of the Whole House, we will not get out of here until 6 o'clock tomorrow morning. If it does not go to third reading, then we will have to blame them for the bill not going through.

Mr. T. P. Reid: That is blackmail.

Mr. Martel: Do we have time for a coffee break now?

Hon. Mr. Randall: We are now working with the federal authorities on incentives for northern Ontario. Wherever the incentive is greater, whether it be federal or provincial, the difference is made up by them or by ourselves. If a man can earn $500,000 and we grant him $500,000 then the federal loan is not used. If the federal authorities say, well on our basis you can only earn $300,000 we make up the difference. Northern Ontario development corporation will work exactly the same way.

Mr. T. P. Reid: But do they have to go to the federal government first?

Hon. Mr. Randall: We suggest they go there and—

Mr. T. P. Reid: That is where the delay comes in.

Hon. Mr. Randall: We suggest that they can go anywhere they like. They can go to the federal authorities if the programme is available. If they can get more funds by going to the federal authorities I think they would be damn fools if they did not go.

Mr. Speaker: The motion is for second reading of Bill 168; is it the pleasure of the House the motion carries?

Motion agreed to; second reading of the bill.

Hon. Mr. Yaremko: Unanimously!

Mr. Speaker: Shall this bill be ordered for third reading?

Committee of the whole House.

Agreed.

THE AGRICULTURAL SOCIETIES ACT

Hon. Mr. Grossman, in the absence of Hon. Mr. Stewart, moves second reading of Bill 160, An Act to amend The Agricultural Societies Act.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a few comments with respect to this bill—

Hon. Mr. McKeough: Are they all necessary?

Mr. Gaunt: I do not know whether it is necessary or not, but I have been doing a lot of listening and I want my chance too.

Mr. Nixon: He listened very carefully while the minister spoke.

Hon. Mr. McKeough: I accept that.

Mr. Gaunt: Mr. Speaker, there are really two principles in this bill, both of which we agree with, I might add.

I understand that the first principle with respect to the bill involves a housekeeping procedure that was triggered by the federal government's amendments to the Criminal Code. As I understand it, at that time the federal government amended the Criminal Code and Mr. Pratt of the federal Department of Agriculture consequently informed all of the agricultural societies across the province that this amendment had taken place and that they would be then able to get charters from the Ontario government. As it turned out, there were no such charters

available. I understand he did not recognize that, nor did he recognize the fact that horse racing was not one of the objects in the bill, and so this bill is an attempt to broaden that and to correct that situation.

The other part of the bill with which we agree is the fact that the limit is being raised from $500 to $1,000 for any fall fair which is rained out or experiences a fire or any disaster of that type. I think this is very necessary.

The fall fairs, a good many of them, have been experiencing considerable financial strain in recent years. Their costs have gone up the same as all the other costs which we experience. I certainly think that that is a move in the right direction. There are one or two questions which I pose to the minister with respect to the bill. I know in some cases where agriculture societies have written in to the head of the branch asking that they be granted a charter. The director, upon receipt of that request, then wrote to Ottawa and said that the fall fair was established and in good standing prior to 1912. Upon receipt of that letter the federal government issues a so-called licence or charter to a fall fair which so applies.

I know that a number of the fall fairs have actually lent those charters to other racing establishments in order to increase the number of days which they can race. I wonder if, in fact—and I am not fully conversant with the grants and how they will be set up with respect to tracks—a fall fair receives a racing charter for a period of two or three days, where it can carry on parimutuel betting and so forth, is the department going to give grants on the same basis as the other features of the fall fair to improve the track conditions? This I do not know and I pose the question to the minister because as a matter of interest I would like to know.

I think there might be a number of fall fairs which would be interested in improving their track facilities and conduct the horse-racing *per se*, not only on the day of the fall fair but also perhaps one or two days prior and one or two days after the fall fair has taken place.

Mr. Nixon: Well, Mr. Speaker, the hon. member raises a very good point because the Treasurer, in his budget or his estimates, has asked for a considerable amount of money which would be used to improve the facilities in just such circumstances. I think that the point that has been raised by the member for Huron-Bruce is a very important and valid one. One would hope that through this Act there would be substantial funds made available for the improvement of racing facilities, the type that have already been described.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I would like to say just a word. I am sure the executive of the Wilmot Township Agricultural Society will be grateful for the passage of the bill that will, in fact, validate their charter. Their charter is one of the older ones in the province and originally New Hamburg was the home of the Canadian Pacing Derby some 50 years ago.

They were of course concerned, as were other agricultural societies, when the Criminal Code was changed on the federal level, that their charter did not include horseracing as an object of the society, which was necessary if they were to be able to carry on parimutuel betting.

The matter raised by the member for Huron-Bruce I think is one which perhaps the Provincial Treasurer should concern himself with, and that is those that are racing under this as casual racing and under seven days, receive little or nothing from the provincial government grant of $1.8 million which goes towards the promotion of the breed and also to the track. It is the larger tracks—

Mr. Nixon: And for equine research.

Mr. Good: It is the larger tracks that are getting all the money. The small tracks which are racing under seven days, received only $19,000 of that grant last year and the amount was considered so small that in fact it was not even distributed.

Mr. Nixon: Very unfair distribution!

Mr. Good: So this is something about which I have spoken previously, but now the fact that the charters of the small agricultural societies can be validated by the inclusion of, or the extension of, the objects of the societies to include the holding of horse-racing or trials of the speed of horses as part of their object will be received with gladness by the agricultural societies in my areas, I know.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister?

The Treasurer.

Hon. Mr. MacNaughton: Mr. Speaker, I might be able to shed a little bit of light on

this. It will be recalled I think by the Leader of the Opposition and those members who were in the House either two or three years ago—I forget just which session it was—when certain amendments were made at that time to permit racing outside of the large tracks—those owned by the Jockey Club, shall we, say, and Windsor and Western Fair. These amendments were worked out by the federal Department of Agriculture at that time and the Ontario Racing Commission, which provided for class B racing in three circuits in the province.

The matter was debated at some length in the House at that time and generally concurred in. In the final analysis the result of it was that those agricultural societies possessing charters dated prior to 1912 were recognized—

Interjection by an hon. member.

Hon. Mr. MacNaughton: Let me pursue this, if I may—for the purpose of providing a total of 42 days of racing in every county —42 days. They were referred to at that time, I think, as extended meetings, in that they had to last at least seven days.

Mr. Nixon: We did not concur in that 1912 proviso.

Hon. Mr. MacNaughton: Well general concurrence was given to the proposition in the final analysis because it has been operative ever since.

Now the proposal that has been advanced here today has much merit. I am not quarrelling with it. I am just trying to suggest to the House that the situation as it now exists made it possible for racing by agricultural societies which possessed charters at that time. Whether the extent to which the allocation of days in some jurisdictions, which cannot exceed 42 on class B tracks, would permit these extra days remains to be seen.

Mr. Nixon: Got to be a lot of changes in that.

Hon. Mr. MacNaughton: It is quite possible, Mr. Speaker, that should be pursued and I have no reason to believe that it cannot be accomplished.

I only want to recite to you and recite to the House the proposal that was advanced previously which made it possible for racing such as we know it in the counties of the province today to exist at all. It was not possible to do it before on any extended basis whatsoever.

The transfer of charters was made possible to permit the type of racing that goes on in many of our small communities today.

Mr. Nixon: That was a very artificial rejuvenation of charters. It was not straightforward at all.

Hon. Mr. MacNaughton: It was very straightforward at the time, and while there was debate on it, I say it resulted in general concurrence. I might say, Mr. Speaker, to the hon. member that it has been met with great satisfaction across the province ever since.

Mr. Nixon: Just from those people who have been able to get the racing days.

Hon. Mr. MacNaughton: Tremendous satisfaction!

Mr. Nixon: Where did you come from?

Interjections by hon. members.

Hon. Mr. MacNaughton: I hope I am not saying anything negative with respect to the proposal that has been advanced here at the moment because it may have some merit.

I draw to the attention of everyone there are only so many racing days, there are only so many tracks that are fit, and I say to you, Mr. Speaker—

Mr. Nixon: Who says there are only so many racing days?

Hon. Mr. MacNaughton: The racing commission.

Mr. Nixon: That is something that we can change.

Hon. Mr. MacNaughton: The Ontario Racing Commission. Mr. Speaker, I am not saying it should not be changed; I am suggesting that that is the status of things today.

Mr. Speaker: May I point out that the hon. Leader of the Opposition, as well as the Treasurer, are straying from the principle of the bill.

Hon. Mr. MacNaughton: Very well. I just want to lend some support to the principle of what is being proposed here. I simply say I would like to hope that it will work.

To that extent, we can involve the racing commission and any other authorities that need to be involved to make it work, Mr. Speaker, that is all.

Mr. Speaker: The hon. Minister of Agriculture and Food.

Hon. Mr. MacNaughton: Now that was what I was trying to say when the member so rudely interrupted.

Mr. Speaker: The hon. member is entitled to the floor. I inquired a short time ago if there were any hon. members and he did not rise. He now has the floor.

Mr. J. Renwick (Riverdale): Mr. Speaker, I just want to say that we support the principles of the amendment set out in this bill.

We are a little bit concerned as to whether the increase from $500 to $1,000 in the more or less insurance feature of the provisions relating to fall fairs due to inclement weather is adequate at the present time.

We are also pleased that the minister has taken the care and the time and the trouble to make very certain that the old provisions relating to the expropriation and the procedure have been corrected to make it absolutely and abundantly clear that the new Expropriations Act in all its ramifications applies completely to the bill.

I think we understand and agree with the principle of extending the objects of the various societies to include the holding of races or trials of speed for horses. I simply wanted to record that we did approve of the principles of the bill.

Mr. Speaker: Is there any other member who wishes to speak before the minister?

The hon. Minister of Agriculture and Food.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I welcome the support that seems apparent for this bill. I would suggest that in reply to the question posed by the hon. member for Huron-Bruce that any capital expenditures, I would assume, on a racetrack being a part of the agricultural society's property, would likely qualify for grants.

Now I cannot answer the specific amounts and percentages, but I should assume it would be so.

With regard to the various other clauses, I hope my hon. friends note, Mr. Speaker, that we are making it possible now for educational exhibits to qualify for grant purposes.

The Kitchener fair last year comes to mind and provided a substantial educational exhibit in lieu of some of the competitive classes. Certainly it is not our intention that all competitive classes should be done way with, but this is a feature that has been added and I should think would meet with wide approval.

I thank you, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE CROP INSURANCE ACT (ONTARIO)

Hon. Mr. Stewart moves second reading of Bill 161, An Act to amend The Crop Insurance Act (Ontario).

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READINGS

The following were given third reading upon motion:

Bill 141, An Act to amend The Legal Aid Act, 1966.

Bill 146, An Act to amend The Game and Fish Act, 1961-62.

Bill 147, an Act to amend The Public Lands Act.

Bill 152, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 153, An Act to amend The Separate Schools Act.

Bill 154, An Act to amend The Public Schools Act.

Bill 156, An Act to amend The Municipality of Metropolitan Toronto Act.

Bill 157, An Act respecting the Village of Point Edward.

Bill 158, An Act to amend The Sandwich, Windsor and Amherstburg Railway Act, 1930.

Bill 160, An Act to amend The Agricultural Societies Act.

Bill 161, An Act to amend The Crop Insurance Act Ontario, 1966.

Bill 164, An Act to amend The Highway Traffic Act.

Bill 165, An Act to amend The Ontario Municipal Improvement Corporation Act.

Bill 166, An Act respecting the City of Kingston.

Bill 169, An Act respecting the City of Hamilton.

Clerk of the House: The 18th order, House in committee of the whole; Mr. R. D. Rowe in the chair.

THE MUNICIPAL ACT

Mr. Chairman: Bill 142, An Act to amend the Municipal Act. Are there any comments, questions or amendments to any section of this bill and if so, which ones?

The member for Wentworth.

Mr. I. Deans (Wentworth): Well Mr. Chairman, there really is only one section of this bill which deals with the substance of the bill, and I want to direct my comments in that direction at this time. I had thought at the time of second reading to make an amendment to the bill and I would have moved, had I done so, that the bill is fundamentally defective in principle because it contains no provision to offset any shift in the burden of property taxation from industrial and commercial to residential and farm taxpayers resulting from this reassessment at market value, and is highly discriminatory in its treatment of individual taxpayers who suffer hardship from such reassessment. The limited tax relief which it offers is defective in the following specifics.

I would have, had I moved that amendment—and I might say to the minister at this point I failed to move the amendment because I forgot about the rule which says you have to give notice.

The legislation is permissive rather than mandatory, so that a municipality can deny its taxpayers relief. Tax relief can only be given if the increases resulting from the assessment exceed 10 per cent, or over $50, and that a tax can be abrogated retroactively by the Minister of Municipal Affairs.

Now, I am a little concerned about the effect of this particular legislation. I had it brought to my attention, in fact, that in Chinguacousy township there has been a considerable shift because of the assessment, and I am afraid that this legislation, really, in the clause that we are dealing with, does not go far enough to offset the shift that has taken place.

Previously under the old assessment the residential share of taxes was 50 per cent. Under the new assessment it will be 54 per cent. Of the farm share of taxes the old assessment was 11 per cent; the new assessment will be 17 per cent. Of the commercial and industrial assessment the shares of taxes previously was 26 per cent, and at this point has been reduced to 19 per cent; business, previously 13 per cent to 10 per cent.

When you take a look at it, it means in effect that the average residential taxpayer will pay $18 more in that particular township. It will mean a total revenue payment by the residential taxpayers, of $143,734, which is a sizeable amount of money. That will mean to the farm community an average per farm assessment increase of $341 which is the equivalent of $256,442 in the overall picture and a saving—and this is what we are really concerned about because we discussed previously on second reading the fact that most industrial and commercial enterprises, I say most because I recognize there are exceptions, but most industrial and commercial enterprise incorporates into its price structure the increase in the cost of taxation. But there will be a saving under this particular change of $400,176; and this seems like a pretty sizeable amount of money, and money that has to be raised from the remainder of the community.

I want to point out that in this particular township—and I am sure it is representative of a number of townships in the area—there are 8,000 homes and there will be a need to raise $143,734 from these homes. There are 753 farms, and from them we expect to raise an additional $256,442. That is the shift from what was previously assessed to what is now assessed. And there will be a saving to the industrial and commercial side of the assessment of some $400,176, give or take a dollar or two here and there.

What we are primarily concerned about is that we believe, because it is most likely that the commercial and industrial sectors of the economy have already encompassed this particular problem into their tax-comprising structure, that to grant now this kind of rebate will not be reflected in the price of the commodities which they sell and will be, in effect, reflected in the profit margin rather than in benefit to the taxpayers.

I suggested in the second reading it might be well to decide now that we should make sure that this assessment was levied only on those homeowners and farm community residents, rather than on the industrial and commercial sector, because of what I said before and that it might be useful to put the additional moneys that were raised into a fund that would be used to offset the increases all the way across that particular community. We feel, and I feel, personally, that this would be a useful exercise.

The whole thrust of the bill, and on second reading we discussed it, is one of trying to make amends for inadequate legislation in the past. It is unfortunate that we are going to assess against people who can hardly afford it, and many who cannot afford it, the cost of the mistakes that are made by government. In some instances, the mistakes were made because of haste on the part of the municipality to begin a reassessment programme. But I am sure that the reason for this particular haste was because the municipality was unable to understand the far-reaching implications of assessment based on market value.

I might point out that assessment based on market value is assessment based on some unreal thing because market value is in fact a fleeting thing. What may be market value at time of assessment may not be market value at the time of sale and it seems to me that in retrospect that the assessment on market value is as nothing at all. The minister will agree, I am sure, that it has nothing at all to do with the ability of the person to pay; it has nothing at all to do with the actual value of the property and the use that it is presently being put to in many instances.

I feel that we have got to be very sure that this bill takes care of the problems that have arisen. Now it obviously does not take care, for example in Mississauga, of the tax shift which affects savings to Gulf Oil to $139,000 this year—savings which I might say will have to be picked up by someone else, probably someone else not in the commercial or industrial field, but picked up by the other—

Hon. W. D. McKeough (Minister of Municipal Affairs): The member was not here last night—

Mr. Deans: I was here.

Hon. Mr. McKeough: Ontario Hydro paid more than that—

Mr. Deans: The question, of course, with this—whether Ontario Hydro pays more or less —may well depend on the manner in which you were assessed—

Hon. Mr. McKeough: Is that not true with Gulf Oil?

Mr. Deans: One thing we cannot afford to do is to shift a tax assessment which has previously been built into the pricing structure of the manufacturing corporation without some assurance—and we have none—that the corporations so involved will reflect the reduction in their taxes in their prices.

Now I will be prepared at this point to suggest that most of the corporations which will effect some saving because of the reassessment will not pass this saving on to the taxpayer in the form of reduction in costs.

The minister may well say that this could only be borne out by experience. But I think experience shows that rarely has a saving in any way been passed on to the consumer while we are absolutely positive—absolutely positive—that the increase cost will be passed on to the consumer. I think that since we have arrived at a point where we might agree that the costs to the consumer include what may well have been at some point an overassessment, I am not prepared to concede that this will be returned to the consumer. Therefore it seems ridiculous to reduce the assessment to that particular corporation.

Whether the minister agrees or not is, I suppose, immaterial at this stage of the second to the last day of the Legislature. We have felt, and I dare say to the minister that within the section dealing with what happens to the money, it may well be to say that assuming the saving in cost will not be passed on that the additional moneys derived from the change in assessment should be put into a fund and that this fund should be used to offset the increase to most of the persons in the community.

I am not happy—and I said it in second reading—I am not happy with the fact that the minister has been forced into this position. I would have hoped that somewhere along the way there would be some indication of a change in taxation policies.

I hope that we are not going to see residences afflicted with the problem of trying to raise the additional funds to provide for what may have been an error in the past, but an error which has been obviously incorporated into the pricing structure of the corporations and that we are not going to force municipalities to assess the residential taxpayers the amount necessary to offset the tax shift which has taken place.

If there is a tax shift when we have got to be sure that was not compensated for by increasing prices. If it was, we have to be sure that it is returned to the consumer. If it is not, then we have to raise it.

I say to the minister that we can no longer afford to play with this thing. We have played long enough. I ask him to give serious consideration to what happens in the case of a reduction in the assessment when the reduction in taxes means nothing more and nothing less than an increase in profits to companies

and corporations, in many instances whose profit margins are exceedingly great now. I would ask him to give that some consideration.

Mr. Chairman: Shall section 1 stand as part of the bill?

Section 2 then, the member for Welland South.

Mr. E. R. Good (Waterloo North): Waterloo North!

Mr. Chairman: I am sorry, Waterloo North.

Mr. Good: Yes. On section 2, subsections b) and c) combined, I would just like to ask the minister in this regard—I have decided not to propose an amendment to this—what studies have been done, or whether it had been figured out when the legislation was drafted what effect it would have in the community?

This bill, I think is basically designed for Mississauga and Vaughan townships. If in fact the municipal council decides to counteract the hardship increases directly against those who receive the greatest decrease!

If the minister has any faith in the fact that what he is doing is right, then in fact those people who receive decreases are getting their just and due reward of proper assessment. What we see in the Act is, that the department sees fit now to allow them their just assessment, because they have to make up for those who have received hardships.

I would like to ask the minister whether it has been figured out whether it would be more advantageous to allow the decreases which are given to those with hardships to be spread across the entire community, and not necessarily just on those who have received the greatest decreases, because I think there could be an unjust result which would be as great as the injustice which has resulted from those whose taxes have been considered to be in the hardship category.

Now whether or not they spread it across the whole community or just take it off those who receive the decreases, I think is a very important consideration. I would be greatly concerned if there is no direction given to municipal councils which will have to wrestle with the problem of how to treat these hardship cases. It is easy to say they are going to reduce the taxes for all those whose taxes have risen beyond a certain point, but we have to end up with a balance of taxation in that particular area, so someone else has to pay it. That is where the difficulty is going to arise. I think that the benefit of any studies that have been done, if there have indeed been any done, must be made available to municipal councils so that they have some direction as to which is a fair and more accurate way of dealing with this section c), which permits them three alternatives, in fact.

Hon. Mr. McKeough: There are all kinds of studies. The studies were done by Mississauga. A number of printouts have been done on their computer. We are now running through printouts in co-operation with York county and with the municipalities there. We are working with anybody who wants this kind of help. We are working with them and then trying to help them to work out the most appropriate form of by-law to accomplish what we would like to accomplish.

Mr. Good: And you will do this for the municipality before they pass the bylaw?

Hon. Mr. McKeough: Our staff has been out meeting with the municipalities which have been in touch with us, I think, for about two weeks now, on the basis of this draft. Once we had the bill in they have been out working with them. In Mississauga, the work has been completed.

The member for Simcoe Centre (Mr. Evans) brought the mayor of Bradford in the other day and I know we are doing something about that. There were some other municipalities that we reassessed, and we are contacting them if they have not contacted us to see which one of these provisions might be of help to them. We will help them work it out.

Mr. Good: So then, Mr. Chairman, the information would be available to municipalities before they pass their bylaws—

Hon. Mr. McKeough: Yes.

Mr. Good: —as to how the handling of each of these three alternatives will affect the taxation in the municipalities?

Hon. Mr. McKeough: Right!

Mr. Good: Thank you!

Mr. Chairman: Any further comments or questions on this bill? The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): On section 2, I raised on second reading the fact that the section provides that the bill

will come into force on the first day of January, 1970. I brought to the minister's attention the situation in the township of Chinguacousy. The reeve and a couple of the councillors contacted me, and I know they have contacted the minister. They feel that if this bill were to have been backdated one year instead of half of a year—that is another extra year—that they would be able to make some more equitable distribution of the increase in taxes payable. Now according to their figures which are provided on the letterhead of the township, with all of the facilities at their disposal the reassessment indicates that the industrial assessment has been relieved of more than $400,000 of taxes.

Hon. Mr. McKeough: You were good enough to give me these figures last night.

Mr. Nixon: That is correct. Since then I have inquired further and the taxes that are now payable by the farm community amount to an extra $256,000, which will be distributed among 750—

Hon. Mr. McKeough: That is 750—farms?

Mr. Nixon: Yes, 750—you have the same information that I have. Dividing it, it is about $350 extra for each farm assessment.

The minister, in defending the effective date as January 1, 1970, pointed out of course that whatever the cut-off date some municipality is going to be harmed. If we went back an extra year we might leave out Guelph, for example, and some other areas. But this reassessment is of much more recent date and the statistics have been provided by those people in an elected position of authority and responsibility who are concerned that the minister has set a date which excludes them.

There are some areas of recourse under legislation that we have been dealing with in the last few days, for those individuals who feel that their extra share of taxation may be appealed with the consent of the reeve and council. But if this bill were backdated an additional year it would give them the right that this bill provides not to have any relief from the provincial level, but simply to redistribute the taxation on what the elected council would consider to be a fairer basis.

With that in mind, Mr. Chairman, I move, seconded by Mr. Good, that section 2 be amended by deleting "1970" in the second line and replacing it by "1969," so that the amended section shall read:

> This Act shall be deemed to have come into force on the 1st day of January, 1969.

I understand the arguments that the minister has put forward. There has to be a cut-off date somewhere, but the bill is designed to provide special relief, actually short-term relief, for those municipalities whose ratepayers have been deeply affected by reassessment.

For that reason, I believe this amendment, which is designed to include one township and may include others, does not cost the province any money but simply gives the responsibility to those elected officials at the municipal level to redistribute the tax load in a way that they feel is fair and equitable. I do not believe that this is a departure that in any way interferes with the principle of the bill, but simply extends its effectiveness over a larger number of municipalities.

Now I admit the only municipality that I know of that would be included is the one that I have mentioned, the township of Chinguacousy. They have put forward their case and we believe it is a valid one. Mr. Chairman, we ask the minister to consider this amendment favourably and hope that it will receive support on all sides.

Hon. Mr. McKeough: Perhaps I might speak to this.

Mr. Chairman: Perhaps I should place the amendment.

Hon. Mr. McKeough: Yes, go ahead.

Mr. Chairman: Moved by Mr. Nixon that section 2 be amended by deleting the word "1970" in the second line and replacing it with the word "1969" so that the amended section shall read:

> This Act shall be deemed to have come into force on the first day of January, 1969.

The hon. minister?

Hon. Mr. McKeough: Yes, Mr. Chairman, I realize the Leader of the Opposition was talking last night and today about one particular municipality, the township of Chinguacousy. The reeve was good enough to send me these figures this morning and I had considerable discussion with him. He has written me under today's date and I quote from the letter:

> In furtherance of our telephone conversation of this morning, I will agree that the basic shelter grant, plus the $50 base, will make very little difference to residential property.

Now, I will quote from the rest of the letter:

> The unfortunate situation is that $256,000 had to be shared by approximately 750 farm families.

I said last night and I say again now—I explained this to the reeve this morning—this bill does not attempt to deal with the farm situation. We will be introducing legislation in the fall. We have a commitment by the government to do something about this in the fall; I explained that to the reeve and we will be dealing with that situation in the fall.

This particular legislation would not materially assist the farm problem, which is a separate problem entirely. I point out, of course, to the member that in terms of Chinguacousy the situation is horribly involved and horribly complicated. I pointed out to the reeve this morning that, as you are aware, there was an appeal to the Ontario Municipal Board, which has now been appealed. That is, there was an appeal to the county court judge, which was appealed by the county of Peel to the Ontario Municipal Board and the decision of the Ontario Municipal Board has been appealed to the Supreme Court.

If that appeal were sustained, I daresay these figures would turn right around on the basis of that appeal, because the decision of the Ontario Municipal Board was a value of some $260 an acre, whereas the assessment was some $412 an acre over the great majority of this land.

My advice to the reeve—and I say to the Leader of the Opposition I think the reeve agreed with me this morning and confirmed it by letter after I had talked to him—was that it would be wise not to disturb that situation through this kind of a remedy and that we will be coming to grips with the farm situation in the fall.

The effect on the remaining residential property in terms of the shift in Bramalea was not all that great; in terms of the limitation, in terms of the increase in the tax reduction, this section would not be applicable to those people at all.

Mr. Chairman: The member for Wentworth.

Mr. Deans: Mr. Chairman, I was tempted to agree with the Leader of the Opposition because of the figures I had received. But I would like to ask the minister a question in this regard. What we have is an increase of some $341 per farm, and assuming that when he talks about the fall he is talking about some time in November or after, what does he imagine is likely to happen in that respect? Because by the time we come to the end of November we have pretty well reached the end of the taxing year in municipalities and I am kind of concerned about the effect that the increase might have on a number of farms in the area. If we have some clear indication of what the minister is considering, then we might be able to accept the argument that he has put forward.

Hon. Mr. McKeough: Well I am not prepared to accept that, Mr. Chairman, but I would suggest to you in all good conscience that this amendment was not designed—nor do I think it is applicable—to deal with the particular problem of farm assessment, which is a serious problem and which is very much of the concern of the Minister of Agriculture and Food (Mr. Stewart), the Treasurer (Mr. MacNaughton, myself and the government. But this amendment was not designed to assist in that problem. And I would have to say from my point of view that to suggest that it be used to help solve that problem would be irresponsible on my part.

Mr. Chairman: All those in favour of Mr. Nixon's amendment will please say "aye". All those opposed will please say "nay".

In my opinion, the "nays" have it. I declare the motion lost and section 2 carried.

Any further questions, comments or amendments on this bill?

Bill 142 reported.

THE ASSESSMENT ACT, 1968-1969

House in committee on Bill 143, An Act to amend The Assessment Act, 1968-1969.

Mr. Chairman: Are there any comments, questions or amendments to any of the first—

Hon. Mr. McKeough: Mr. Chairman, on section 2. There was some discussion about enumerators and perhaps I might relate to the House something which came to my desk tonight which I think is of some interest.

Mr. Nixon: Does section 2 deal with enumeration?

Hon. Mr. McKeough: We talked about enumeration I think in terms of section 2 last night a little bit. Actually it does not, but I thought I would share with the House something which came to me today in the course of my duties which will be of interest. Actually it concerns an assessor in the Hamilton area. I say to the member for Wentworth he was assessing, he was not enumerating, and he was bitten by a dog.

Mr. Nixon: Did he have insurance for that?

Hon. Mr. McKeough: No, we do not have insurance, but if this happens they are asked to complete a form which comes from my colleague, the Minister of Labour (Mr. Bales).

Mr. Deans: It was not my dog was it?

Mr. Nixon: Oh it is compensation.

Hon. Mr. McKeough: You are asked to complete if you are an assessor a workmen's compensation board form. Under the section on this form "The Employees Report of Accident", the assessor goes through the preamble of where the accident took place and he goes through—well I do not want to embarrass any part of Hamilton.

Mr. Nixon: Do not want to embarrass a part of the assessor!

Mr. Mr. McKeough: Then he comes to give a description of the dog and he says: "A yellow bastard with big teeth".

Mr. Deans: It was not my dog.

Mr. Nixon: He obviously meant bitch.

Mr. Chairman: Back to the bill.

Mr. Nixon: They are all Tories anyway.

Mr. Chairman: Any comments, questions or amendments to any section of this bill? If so, which section?

Hon. Mr. McKeough: I thought I should share that, Mr. Chairman.

Mr. Good: Section 16.

Mr. Chairman: Anything before section 16? The hon. member for Waterloo North.

Mr. Good: First of all this section deals with the individual's ability to appear before the assessment review courts. First of all I would like to know when are we going to have assessment review courts established in the province?

Hon. Mr. McKeough: In the next month I would hope.

Mr. Chairman: Any further discussion or amendments?

Mr. Good: For the purpose of dealing with the reductions refund and applications for—

Mr. Chairman: What section is that under?

Mr. Good: That is under section 16, Mr. Chairman.

In the meantime, how are municipalities to deal with applications for refunds and reductions in taxation? Say a person has paid his business tax for the entire year and they are going out of business. Now if they cannot be dealt with until the establishment of the assessment review courts, the municipalities are wondering now what do they do with these. Do they just go ahead and deal with them on their own and—

Hon. Mr. McKeough: No, they will have to wait until the court is set up and they will be set up shortly.

Mr. Good: In other words then, the assessment review courts which may visit a municipality once or twice a year at the most—

Hon. Mr. McKeough: No they are set up in the municipality. For instance, in Waterloo, we would have asked Kitchener-Waterloo and Galt and the county each to supply us with a list of names and I am sure they would have done so. I think we worked it out on the basis of one per 10,000 of population. Approximately. That will give us 10 or 15 names and out of that we will appoint a court; perhaps six or seven people for Waterloo county, or the Waterloo assessment region, which is the two cities in the county; and then any three of those people form a court. It will be a local court.

Mr. Good: Mr. Chairman, there would be access by the municipalities to that court on a continuing basis and not just once or twice a year?

Hon. Mr. McKeough: Right!

Mr. Good: Thank you.

The other point that concerns me is in the same section, Mr. Chairman; if I may, it deals with the ability of the individual to appear before the court if he feels that he has undue hardship or burden on him.

Previously, there was a section, at least a subsection in this section, under which, through sickness or poverty one could ask for a reduction in his taxes, in this instance by appearing before the assessment review court although one in fact must have permission of his municipality.

Now what will the procedure be? Suppose the municipality says: "No, the taxes are all right. We are not going to do anything. We do not think there is any hardship because of reassessment." The individual really has no appeal from the decision of his council, has he? He cannot go to a review court if the council does not pass the bylaw.

Hon. Mr. McKeough: This is complementary I think—to the House Leader, I want to share this with him as well as with my friend from Waterloo.

Hon. R. S. Welch (Provincial Secretary): I would not want to miss a word of it.

Hon. Mr. McKeough: This is complementary to The Municipal Act amendment and this will be used—for example when we discussed with York county and other municipalities the principles of The Municipal Act amendment, that there were a great number of people whose taxes perhaps—and I start from the premise that their assessment is correct; and we do not know this, the courts may sort it out, perhaps a reassessment is needed. They may or may not have appealed, but starting from the basis that their assessment is correct and their taxes as a result have climbed very dramatically, there may be very few of those people in a municipality whose taxes have doubled or tripled in a sudden jump.

They may not be suffering from extreme poverty. They may not be sick, which was the old section; but their taxes—and I think of the Leader of the Opposition's friend, the widow on Winston Churchill Boulevard, in Mississauga who does not, as I understand, have a great income. I think I heard the figure of $3,000 or $4,000. I think she said this in the paper; she has five or six children, as I recall. I have forgotten, I may be confusing it; it does not matter. Even though she is sitting on an asset or owns an asset which she has listed for $125,000, she has the problem in that her taxes went from $500 to $2,000.

Mr. Nixon: Are you talking about that poor lady again? This is four times you have dragged her through the Legislature.

Hon. Mr. McKeough: You brought it up last night. Presumably, she will be covered by the Mississauga bylaws. But, if she lived in a municipality which did not want to go to the trouble of passing the general bylaws—and I think my friend from York Centre is here—Stouffville will be in this category and perhaps two or three others.

Mr. D. M. Deacon (York Centre): Possibly Markham too.

Hon. Mr. McKeough: They will not, but they have some people whose taxes have climbed dramatically. Perhaps they forgot to appeal; perhaps they did not appeal. Perhaps they appealed and the assessment was sustained, but it is too big a jump. They are going to say something to the municipality, and Stouffville in particular, I think has perhaps 20 or 30 properties in this category.

Those people will come to the council, perhaps come to the clerk. I assume their names will be accumulated. Perhaps the council committee will look at them, draw up some guidelines and say: let us write off some of these taxes. The whole council must confirm that write-off whether it is a total write-off, or partial, and then it has to be confirmed with the assessment review court—

Mr. G. Ben (Humber): You say the whole council. You mean unanimously?

Hon. Mr. McKeough: —which means two groups look at it. As I said, it might start with the committee of council. It has to be dealt with as a bylaw by the whole council and then has to be confirmed by the assessment review court which means that two groups look at it.

Mr. Ben: You say the whole council; you mean it has to be unanimous?

Hon. Mr. McKeough: No. But as I said, it might start with a committee of council. It has to be dealt with as a bylaw by the whole council and then has to be confirmed by the assessment review board. We think actually that this provision will be used by a number of councils in lieu of using the very wide provisions and general provisions of The Municipal Act. They will deal with the extreme problems that they may have.

Mr. Good: If the council turns them down, there is no appeal then?

Hon. Mr. McKeough: Right.

Mr. Chairman: Shall section 16 then stand as part of the bill?

Carried.

Any other comments, questions, or amendments to any other section of this bill? If not, shall the bill be reported?

Bill 143, as amended, reported.

THE PLANNING ACT

House in committee on Bill 162, An Act to amend The Planning Act.

Mr. Chairman: Bill 162, An Act to amend The Planning Act. The hon. minister has an amendment to section 1.

Hon. Mr. McKeough: Perhaps I might explain this amendment. Section 1, subsection 4 in part—and I think this was referred to today by the member for Windsor-Walkerville—imposes part-lot control which we think is very desirable.

We contacted a number of municipalities about this; they think it is highly desirable. These are the larger municipalities; the smaller ones also think it is desirable, I hope. We had some calls today from one of the boroughs to say that this may cause some problems and I want to amend it. We think the easiest way to allow some flexibility in it, is to allow the municipality to pass a bylaw exempting some of the land or all of the land, some or part of the land within the municipalities, from part-lot control, subject to the approval of the minister.

I am not quite sure what I get into when I am doing this. But we will sort this one out and see which municipalities it does affect. It is one of the boroughs in Toronto —it does not matter which one—and it may be creating a problem in terms of the industrial land when there is a large lot without part-lot controls.

An industry comes along and may want an acre, or may want five acres or may want 10 acres out of the total subdivision package. They have always dealt with it this way. This will give the minister the authority to approve a bylaw passed by the council exempting lands within a municipality. I think this makes some sense and gives us some flexibility. We may be back in the fall amending this in some way or another, but it will, I think, get us over the summer months.

Mr. Nixon: Let us hear it.

Hon. Mr. McKeough: Perhaps I had better move the amendment. It is complicated—I move that section 26 of the Act, as made by section 1 of the bill be amended by adding thereto the following subsection:

> 5. Notwithstanding subsection 4 the council of a municipality may by bylaw provide that subsection 4 does not apply to land that is within such registered plan or plans of subdivision or part or parts hereof as is or are designated in the bylaw and where the bylaw is approved by the minister, subsection 4 ceases to apply to such land.

I am sorry, it goes on much longer.

> And that subsections 5, 6, 7, 8, 9, 10, 11, 12 and 13 be renumbered as subsections 6, 7, 8, 9, 10, 11, 12, 13 and 14 respectively.

I further move that subsection 8 as renumbered of the said section 26 be amended by striking out, "this section," in the second line, and inserted in lieu thereof, "subsection 3."

I further move that subsection 9 as renumbered of the said section 26 be amended by striking out, "this section" in the first line and inserting in lieu thereof "subsection 3," and by striking out "9 and 10" in the second line and inserting in lieu thereof "10 and 11."

I further move that subsection 11 as renumbered of the said section 26 be amended by striking out "this section" in the second and third lines and inserting in lieu thereof "subsection 3."

Mr. Good: Mr. Chairman, I just would like to ask one question. Why would it be so difficult to have this part-lot control approved by the committee of adjustment or the land divisions committee? I mean they are now going to have to get approval of the minister for the bylaw. Why was it so difficult the way it was before?

Hon. Mr. McKeough: I agree completely with the member, but we were not able to convince that particular borough of that position today. And rather than protract the argument with the borough, if we cannot straighten this out with it then it can come under this. I think it can do exactly as the member has said. If it cannot, all right, we will exempt it. This is of little concern to us. It is the borough of North York, which is a large, sophisticated municipality and knows what it is doing, and I have no hesitation in exempting it if that is what should happen.

Mr. Chairman: Shall the minister's amendment carry?

Carried.

Shall section 1, as amended, stand as part of the bill?

Carried.

Mr. P. D. Lawlor (Lakeshore): I would like a brief explanation, if I may, of subsection 3—immediately before that—where a council of the municipality may designate, on its own hook, after a plan has been registered for eight years, the land to be free to be not deemed part of a registered plan. I would take it to mean that affects all the controls imposed under the heading of the

section, subsection 2, controlling the granting or mortgaging or taking agreements of sale or any number of other things, or that land may be freely conveyed. Apart from that, I was wondering under what circumstances would the minister envisage that power to arise?

Secondly, ought you not to have some control over a municipality to prevent the council, in your wisdom, from so doing? In other words, ought there not to be some higher authority to prevent council in effect taking these controls off?

Hon. Mr. McKeough: I explained this this afternoon, I think, to the member for Waterloo North. It is exactly as in the Act presently. We rewrote the whole subsection 26 to do some things but this happens to be copied from the old Act.

The purpose of this—it is the deeming section, to deem rapidly a subdivision—was that there are an amazing number of subdivisions in the province, some of which were put under The Canada Land Act and some of them in the twenties in the land boom—an amazing number—and they obviously are not well-designed subdivisions by today's standards. Perhaps they have never been built on, and this gives the municipality the authority—and it is used quite regularly as they discover them—if nothing has happened after eight years—I do not know how eight years was arrived at, but that has been in the Act to deem it not to be a subdivision, and it clears the slate and you start over again.

Mr. Lawlor: I see.

Mr. Chairman: Any further questions, comments, or amendments to any section up to and including section 6? If not, the minister has an amendment for section 7.

Hon. Mr. McKeough: I move that section 7 of the bill be struck out and the following substituted therefor: "This Act comes into force on the day following the day it receives royal assent."

Bills are deemed to come into effect, I think at 12:01—is that correct?—and there is some uncertainty as to when this bill will receive royal assent tomorrow. This will tie it down as to when it actually receives royal assent. We did the same thing the last time we put through an amendment to close a loophole and this makes it absolutely clear.

Mr. Nixon: Yes, but did it not open another small one?

Hon. Mr. McKeough: No, nothing will be left open.

Mr. Ben: Why do we not sit all night?

Hon. Mr. McKeough: And I say it is really academic to legislative counsel because the registry offices are not open on Saturday or Sunday anyway.

Mr. Nixon: But they are open Friday and they are going to be busy.

Hon. Mr. McKeough: That is exactly the point. If the bill comes into effect, say at 3 o'clock tomorrow afternoon, I think you can appreciate the confusion that may well happen for somebody who walks in at 3.01. How does the registry office know whether the lot has been registered or not?

Mr. Nixon: In other words, this will be Monday?

Hon. Mr. McKeough: No. Well, in effect it would happen as of Monday, but it is going to happen on Saturday when the registry office is not open anyway.

Mr. J. R. Breithaupt (Kitchener): Why not make it Monday at 9.30?

Mr. Chairman: Does the minister's motion carry?

Carried.

Any other comments, questions or amendments to this bill? If not, shall the bill as amended be reported? Agreed to.

Bill 162, as amended, reported.

REGIONAL MUNICIPALITY OF YORK

House in committee on Bill 102, An Act to establish the Regional Municipality of York.

Mr. Nixon: I thought we did that one already.

Hon. Mr. Welch: Well, we moved it should be brought back for a very minor omission.

Hon. Mr. McKeough: Mr. Chairman, I find myself in the valley of humiliation.

Mr. T. P. Reid (Rainy River): You have been there for years and you did not realize it.

Hon. Mr. McKeough: Hon. members will recall that the member for Wentforth raised a point which I said was covered in terms of the hydro commissioners who were members of the local council in Vaughan, and I think some place else too. In King City

there is no hydro commission; the committee of council, or the whole council, are the hydro commission. Section 178 carries on the hydro commission for another year, with the existing commissioners. Normally a hydro commissioner is not eligible for council and that would mean the council of Vaughan, unless they resigned some time between now and nomination day—which we would not want them all to do—would not be eligible for election to the new council of Vaughan. The member for Wentworth raised this point; I thought that it was covered, but it was not and this is the reason we have asked for the bill to go back into committee.

I therefore move, gratefully acknowledging the member for Wentworth—

Mr. Deans: That is okay; do not overdo it.

Interjections by hon. members.

Hon. Mr. McKeough: I move that section 178 of the bill be amended by adding thereto the following subsection 8:

> A person who is a member of a commission referred to in this section is not disqualified under clause h of subsection 1 of section 35 of The Municipal Act from being elected a member of the regional council or the council of an area municipality or to sit or vote therein by reason of being a member of such commission.

And I say to the member for Wentworth, if he never does anything else in his parliamentary career, section 178 of Bill 102 should go on his tombstone. He is wonderful.

Mr. Chairman: Shall the minister's amendment carry?

Amendment agreed to.

Bill 102, as amended, reported.

Mr. Nixon: There are a few things he would like to add to that bill.

Mr. Chairman: Could we have a copy of that amendment, Mr. Minister?

THE CORPORATIONS TAX ACT

House in committee on Bill 159, An Act to amend The Corporations Tax Act.

Mr. Chairman: Are there any questions, comments, or amendments to any section of this bill? If not, shall the bill be reported? Carried.

Mr. R. Gisborn (Hamilton East): On a point of order, Mr. Chairman. How come we jumped the agenda that was agreed upon? The member for Riverdale wanted to speak on The Corporations Tax Act but Bill 150, the Act to provide Incentive for the Abatement of Pollution, was on the agenda ahead of it.

Mr. Lawlor: Mr. Chairman, in any case, I have a question to ask the minister touching the Act, and I am sure by the time the minister gets through answering it, we will be able to get the member for Riverdale here.

Mr. Chairman: Is this on Bill 159?

Mr. Lawlor: Yes.

Mr. Chairman: Which we just carried.

Mr. Lawlor: The Corporations Tax Act. Yes it is.

Mr. Chairman: I will allow the hon. member to ask a question.

Mr. Lawlor: We were ruled out during second reading; we got no opportunity. The minister was kind enough to give us this opportunity on Committee of the Whole House.

Mr. Chairman: Well, perhaps the Chairman was a bit hasty. We will allow the member to ask a question when we get to this particular section.

Mr. S. Lewis (Scarborough West): I have a lot to say on this bill.

Mr. Lawlor: In reference to section 2, your amended subsection 35, where you are setting up foreign tax with respect to the permanent establishment in Ontario, of corporations, and trying to set up certain ratios. Would you kindly take a few moments to explain what that section means?

Hon. J. H. White (Minister of Revenue): What subsection is that?

Mr. Lawlor: That is the new subsection 35.

Hon. Mr. White: I would be very happy to do that, Mr. Chairman. Subsection 35 of section 4 of the Act allows a deduction from the income tax otherwise payable by corporations that have received investment income from sources outside Canada or where, having received investment income from such sources, also receive business income and are as a consequence of either of the foregoing entitled to a deduction for a foreign tax credit under section 41 of The Income Tax Act of Canada.

Section 53b is added to the Act by this bill, the effect of which is to require a corporation that is a policy holder to include in

its income any amount that is required by section 79b of The Income Tax Act of Canada to be included in its income. By virtue of the foregoing, it is necessary to extend the provisions of subsection 35 of section 4 to include a reference to interest and dividends deemed to have earned or saved from a country outside Canada and to income tax that is deemed to have been paid by the corporation to a country outside Canada by virtue of the provisions in subsection 5 of section 79b of The Income Tax Act of Canada.

Mr. Lawlor: That was a wonderful answer. When was the alteration made in subsection 4 of section 3, touching the Brechin works agreement and the international bank for reconstruction? The section, as it previously existed, had this; but you have, for one reason or another that escapes me, changed the name of the place from which bonds and debentures may be purchased, including the international bank. Do you know the reason for that?

Hon. Mr. White: Did my hon. friend say subsection 4 of 3 or 3 of 4?

Mr. J. Renwick (Riverdale): What section are we on?

Mr. Breithaupt: Page 4.

Mr. Lawlor: I am sorry. It is section 2, subsection 4.

Hon. Mr. White: Right, clause O of subsection 37 of section 4 of the Act. It exempts from tax on income, corporations that are established or incorporated solely for the administration of a registered pension fund or plan. In order to qualify, 90 per cent or more of the income of such corporations must be from sources in Canada and from bonds, debentures or other securities issued or guaranteed by the international bank for reconstruction and development.

The amendment provides by this section of the bill extends the provisions to include the bonds, debentures and other securities of the Inter-American Development Bank; its eligible securities of such corporations. Here is the important thing in the matter that was brought into debate. On second reading, this amendment brings provision of the clause into line with the identical amendment to the corresponding provisions in The Income Tax Act of Canada.

Mr. Lawlor: Mr. Chairman, I wonder if this could not be foreshortened very greatly. If the minister would let us have those magnificent notes he is reading from over there, we could go home and read them.

Hon. Mr. White: I hoped, Mr. Chairman, we might do that before we brought the bill into committee, but because of the heavy schedule which the opposition critics have we could not do it. I would be very glad to lend the hon. member these notes when this goes through committee.

Mr. J. Renwick: Mr. Chairman, I have just arrived so if the Minister has answered the question, would he just explain briefly what the Inter-American Development Bank is? If he has already done so then, Mr. Chairman, I would be quite happy to discuss this privately at some later date.

Hon. Mr. White: I think I am safe in saying it is a bank for inter-American—

Interjections by hon. members.

Mr. J. Renwick: Mr. Chairman, I have a number of questions—

Mr. Chairman: I might say in the member's absence, the member for Lakeshore did rise, and we agreed to reopen it.

Mr. Lawlor: I had to jump in in a hurry.

Mr. J. Renwick: Well, Mr. Chairman, I have a number of points on the bill. I do not intend to take any length of time.

Mr. Chairman: I think under the circumstances we can hear the member.

Mr. J. Renwick: I would like to, because I am interested in the explanations of it. I certainly do not intend to take a lot of time over a technical bill at this particular time in the committee.

Mr. Chairman: Well, in case the Chairman was a bit hasty, we will allow the member to place his questions.

Mr. J. Renwick: Mr. Chairman, I have a question on section 3, where there appears to be a discretion given to the minister whereas previously the bill was pretty specific about the formula that was used in apportioning certain taxes which were payable, depending on the number of days in the year.

One of the additions to that clause provides that the section which uses a direct proportional arrangement does not apply to any corporation, the fiscal year of which does not end on the same date each year but that has been accepted for purposes of

assessment under this Act. And I assume that "accepted" really means by the department or by the minister. I was just interested to know why it was necessary to make that particular exception.

Hon. Mr. White: The capital tax had no application there, as the hon. member knows, until April 1, 1969, at which time it became payable in addition to and separate from the corporation income tax. Until that time, there was an offset between the capital tax and the corporation income tax.

On April 1, 1969, two things happened. First of all, that offset was removed and the rate of tax was doubled from a 20th of one per cent to a 10th of one per cent. That meant that large numbers of corporations were affected that had not been affected before and we encountered for the first time—well, I had better not say the first time—but it aggravated an inequity which came to my attention in the earliest days of my ministry, whereby a corporation, changing its fiscal year for whatever reason, was assessed the full capital tax whether the adjusted fiscal year was one month long or 11 months long.

We bumped into this in such diverse situations as a very small corporation in northwestern Ontario where the amount of tax may have been $50 and a very large industrial complex in southern Ontario where some number of subsidiaries were brought to a common fiscal year. It did seem unjust to charge a full capital tax for a very short year and we are therefore apportioning the tax accordingly.

My hon. friend has asked about the exceptions, and I would like to read my notes because I think they might clarify the matter for him. I think I will read my full notes here, if I may.

Section 5(a) was added to the Act by The Corporations Tax Amendment Act, 1968-69, No. 2, to allow a corporation to apportion the capital tax otherwise payable by it in the circumstances when it experiences a fiscal year that it is less than 365 days.

It was entailed the section of apportionment would be available when a fiscal year of a corporation was less than 365 days by virtue of a bonafide fiscal year change. And that clause is important.

When there is a change from the usual accepted fiscal year of such corporation. It was therefore intended that the provisions of this Act would include short periods occasioned by windings up, bankruptcies, amalgamations and surrender or cancellation of charter because such short periods would not be the usual or accepted fiscal year of such corporations.

Certain corporations have fiscal years however that vary in length from year to year because of a desire to end them on, for example, the closest Saturday at the end of each calendar year. Accordingly, the fiscal years of such corporations will frequently be more or less than 365 days.

It is not the intention that the apportionment permitted by section 5(a) shall be applied to such corporations and the amendment here is to ensure that its provisions shall in no way apply to such corporations.

Now I do not know whether my hon. friend wants some illustrations of this or not.

Mr. J. Renwick: No, I do not need any illustrations. But I think I understand the gist of the reason why the change was made. Mr. Chairman, the next comment that I would like the minister to reply to is on subsection (2) of section 5 of the bill. Section 5 relates to the question of the way in which a decision is made when an amount of money is received as to what part of it may be income and what part of it may be capital. Then it goes on to provide—and this is the new part of the section as I understand it—that that decision as to how the division is to be made between income and capital of an amount received:

> Does not apply in respect to amounts received except to the extent of the amount so received exceeds the aggregate of—

and then there is a formula set out in the bill.

I wonder if the minister would be good enough to put on the record his comments or notes with respect to that clause, subclause (2) of clause 5.

Hon. Mr. White: I would be glad to do that. Here again we have followed the federal amendments to keep our legislation parallel to the federal legislation. As the hon. member will know, the federal corporation income tax requirements were changed; the formulas were changed applying to insurance companies to bring certain items into taxable income which had not been taxable previously.

I remember as a matter of fact a few years ago going through the States and attempting to sell an insurance company. This was some time ago when I had a small agency. I talked to some people in New England and the insurance company executive said to me

there are three types of accounting; there is cash accounting, accrual accounting, and insurance accounting.

Now the federal government has endeavoured to bring the insurance into a new perspective and in the process the taxable incomes have been increased by formula and the applicable taxes have been increased. That is the reason for the federal changes and, as I mentioned to my hon. friend, the Ontario legislation has been changed accordingly.

I have a rather complicated explanation which I will read if the hon. member so desires.

Mr. J. Renwick: I would appreciate it for the record, but we do know what these changes are.

Hon. Mr. White: Section 18 of the Act requires that before a payment under a contract or other agreement can reasonably be regarded as being part of payment of interest and in part of payment in the nature of capital, the part that can be reasonably regarded as interest must be included in computing the income of the corporation receiving it.

The provisions of this section do not, however, apply to (a) amounts received as annuity payments, (b) amounts received as a refund of premiums paid by the holder of a life annuity contract on the death of the holder and (c) amounts received in satisfaction of the rights of the corporation under a life annuity contract entered into before June 14, 1963.

Certain taxpayers were, by the foregoing provisions, escaping tax on the interest that they effectively received upon converting a life insurance policy into a life annuity contract, where such contract was entered into before June 14, 1963. By virtue of section 53(b), enacted by another section of this bill, a corporation that is a holder of a life insurance policy and disposes of its interest therein, is required to include in its income the amount by which the proceeds exceed the adjusted cost basis as at the time of disposition.

In order to assure that only the interest earned after the second anniversary date of the policy, will be brought into income, the adjusted cost basis of the policy includes the cash surrender value at that date. For the purpose of establishing similar treatment to life annuity contracts that were entered into before June 14, 1963, it is provided by this amendment that section 18 does not apply in the case of life annuity contracts entered into before June 14, 1963, except to the extent that the amount assumed exceeds the value at the second anniversary date, plus premiums paid since that date to date of disposition.

Thus, in the case of life annuity contracts, only the interest earned after the second anniversary date will be subject to tax. This amendment corresponds to an identical amendment of The Income Tax Act.

Mr. J. Renwick: Mr. Chairman, the next section on which I would ask the minister if he would comment is section 8, which deals with a series of amendments related to the recapture of capital costs on the disposition of vessels of one kind or another.

I would ask the minister if he would put on the record the significance of the changes which are reflected in that clause (a).

Hon. Mr. White: Once again, this parallels changes in The Income Tax Act of Canada. This amendment clarifies the dates upon which the proceeds of disposition of a vessel may be used by the corporation to replace or convert a vessel. The Act, as it now stands, requires a corporation to pay the tax on recapture or make a deposit equal to the tax on or before the end of the fiscal year during which the vessel was disposed of.

The proposed amendment extends the time for effective replacement or conversion of four months after the end of the fiscal year during which the vessel was disposed of. It should be observed that the proceeds of disposition must be used by the corporation and not as hitherto by any corporation. The amendment also extends the time for making a deposit, namely, on or before the time for value returned for the year of disposal or on or before such day subsequent to that date as the minister may specify in respect of the corporation.

Mr. Chairman: Any further comments on this bill?

Mr. J. Renwick: Mr. Chairman, the next question I would like the minister to explain would be on section 9 relating to farm losses. As I understand the section, we are dealing with questions of reductions permitted in calculating taxable income in the particular area concerned. The question is of the extent to which business losses are deductible for the purpose of calculating taxable income; and it then would appear to provide that what would otherwise not be deductible, or at least the possibility of what would otherwise not be deductible, is by this amendment permitted

to be deducted. Because I understand that it is really the last two lines of that particular amendment which is an exception to the rule prohibiting certain deductions, when they read, "except to the extent of its income, if any, for the fiscal year from farmers." I wonder if the minister would put on the record his comments or notes about that particular change.

Hon. Mr. White: Once again this follows the changes in the federal legislation and those changes were intended to close certain loopholes that may have existed with respect to certain farming operations.

Section 24 of the Act provided that where the chief source of income of the corporation is not farming, the loss sustained from farming cannot be applied to reduce the income of the year derived from sources other than farming, except to the extent of the lesser of the loss from farming or $2,500 plus the lesser of half the amount by which its farming loss exceeds $2,500.

It is also provided in subsection 3 of section 39 that the farming loss, if it is not deductible in the year by virtue of the provisions of section 24—which I have explained—cannot be applied forward or backward as is otherwise permissible under paragraph 3 of section 1 of subsection 39. The foregoing is not the intention of the subsection, and it is therefore re-enacted by this section of the bill to permit the carrying forward or backward of farming losses, provided there are profits from farming in those years to which the farming loss can be applied.

It is not intended that the unabsorbed farming loss of one year can be used to reduce the income other than farming in the prior or subsequent years.

Mr. J. Renwick: Mr. Chairman, the next clause that I would ask the minister to comment upon is clause 10, dealing with mutual insurance corporations, because this is an enactment in different form of a section which we enacted just last year and I wonder if the minister would briefly state the reason for the repeal of the section that was passed last year and its re-enactment now?

Hon. Mr. White: I do not know if it was passed last year, but it is certainly parallel to section 1 of the Act that we are dealing with now.

The purpose of the amendment provided by subsection 1 of section 10 of this bill is to assure that all insurance corporations that are subject to the provisions of section 68(a) of The Income Tax Act (Canada) will likewise be subject to the applicable sections of The Corporations Tax Act. The amendment is complementary to the amendment contained in section 1 of the bill.

Mr. Chairman: Any comments to any other section of the bill?

Mr. J. Renwick: Mr. Chairman, I do not think I will ask the minister. I think it is reasonably clear as to what clause 14 of the bill accomplishes in incorporating for practical purposes certain provisions of section 79D of The Income Tax Act. I would ask the minister if he would deal with clauses 15 and 16 relating to the depletion questions, related to deductions from income of petroleum or natural gas companies, so that we would have on the record of the House exactly what the effect of the proposed amendments are.

Hon. Mr. White: All of the subsections?

Mr. J. Renwick: Mr. Chairman, perhaps in as synoptic form as possible, so that we will have some guide in the record of *Hansard* about it.

Hon. Mr. White: I am reluctant to extemporize too freely on these, Mr. Chairman, because—

Mr. J. Renwick: Mr. Chairman, is it lengthy?

Hon. Mr. White: I think it would be about 20 paragraphs to explain—

Mr. J. Renwick: Perhaps the minister at some point would be good enough to send me the comments on those particular sections of the bill.

Mr. Chairman: Any further comments then?

Mr. J. Renwick: I have just one further comment on the bill. I think what this obviously points up is that we have to have some different method, perhaps a reference of a bill such as this to some standing committee so that we could have a quiet couple of hours. I do not think we can totally ignore the changes which are being made and I think it would be important that we have an opportunity, through a standing committee, to deal with this kind of technical amendment.

Hon. Mr. White: On that point, if I may, Mr. Chairman, I think the question of the standing committee is the answer. We did

attempt this year to get the member for Kitchener and the member for Lakeshore and myself together with the experts. We wanted to try that by way of experiment and the hon. members opposite agreed to that procedure. It would have been a superior way to do it I expect, but because it is the last week of the session, and because all of us are very busy, and in particular the member for Lakeshore who is doing double duty, it simply was not possible.

Mr. Deacon: Why wait till the last week to bring this in?

Mr. Chairman: Shall the bill be reported?

Mr. J. Renwick: Now, just a moment—

Mr. Ben: I think the other answer should be on the record, too. I am serious. If the hon. member for Riverdale is not asking it to be read on record, I am, even if it is 20 paragraphs.

Mr. J. Renwick: Mr. Chairman, I am quite happy to have it read on; I did not want, on a very technical amendment, to take up the time of the House. It would seem to me that perhaps the member for Humber would agree to accept a copy for his information as well.

Mr. Ben: No, I think the people ought to know what the purpose of a bill is. I was under the impression it had gone through committee and I think people who read *Hansard*, especially those interested in taxation, should know what is behind the government's thinking in passing this kind of legislation. We have no opportunity of going to a standing committee; we ought to be able to read it in *Hansard*.

Hon. Mr. White: If the member had been here a little more often, he would have heard me explain a dozen times that we are bringing this Act once again into conformity with federal legislation.

Mr. Ben: I heard the minister say that. I—

Mr. Chairman: Order!

Interjections by hon. members.

Mr. Chairman: I must point out to hon. members that rule 16 forbids the reading at any length, unnecessarily, from any document—

Mr. Ben: Well, let him explain—

Mr. Chairman: —other than for the purpose of very briefly explaining the import of the section. Now, the hon. minister has already done that. To read this again would be out of order.

Mr. Ben: He has not, he has been unable to.

On a point of order, Mr. Chairman. The hon. minister has not explained the import of that section. Let him do it.

Mr. Chairman: The hon. minister has done this previously in the House.

Mr. Ben: He has not explained the import of this section. Let the minister do it.

Mr. Chairman: Shall the bill be reported?

Mr. J. Renwick: I would ask the minister if he would give us an explanation of the new section, which has been added to The Corporations Tax Act, that is the provisions included in clause 18, which appear to me to be a new addition to The Corporations Tax Act.

Hon. Mr. White: Right. Section 66(a) is added to The Corporations Tax Act to permit a corporation to make an election to capitalize the cost of borrowed money used to acquire depreciable property or for exploration, prospecting or development, which otherwise would be required to be deducted pursuant to section 22, subsection 1, clause (a), clause (e), or clause (f) in the fiscal year when incurred.

If a corporation makes an election, the interest otherwise required would be deducted under section 21, subsection 1, clause (a), clause (e) or clause (f), is not deductible to the extent specified in its election, and the amounts so specified or added to the capital cost of depreciable property, subject to capital cost allowance, are considered as exploration, prospecting and development expenditures deductible under section 57 of the Act, as the case may be.

As a result, a corporation, by making an election, will be able to deduct capital cost allowances, in amounts which otherwise might not be deductible by virtue of the loss carried forward under the provisions of The Corporations Tax Act and The Income Tax Act of Canada.

Mr. J. Renwick: Mr. Chairman, on clause 19 of the bill, I would simply comment that I was pleased to see in the bill that the government has accepted the—

Mr. Ben: He does not know a damn thing about it.

Mr. Chairman: Order!

Mr. J. Renwick: —the limitation clauses that are set out in The Income Tax Act of Canada with respect to the power of the minister to reassess a person for tax and to apply a six-year rule in the absence of fraud or misrepresentation, which is what I understand to be the import of the amendments the minister has brought forward.

Hon. Mr. White: Well, I am glad to have that comment. We dealt with this on second reading and it is certainly in keeping with the spirit of the recommendation in both Smith and the select committee. I think Smith said six years and the select committee said five years.

We have gone to six years because that gives us the federal four years, plus two years, it being my understanding that some number of these cases are developed toward the end of a four-year period and which become known to us some time beyond a further 12 months. So my officials felt very strongly that we should have the full six years, rather than five years, and I came to agree with them, having heard their reasons, notwithstanding the five-year period suggested by the select committee. I quite agree, it is a very good step forward.

Mr. J. Renwick: Mr. Chairman, I was not here on second reading. I do not intend to encroach on that, but I would suggest that some consideration be given to the standing committee on—is it rules and procedures?—that perhaps somehow or other we solve the problem of dealing with these technical amendments other than within the framework of a private meeting. There may be some expeditious way where it could be dealt with and yet would have the sensation that we had discharged our responsibilities without just simply adopting holus-bolus these questions, simply because the federal government has done so.

Mr. Chairman: Any further comments or questions on the bill?

Bill 159 reported.

Clerk of the House: The Honourable, the Lieutenant-Governor recommends the following:

That,

the moneys necessary for the purposes of The Pollution Abatement Incentive Act, 1970, shall until March 31, 1971, be paid out of the consolidated revenue fund as provided in Bill 150, An Act to provide Incentive to the Abatement of Pollution.

Resolution concurred in.

INCENTIVE FOR THE ABATEMENT OF POLLUTION

House in committee on Bill 150, An Act to provide Incentive for the Abatement of Pollution.

Mr. Chairman: Are there any questions, comments or amendments to any sections of this bill?

Bill 150 reported.

Mr. T. P. Reid: There, you see!

Hon. G. A. Kerr (Minister of Energy and Resources Management): All night for this.

Mr. T. P. Reid: I want you to remember this.

Mr. D. Jackson (Timiskaming): Bring in a good bill next time and we will pass it even faster.

THE REGISTRY ACT

House in committee on Bill 90, An Act to amend The Registry Act.

Mr. Chairman: Are there any comments, questions or amendments to this bill and if so, what section?

Mr. Lawlor: I have two questions; the first one is on section 14.

Mr. Chairman: Are there any comments or questions up to section 14?

If not, the hon. member on section 14.

Mr. Lawlor: I think this may be answered rather quickly. This is giving confirmation or recognition to the practice that has long existed of registering an estate tax, a succession duty consent on titles and they would be recognized. I want to know from the minister if he can tell me where is the authority for so doing. As I understand it, in the *Canada Gazette* of November 12, 1969, or by way of an agreement with the province, the federal government did in effect surrender any lien that it may have on properties in Ontario, and in the process of surrendering its claim I would have thought there must have been some kind of deal made with the provincial government to preserve through the provincial auspices, under its control of lands, the federal right. But I have not been able to locate the source of that agreement, or any text of it at all, and I wonder if the minister could inform us where the power lies

in the federal government having to surrender its lien rights.

Hon. A. A. Wishart (Minister of Justice): Mr. Chairman, section 14 simply provides that where a consent has been deposited prior to January 1, 1970, such consent should be deemed to have been sufficiently registered for the purpose of subsection 1 of 58(a) of the present Act. Under The Estate Tax Act (Canada) a consent may be registered separately or may be registered attached to an instrument in the same instances and in the same manner as a consent of the Treasurer of Ontario under subsection 6 of section 58.

So when we go to that subsection, subsection 6 of section 58 of the Act, it reads:

> Subject to subsection 4, whether letters probate or letters of administration have or have not granted, no deed, grant, conveyance, mortgage, assignment of mortgage, discharge of mortgage, or other instrument purporting to convey, transfer or assign any property, and so on, standing in the name of the deceased [and a number of other items] shall be tendered for registration unless the consent in writing of the Treasurer of Ontario is attached thereto or endorsed thereon.

So it becomes a part of the registration. I do not know whether I answered the hon. member or not, but there certainly was that requirement.

There was some agreement reached with the federal government and this, I understand, brings our Act into line with the requirements both with respect to consent of the Treasurer of Ontario and those of the estate tax of Canada.

Mr. Lawlor: Mr. Chairman, I will not press this point. I would ask the minister if he would be kind enough, since it is getting late, if he would read my question again—it is a fairly technical kind of question—and perhaps give me an answer in due course and maybe get it on the record some day.

If I may refer you, Mr. Chairman, to section 60.

Mr. Chairman: The hon. member for Lakeshore on section 60.

Mr. Lawlor: This is the famous section which is, in effect, discharging the mortgage pretty well for ever. I can see good reason for the minister doing so, but I wonder if the minister has gone far enough and whether the horizons of his thinking in this somewhat momentous change in our law encompass the whole of the possibilities that flow from his doing this.

First of all, I cannot refer specifically with any great measure of being sure that I am right, but I would like to attract his attention over the summer to section 23 of The Conveyancing and Law of Property Act, paragraph 3 thereof, having to do with the effect of the conveyance done by trustees or mortgagees. It may be that you will find it necessary to amend that statute, to bring it into line with what you are seeking to do here in terms of amending The Registry Act. Although, as I say, I was a little hesitant because that was the area I felt could have had some impact. There may be other sections in The Conveyancing and Law of Property Act which could be equally effective but with foreshortened time I was not able to bring them up, but I would direct your attention to that particular one.

I would point out to you that Marriot in his famous book on mortgages speaks of an assignment being absolute, at page 250, that assignments of mortgages are, or rather, a discharge of a mortgage is absolute and that will affect, too, the assignment possibilities as contained in that second statute of The Conveyancing and Law of Property Act. If I may, that was my first point on this section.

If I may direct the Attorney General's attention to subsection 4 of section 16. He has built into this section a discretion on the part of the registrar of deeds which he did not previously possess—and which I am asserting that he does not, that any registrar of deeds does not presently want—as to what he rules off in the index. Having been ruled off, of course, it no longer has much validity touching that title; at least the registrar of deeds takes the responsibility in the process of doing that. If I may just take a moment to read that section:

> Notwithstanding section 73, a registrar shall not mark off the entry in the abstract index of a mortgage or instrument dealing with the mortgage, if a mortgage of a mortgage was registered and the only registered discharge relating to the mortgage was of the mortgage of the mortgage, except where, having regard to the provision contained in the mortgage of the mortgage and to subsection 3, he is satisfied the discharge had the effect of discharging the mortgaged mortgage.

All very technical, all very ethereal; at the same time I would direct, Mr. Chairman, the Attorney General's attention to section 70 of The Registry Act, the effect or purport of which is to simply say that any discharge

registered on title is absolute. There is no qualification to that and you are trying to build in, into this section, some kind of a qualification that some discharges are not absolute.

It is going to make legislation—I did not want to keep you up all night. If this government wants to push all the stuff down our throats on the last evening we will sit and do it.

Hon. A. Grossman (Minister of Correctional Services): How did we over here get into this? We are interested in what you are saying.

Mr. Lawlor: Section 70 defines what the effect of a discharged mortgage is and you are cutting back on it in this particular section. In section 73, you are saying, notwithstanding, you are passing this section:

> Where a mortgage registered since the 1st day of January, 1890, is purported to be discharged and the certificate purporting to be the discharge has been registered for 10 years or more—

The word "purporting" seems to me to give some guarantee of some security to the registrar before he lops it off the title.

It appears on the surface that it has some weight and validity and therefore he feels safe. But here you are saying you take out the word "purporting," you make it very categorical and throw the whole weight upon the registrar. What is going to happen, I suggest to you Mr. Attorney General, is that different registrars in different parts of this province exercising different discretions will from time to time, and over periods of time, come to different decisions and some of them will be wiping these mortgages off the title. Others will not do so because they will be afraid to do so.

I think the discretion that you are granting them in this regard is too broad, that you are going to set a non-uniform practice which did not hitherto exist, and that you are going to create a certain degree of chaos in the business of titles throughout Ontario by writing in this discretion as it presently stands.

I would ask that the minister review it. I think a mistake is being made and that the minister must take into cognizance the total effect of the section that he is seeking to bring into being.

Mr. Chairman: Any other comments, or questions on any other section of the bill?

Mr. Ben: I would ask the minister to rise and explain the more recent opinion which requires that the inspection of titles go beyond a 40-year root, which would take it beyond the 80-year root. At the present time you could acquire a title by prescription, even against the court, after 16 years.

Hon. Mr. Wishart: What section?

Mr. Ben: Section 17.

Mr. Chairman: We are on section 16. Are there any comments or questions?

Mr. Ben: Section 17, Mr. Chairman, makes it compulsory that a registrar strike off the register a discharge of mortgage which has been in the register for more than 10 years, discharge certain mechanics' liens with a certificate after two years of *lis pendens* and so on. He can initial it—he just takes it out with red ink.

Now the minister brings an amendment in here which gives the registrar the discretion, if he so pleases—mind you, discretion—of striking through an instrument which is on the register before January 1, 1890.

Explanatory notes state that:

> The Act now requires registrars to rule off the entries of certain discharged encumbrances registered after January 1, 1890. The choosing of the date was based on the 40-year root of title at the time the ruling-off provision was enacted. As more recent opinion requires more inspection of titles beyond the 40-year root, the amendment authorizes, but does not require, the registrar to rule off such entries before January 1, 1890.

Would the minister please rise and inform me what is this more recent opinion which enables him to go back beyond the 80-year period?

Mr. D. M. De Monte (Dovercourt): Forty.

Mr. Ben: Eighty—1890—which requires that this amendment be brought, and why it is mandatory on instruments after January 1, 1890, but only discretionary on instruments prior to 1890?

Hon. Mr. Wishart: Mr. Chairman, I shall explain it as best I can. I would like to refer firstly to the question raised by the member for Lakeshore in respect to section 16, if I might be permitted to just refer to that briefly.

I think perhaps his comment is well taken although I would point out that section 73 to which he referred gives rise to the very situation which the new section 16 is designed

to obviate—that is the error which arises from the registrar striking off where there is a discharge of a mortgage. The danger there, which occurred occasionally, was of the registrar striking off the mortgage and ruling it through in red ink.

So now the registrar has to exercise a discretion, a judgement and a responsibility, which he did not have to exercise under section 73, where if he ruled it through it was purported to be discharged and persons searching that title might take the land as being free and clear of that encumbrance, and The Registry Act says it is validly discharged.

Now he has to accept some responsibility to check that the mortgage of the mortgage does not discharge the original mortgage, unless the terms of the mortgage of the mortgage give that right. Perhaps that may need further examination, and I have noted the comments of the hon. member and I shall take it under consideration, but I think it should not delay us in dealing with this bill tonight.

In respect to section 17, raised by the member for Humber—

Mr. Lawlor: Mr. Chairman, if I may and Mr. Attorney General, if you will defer. You did not say a thing about section 70 and the effect. Section 70 brings out in full the effect of a discharge, not merely as a token that a debt has been paid, but an actual reconveyance of the land in fee simple form, and it goes pretty far from what you are trying to do here, it seems to me. In other words, I am simply saying to you that at the beginning of this whole thing in section 65(b) you should be saying what you say irrespective or apart from what is said in section 70. Therefore, when you are dealing with discharges of mortgages of mortgages, then this is a different ball game, and the absolute rule does not apply. Unless certain discretions are exercised, then the whole works come into play.

Hon. Mr. Wishart: Mr. Chairman, the hon. member may have a point, but it is a very fine point. I did not refer to section 70 particularly, because by a reading of section 70 there is every certificate of payment or discharge of a mortgage, or the conditions therein.

Now I think you would have to clearly distinguish a discharge of a mortgage of a mortgage, and if the person holding the mortgage of the mortgage does not have the right to discharge the mortgage, then it has no effect in discharging the mortgage.

Mr. Ben: I am warning you. You have not got definitions for those terms.

Hon. Mr. Wishart: I shall check it carefully, but I think my interpretation is that which will be accepted.

Mr. Ben: Well, Mr. Minister, is not a mortgage of a mortgage a mortgage?

Hon. Mr. Wishart: Yes, but we want to do away with it.

Mr. Ben: But it is still a mortgage.

Hon. Mr. Wishart: It is a mortgage, but the point is that the discharge of the mortgage of the mortgage does not discharge the mortgage.

Mr. Ben: You are right. What you are trying to do is cover up.

Hon. Mr. Wishart: No. This is the situation—if I could get the hon. member's attention, perhaps I could convince him.

Mr. Ben: I am all ears, even though they are small.

Hon. Mr. Wishart: It was not ears that I was concerned about. I would point out that this is the situation which prevails in the land titles office, and there is no such thing allowed. It does create confusion, and we are trying to get away from it, and avoid confusion and error. That is the purpose of section 16.

If I may come to section 17, it is true that the date that was given was January 1, 1890, and the 40-year root of title was the design, was the purpose, of that original provision. But it was found—and I am sure that the hon. member is aware—that you have to go back in some cases, quite occasionally, but not so much today, beyond 40 years, to the good root of title.

Mr. Ben: The first root beyond 40?

Hon. Mr. Wishart: Yes. When you went back to the root of title, you might even go back beyond January 1, 1890. Even there between, say 1870 or 1880 and 1890, you might find a mortgage registered, no discharge, or a discharge. This gives the registrar a discretion to go back and clear up—back to that good root of title—things which should not be on the register abstract at all. So that is the purpose of that, to lift them from the abstract record, when you are

going back behind January 1, 1890, to get a good root of title, to save the title searchers from looking at documents in there which can be ruled out, so that they do not have to search for ages to get back to the good root of title.

Mr. Ben: Mr. Attorney General, reading this section 10, it states:

> The registrar may draw a line in red ink through the entries in the abstract index of mortgage, certificates of *lis pendens* and mechanics' liens registered on or before January 1, 1890, in the circumstances mentioned in subsections 1, 2 and 4, whereupon the lands described in the mortgages, certificates of *lis pendens* or mechanics' liens are validly discharged therefrom.

Subsection 1 of section 73 enables a registrar to strike through an instrument on the abstract where a discharge has been registered.

Hon. Mr. Wishart: Section 73?

Mr. Ben: Section 73. Therefore, reading the proposed subsection 10 in conjunction with section 1 of section 73, it would appear that before the registrar has a right to exercise a discretion there must not only be a mortgage or mechanics' lien or a certificate of action prior to 1890, but in keeping with subsection 1 of section 73 there must be a discharge of it.

I defy your reasoning, Mr. Attorney General, through you, Mr. Chairman, if what you are saying is this: there are instruments prior to 1890 such as mortgages, *lis pendens* and certificates of action, which have not had registered discharges, i.e. there is a mortgage without a discharge registered; there is a *lis pendens* without a certificate vacating or *lis pendens*, without a certificate of action. If the registrations of these instruments are before January 1, 1890, he has the discretion to strike them off, but when you make your reference to subsections 1, 2 and 4, you are requiring that there be a discharge of those instruments and are still only giving them a discretion. Does the hon. Attorney General follow what I am trying to say?

Hon. Mr. Wishart: Yes, I am listening.

Mr. Ben: This is what I cannot understand —why you are giving a discretion when a discharge has to be registered by discharging an instrument registered before 1890. If there is a discharge there that is 10 years old, why not strike through it? Why not make it compulsory—clear out the abstract?

Mr. De Monte: Am I correct in assuming this, Mr. Attorney General? That the registrar is striking the instrument off prior to 1890? I presume that these instruments, such as discharges and mechanic's liens do not have any discharges registered? Then does the registrar have to make a legal opinion that these mortgages or mechanics' liens or *lis pendens* by operation of law, have become redundant before 1890? Is that the intent of this section, Mr. Attorney General?

Hon. Mr. Wishart: No, Mr. Chairman. I think if the hon. member will look with me at section 17, he will see as the language reads, that he can only make straight those registrations, or rule those instruments off by drawing a line in red ink through them in the circumstances mentioned in subsections 1, 2 and 4 of present section 73. Those subsections all require the registration of some instrument purporting to discharge. He goes back beyond January 1, 1890, and he rules those off. If you are going back to 1888 for a good root of title, and there are 20 instruments in there which you might be looking at, they would all be out of your way with a line of red ink through them.

Mr. Ben: Mr. Chairman, under the circumstances I think an amendment should be moved to this particular section. That is, changing the word "may" in the first line to the word "shall", to keep it consistent with the Act as it now reads. I so move, and if I have to send it down to him I will.

Mr. Chairman: The motion must be in writing.

Mr. Ben: Does the Attorney General see what we are discussing?

Hon. Mr. Grossman: Are you sure you want to go ahead with this?

Mr. Ben: Yes, just give the minister time to consider it.

Hon. Mr. Wishart: I am going to have to reject it, Mr. Chairman; I am not waiting for it to be formally presented to you. I think what we have now is sufficient, really, as to the requirement of the registrar. If there are registrars who have the time and the opportunity to go back and check those, we may some day make that a requirement. But not at this amendment.

Mr. Chairman: Shall the section carry?

Mr. Ben: For goodness' sake, Mr. Attorney General, why did you bring it up to begin

with when you have the audacity, the consummate gall, at 25 minutes to 1 o'clock to say, "Well, we are putting it in there so if the registrars find time they can deal with it." If the registrars do not have to do it, they are not going to find the time to start digging through abstracts of transaction before January 1, 1890, just to give their staff some work—unless you think some staff is being redundant and you are going to fire them. This is the kind of stuff that drives people up the wall. Why do it to begin with?

Hon. Mr. Wishart: Perhaps I should have been a little more explicit, Mr. Chairman, and I do not blame the hon. member for his—

Mr. Lawlor: Petulance.

Hon. Mr. Wishart: —somewhat extravagant language. There are some titles—and certainly this would not apply to a great many titles —of which registrars know when a situation of this kind does exist and they would like to clear those. There are others that do not need their attention at all, and this is a discretionary thing, not with respect to giving registrars the discretion as to what they wish to do, but there are some titles that do require attention. We feel that the registrar should then be directed by us to clarify those and remove those things. That is really the thinking behind it.

Mr. Chairman: Shall the section stand as part of the bill? Carried. Are there any questions or comments to any other section of the bill?

Bill 90 reported.

THE MORTGAGES ACT

House in committee on Bill 139, An Act to amend The Mortgages Act.

Mr. Chairman: Bill 139, An Act to amend The Mortgages Act.

Mr. J. Renwick: Mr. Chairman, I have an amendment to clause 1.

Mr. Chairman: I believe the hon. minister has an amendment to section 1.

Hon. Mr. Wishart: Yes, I have an amendment to section 1, Mr. Chairman, if I might. I trust you may have some extra copies available so that perhaps some of my friends might have it.

Mr. Chairman, I move that subsection 2 of section 20(a), as enacted by section 1 of the bill, be amended by striking out "having a subsequent lien, charge or encumbrance" in the fifth and sixth lines and inserting in lieu thereof, "added as a party in the master's office," so that the subsection shall read as follows—

Mr. Ben: What section is that?

Hon. Mr. Wishart: One. At the bottom of page 2 of the bill. The subsection shall read as follows:

> 2. Notwithstanding clause (b) of subsection 1, where judgement has been recovered and recovery of possession of the lands has taken place, the court may stay proceedings in the action upon the application of a person added as a party in the master's office made under subsection 1 within 10 days after service of notice of the judgement has been made upon him.

And I might speak briefly to it, Mr. Chairman.

The note which I have and which I read is that the amendment puts defendants by writ who are subsequent encumbrancers in the same position as the original mortgagor who cannot obtain a stay of proceedings after sale has been obtained. This right is given for persons added in the master's office after judgement. If we were to leave the section as it stands now, it would give to persons added in the original action as encumbrancers higher right of redemption than the mortgagors. This amendment does not place them in a higher position—they have the same right of redemption—but it does protect and give to subsequent encumbrancers a right of redemption because they have not been parties to the action, they have not had the notice, they have not had the opportunity in the action to redeem.

Mr. Chairman: Any comments on the amendment? Shall the amendment carry?

Carried.

Shall section 1, as amended, stand as part of the bill?

Mr. J. Renwick: Mr. Chairman, I have a further amendment to clause 1 of the bill. I am sorry I do not have a copy, but I think it will be perfectly clear.

I move that subsection (1) of section 20(a) of clause 1 of Bill 139 be amended by striking out the words:

> Upon payment into court of the sum of $100 to the credit of the action as security for costs—

And by deleting the word "may" in item (b)—

Hon. Mr. Grossman: It is perfectly clear.

Mr. J. Renwick: —of the said subsection and inserting in lieu thereof the word "shall."

Mr. Ben: Where is that?

Mr. J. Renwick: Mr. Chairman, the—

Mr. Chairman: Mr. Renwick moves that subsection (1) of section 20(a) of clause 1 of Bill 139 be amended by substituting the words as read by the hon. member.

Now the hon. member may proceed.

Mr. J. Renwick: Mr. Chairman, there are two points in the amendment. The first point is to cover the comment made by the hon. J. C. McRuer in the report of the law reform commission on section 20 of The Mortgages Act.

The clause as presently drafted requires a mortgagor, before availing himself of benefit of the proposed amendment, to pay the sum of $100 in court and we agree with Mr. McRuer's comment on that, which I would like to quote:

> The commission concurs in these recommendations except that hon. J. C. McRuer would delete the requirement that the mortgagor must pay into court the sum of $100 as security for costs before he may avail himself of the right to apply to the court for relief under the proposed section. He emphasizes that before effective relief can be granted by the court, the covenant must be performed or the money due under the mortgage must be paid, together with the costs of the action. His view is that the requirement that $100 be paid into court as a security for costs is in the nature of a penalty to deter mortgagors from availing themselves of the benefit provided by the section. He also observes that in most cases mortgagees will have ample security for costs in the equity of redemption. His view is that the ordinary rules as to when security for costs should be required should apply to applications under the proposed section.

Mr. Chairman, we simply concur in those comments and therefore have included that in the proposed amendment.

The second amendment is related to the discretion conveyed to the court by the use of the word "may" in those circumstances where the mortgagor, having complied with all the conditions imposed, which should permit him to have the benefit of the equity jurisdiction of the court, nevertheless is still subject to the hurdle that the court might be in a position to deny him the stay of proceedings. And therefore the word "may" should be changed to the word "shall," as is the case in the preceding item under the Act, where if judgement has not been recovered then it is mandatory upon the court, upon the condition having been fulfilled, for the court to grant the dismissal of the action.

I would ask the support of the House in concurring in those amendments.

Mr. De Monte: Mr. Chairman, I would like to go on record for this party and agree with the amendment moved by the member for Riverdale. We feel that this posting of security for costs and this set of circumstances is merely in the nature of a penalty and that it could very well penalize some mortgagor who has sufficient equity in his property to be able to pay any costs that would come up in the sale of his property. I would say, Mr. Chairman, that we agree with the amendment moved by the member for Riverdale.

Mr. Chairman: Any further discussion? Would the hon. minister care to respond?

Hon. Mr. Wishart: Mr. Chairman, we discussed this on second reading and the same points were raised then. I expressed my view that I did not agree with the suggestion that the $100 security for costs provision be deleted.

Mr. Lawlor: But you have had a chance to read McRuer's view.

Hon. Mr. Wishart: Mr. McRuer is one member of a five-man commission. The commission did not accept his view and he did sign the recommendation in the report. But I think I want my own reasons put forward. I have not discussed this with any members of the law reform commission, but it is true that the mortgagee will recover his costs; the amount in default, whether it is part or all, must be paid and costs.

But, as the hon. member well knows, costs do not compensate in full for the efforts a mortgagee may be put to, or the expense he may incur. Costs are a certain amount, quite limited sometimes and far short sometimes of the energy expended and the cost of it, and even costs paid in consultation and for advice and so on.

I think it is not an unreasonable thing, when a man has gone into default and he has allowed it to go through a court and reached a stage of action, that if he is then to recover all his rights he should pay not just the limited costs which are allowed in these actions but that he should put up a security

—mind you, this is only security for costs; it will go on the costs in the end anyway, so he will get credit for it.

Mr. J. Renwick: But he has to find it in the beginning.

Hon. Mr. Wishart: He has to find it, but he will get credit for it against the costs. I think that is not an unreasonable proposition.

As to the second part of the amendment, I think there is a distinction, and certainly I think this was in the minds of the members of the law reform commission when they distinguished in subsection 20(a) and 20(b) between "shall" and "may." In the one case the judgement has not been given. The court has not made a decision, so in that case, before judgement, the court shall dismiss the action, shall completely wash it out. But where judgement has been given and some steps have been taken but not to the point of sale or the disposition of the land, then the court is given a discretion to say, "You may come forward but the mortgagee has gone through this matter; it has been decided by a court."

I realize that possibly not in the normal hearing, but in foreclosure action sometimes it is judgement by influxion of time; however, I think the word "may" was put in there for a reason and in that case I think the discretion of the court is sufficient. If there is a case made for equity to be exercised, the court has the discretion to exercise it as the chancellor did of old, to exercise his discretion to the relief of the mortgagor, and I would suggest it be left there, Mr. Chairman. I would reject the amendment.

Mr. Chairman: Those in favour of Mr. J. Renwick's motion, please say "aye." Those opposed will please say "nay."

In my opinion the "nays" have it. I declare the motion lost.

Shall the bill, as amended, be reported? Carried.

Bill 90, as amended, reported.

THE MOTORIZED SNOW VEHICLES ACT

House in committee on Bill 163, An Act to amend The Motorized Snow Vehicles Act, 1968.

Mr. Deacon: Mr. Chairman, I mentioned in second reading of this bill, that I feel it makes it very difficult for municipalities. In many municipalities, where this bill would be necessary, provincial highways run through the municipalities and do not enable the municipality to have control over motorized snow vehicles in that municipality. The minister mentioned the fact that on every other type of road, the jurisdiction which has responsibility for that highway controls whatever laws there are with respect to vehicles on the highway.

This particular matter of snow vehicles is a little different because there are no standard laws across the province. The minister mentioned that, and each municipality is different. Therefore, it should be laid out in the Act that there is allowance for individual cases and I therefore move that section 2, be deleted and the following subsections be numbered accordingly.

Mr. Chairman: Mr. Deacon moves that section 2, subsection 2, be deleted and the following subsections be numbered accordingly. Any discussion on this motion?

Mr. Deacon: Any comment from the minister?

Mr. Chairman: Any comment from the minister?

Hon. I. Haskett (Minister of Transport): Mr. Chairman, in the present Act, there is provision in section 61 for the councils of municipalities to pass bylaws prohibiting the driving of motorized snow vehicles along or across any highway, or part of a highway, under its jurisdiction. It has developed that some municipalities felt that their power to control the use of snowmobiles within their jurisdictions was limited to the operation along or across a highway.

The purpose of the amendment to section 6 that is dealt with in section 2 of the present bill is to enable municipalities to regulate, govern and prohibit the operation of motorized snow vehicles within the municipal boundaries. It was intended to remove any doubts that this might exist as to the right of municipalities to extend their authority in respect to the operation of motorized snow vehicles in parks and on private property and in other areas.

When the bill was being drafted the point was made by legislative counsel that the local municipality did not have the authority to regulate the traffic on roads running through its limits that were not under its jurisdiction, and so section 6(1) is amended in section 2 of the bill to read:

> The council of the local municipality may pass bylaws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highways therein or any part or parts thereof.

That was an extension to the provisions of former 6(1) that merely gave them authority to prohibit driving of snowmobiles along or across any highway. But when you read 6(1) as it is in this bill, you are dealing with highways that are not under jurisdiction of the local municipality. Subsection 2 came in to clarify that where the bylaw was passed under section 1, the provisions regulating or governing the operation of motorized snow vehicles under the bylaw do not apply to the highways or any part or parts thereof that are not under the jurisdiction of the local municipality. That is perfectly obvious.

Then subsections 3 and 4 came in to clarify the situation by saying, in subsection 3, "The council of a county or of a district, metropolitan or regional municipality may pass bylaws regulating and governing"— that is the broader language again—"the operation of motorized snow vehicles along, or across any highway, or part of a highway under its jurisdiction" to supplement what the local municipality may have done; and in subsection 4:

> Where the operation of motorized snow vehicles is not prohibited on a highway under the jurisdiction of a county, district, metropolitan or regional municipality by a bylaw passed under subsection 1, the council of such municipality may pass bylaws prohibiting the operation of motorized snow vehicles along or across such highway or any part thereof.

We think we have the thing covered. That was the purpose of this section of the bill, not to leave loopholes as the hon. member fears, but to give the municipality what we thought was necessary to enable us to regulate the operation of snow vehicles within its jurisdiction and to care for the situation where there were highways or roads within the limits of the local municipality that were not under the local municipality's jurisdiction.

Mr. Deacon: Is the minister telling me that, with this Act in force, and if a local council brings in a bylaw prohibiting operation of a motorized snow vehicle within that municipality, then on no road within that municipality's boundaries, including the provincial highways, is it possible for anyone to operate a motorized snow vehicle without contravening the bylaw? Is that the case?

Hon. Mr. Haskett: No, it points out in this subsection 2 that where the bylaw is drawn to cover the municipality and there are roads which are within the municipality but are not under its jurisdiction, then the bylaw does not apply to those roads. So provision is made in subsections 3 and 4 to care for that situation, so that the county or district or metropolitan or regional municipality having authority on those other roads may pass bylaws.

Mr. Deacon: As I mentioned to the minister earlier, there are a great many roads and highways that are provincial highways and how does that cover the situation?

Hon. Mr. Haskett: If only roads which are provincial highways are involved, they are covered in the present Act under the regulations now.

Mr. Deacon: Is it not possible for people to operate motorized snow vehicles on provincial highways as long as they obey certain regulations—on certain provincial highways, not all of them? Therefore maybe it is possible, under the provincial regulations, to operate these vehicles up and down the main street—only the main street, really—of the town.

So in effect you are negating the ability of the town to control the vehicles.

Hon. Mr. Haskett: They would not be allowed to operate on the street at all. They could only operate on the portion of the highway that was not the travelled portion, if it was such a provincial road.

Mr. Deacon: Still it is going to be the same thing insofar as the people in the municipality are concerned. They live on the highway which runs through the middle of the town and motorized snow vehicles run up and down the untravelled portion of the highway, or the shoulder, and make a racket at night which is what people are wanting to control. The minister is saying he is stopping the operation of motorized snow vehicles. He is not doing it in the main portion of the town.

Hon. Mr. Haskett: Mr. Chairman, I think it is quite clear the intent here is to strengthen the authority of local municipalities to give them the power, besides controlling the operation of motorized snow vehicles on the highway, or on the roadway, to regulate and govern their operation completely.

Mr. Deacon: In what way is this minister helping, by this Act, a town where the main street is a provincial highway and it is permitted on that provincial highway to run up and down the untravelled portion of the highway? What can the municipalities do about it? You have left it so that they cannot do anything.

Mr. Chairman: Those in favour of Mr. Deacon's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost.

Any further questions, comments or amendments to this bill?

Mr. Ben: On section 3.

Mr. Deacon: Section 3; I have an amendment.

Mr. Chairman: Including an amendment?

Mr. Deacon: Yes. I have an amendment that section 3 be amended by deleting all words between "and who" in the first line and "motorized snow vehicles" in line three of this new subsection 4 and the following words inserted in their place: "and who holds an operator's or a chauffer's licence under the authority of the province, country or state in which he resides."

As mentioned earlier in the second reading we create a situation under this bill where someone can come from another jurisdiction with a permit which means that they might well be under age and they certainly are not qualified in the same way that a person in this province has to be qualified to operate a motorized snow vehicle. In this province, the minister is saying they will have to have an operator's or a chauffeur's licence. I think we should insist upon the equivalent qualification of anyone else who comes in from the outside before they can operate one of these vehicles in our province. I think it is very important to have this amendment.

Mr. Chairman: Mr. Deacon moves that section 3 be amended by deleting all words between "and who" in the first line and "motorized snow vehicles" in line 3 of the new subsection 4, and the following words be inserted in their place:

"and who holds an operator's or chauffeur's licence under the authority of the province, country or state in which he resides".

Any discussion on the motion?

Mr. Jackson: Yes, Mr. Chairman, I am sure we will support Mr. Deacon's motion. However, I have several amendments to previous parts of the same section that I would like to place if that is permissible at this time.

Mr. Chairman: I am sorry, I did not catch what the hon. member said.

Mr. Jackson: I have amendments to parts of the same section but previous to the part of the section that was amended by the member for York Centre's—

Mr. Chairman: The motion is an amendment to section 3 and it has to do with the first line. I mean, how can there by anything before that?

Mr. Jackson: It has to do with the first line of section 4, section 3, subsection 3.

Mr. Deacon: I am dealing with the first line of section 3, subsection 4.

Mr. Chairman: The hon. member wants to amend something prior to that?

Mr. Jackson: Yes, subsection 3.

Mr. Chairman: All right. I will accept his motion after we deal with this one.

Mr. Jackson: Fine, thank you, Mr. Chairman. My argument was—

Mr. Chairman: Is the hon. member now dealing with the amendment before us?

Mr. Jackson: Yes. No, I am not dealing with—

Mr. Chairman: That is what I mean—let us deal with this one first.

Mr. Deacon: And go back to him then?

Mr. Chairman: Yes. I told him I would go back and accept his after we deal with this one.

Mr. Deacon: I would appreciate getting the hon. minister's comments.

Mr. Chairman: Yes, does the hon. minister want to comment on this motion?

Hon. Mr. Haskett: Mr. Chairman, we have given a great deal of thought to the need to improve the qualification of the drivers who will be operating motorized snow vehicles on highways where they are permitted to operate on highways. That is the only place that licensing the driver is required. It is required that he be licensed under The Highway Traffic Act as a licensed driver or with a chauffeur's permit. The intention of this is to ensure that anyone who is operating a motor-

ized snow vehicle on the highway will have a knowledge of the rules of the road and sign recognition and have preferably some experience in driving on our highways.

Mr. Deacon: A very fine idea.

Hon. Mr. Haskett: But the provision to which the hon. member for York Centre objects is that we make allowance for those who are not residents of Ontario and we exempt them from the requirements of section 7, subsection 3, that is, section 3 of the bill. It does not apply where the person is a resident of some other province of Canada or a resident of another country or state and has complied with the laws of the province, country or state in which he resides as to the licensing of drivers of motorized snow vehicles. This is the first requirement. He must have complied in his own province or state with the requirements for the licensing there of drivers of motorized snow vehicles, provided that the province, the country or state grants similar exemptions or privileges with respect to the drivers of motorized snow vehicles.

Mr. Chairman: Anything further to—

Mr. Deacon: Mr. Chairman, that is quite apparent; we read that in the Act. I submit to the minister that we should be requiring any person who comes into this province who is operating a motorized snow vehicle on our highways to be qualified as a driver in the same way that we require any person who is operating a motor or any vehicle on our highways to have a proper operator's or chauffeur's licence of another country that we recognize.

I think it is important that we have this same provision and protection in our Act. I can see no reason that the minister has inserted in this Act a clause which talks about his qualifications to operate a motorized snow vehicle. We are talking about someone operating a vehicle on our highways, and we have said to our own people they have to have an operator's or chauffeur's licence issued by this province. Now, we have other people who come into the province from outside as visitors; when they have qualified for a driver's or operator's licence in another jurisdiction we recognize that right, but surely we should insist in this Act on the same requirement for those operating snow vehicles.

I can see no reason for the present clause and the loophole that it opens up, and I urge the minister to consider the situation, to make this amendment, so that we do have the same protection that we are requiring of our own residents from those outside.

Mr. Chairman: The hon. member is now becoming repetitious. The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, the only point I was going to make is regarding, say an individual who resides in and has a motor vehicle permit, a driver's licence, from the state of Hawaii. If he came to Ontario, he would not be able to drive a motorized snowmobile because there are no snow vehicles in Hawaii; he would never have had a chance. So reciprocal agreements—

Interjection by an hon. member.

Mr. B. Newman: If he were vacationing here he would be barred from that sort of pleasure, whereas if the amendment suggested by the hon. member for York Centre were accepted, then the driver's licence that he does have for the state of Hawaii would be acceptable here.

Hon. Mr. Haskett: That would be so. That would be the case now.

Mr. Chairman: Those in favour of Mr. Deacon's motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost.

The hon. member for Timiskaming.

Mr. Jackson: Thank you, Mr. Chairman.

Mr. Ben: The government may have the "ayes," but they are too blind to see.

Mr. Jackson: In view of my comments on second reading and in view of the answers from the minister, I move that subsection 3 of section 3 of Bill 163 be amended by renumbering subsection 3 as subsection 3(a) and adding in the sixth line of the new subsection 3(a), the word "or" following the word "Act," and that section 3 be further amended by adding a new subsection 3(b) to read: "He hold a snow machine operator's permit issued under authority of this Act"; and that section 3 be further amended by adding a new subsection 3(c) to read: "The minister shall, on successful completion of approved tests by an applicant, issue a snow machine operator's permit to the successful applicant."

So that section 3 shall read, "Section 7 of The Motorized Snow Vehicles Act, 1968, is amended by adding thereto the following subsections: 3(a). With the operation of a motorized—

Mr. Chairman: I think it should not be read as it will read; we had the motion before.

Mr. Jackson: That is fine, Mr. Chairman, it is much easier on me.

The reason for this is that there are many in Ontario and many persons throughout this country who have never had the urge or the ability to drive a car, the same as we have persons who today ride motorcycles who will never drive a car. Under the present form of legislation that the minister has proposed these people will be denied the right to operate a snow machine on the highway. We have already allowed the motorcycle operator to take a special test so that he can have a permit to operate a motorcycle, but he cannot drive a car. Surely we can extend that same privilege to the snow machine operator.

As I say, there are many persons who will have no reason to drive a car and no desire to drive a car, but have the reason and desire to operate a snow machine, and they should not be denied the right. Under the present format of the bill they will be denied the right to operate that snow machine. I would say to the minister that surely we do not have the right to deny them the right to use that snow machine and that he will give favourable consideration to the amendment.

Mr. Chairman: Any further discussion? Does the hon. minister care to reply?

Hon. Mr. Haskett: Mr. Chairman, we are not prepared at this time to set up new tests for snowmobile drivers. We are proposing that the operator of a snowmobile on a highway must be qualified by holding a driver's licence and so show that he is able to recognize rules of the road, to demonstrate sign recognition and have had some experience in highway traffic. If he is going to drive on a road, he is mixing with highway traffic and we think that is a minimum requirement.

Mr. Jackson: Why do you not do that with motorcycles then?

Hon. Mr. Haskett: They have to try the test.

Mr. Chairman: Those in favour say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the motion lost. The section shall stand as part of the bill.

Any further questions, comments or amendments on the bill?

Mr. Jackson: Yes. Section 4, Mr. Chairman. I move that section 4, subsection 2, 9(b) of Bill 163 be amended by changing the word "also" in the 10th line to the word, "then."

It is my opinion, Mr. Chairman, that the way the bill reads at the moment it puts forth a double penalty. The operator, who may not be the owner of the snow machine, is being penalized for an infraction of the law. At the same time, the owner, who might be 100 or 150 miles away, can be penalized.

I agree with the minister that if the owner contravenes the law by lending the machine to another person, then he should be penalized. But surely he cannot be responsible for the snow machine operator going through a red light, or parking in the wrong spot. Therefore, he should not be penalized equally along with the operator. I would ask the minister's approval of this amendment.

Hon. Mr. Haskett: Mr. Chairman, I may say in that respect that this section was copied almost word for word—I think it is exactly the same language—from the old section 148, subsection 1, of The Highway Traffic Act, with respect to the owner's responsibility. The purpose is that we wish, primarily, to ensure that the owners of these vehicles will prevent the use of snow vehicles by persons who are likely to operate them in a manner contrary to the provisions governing their use.

This is the language that was taken from the section in The Highway Traffic Act.

Mr. Jackson: I agree with the minister, if the owner is operating he should be penalized for any infraction of the law. But this section, as it is written here in this Act, says that the owner as well as the operator can be penalized.

Surely you cannot have a double penalty, by having a penalty on a person who does not even have any control over the machine or the operation of the machine and who might be far distant from it.

Mr. Chairman: Those in favour of Mr. Jackson's motion please say "aye".

Those opposed please say "nay".

In my opinion the "nays" have it. I declare the motion lost.

Any further comments on this particular bill?

Shall the bill be reported?

Carried.

Bill 163 reported.

NORTHERN ONTARIO DEVELOPMENT CORPORATION

House in committee on Bill 168, An Act to incorporate the northern Ontario development corporation.

Mr. Chairman: On which section does the member for Rainy River wish to comment?

Mr. T. P. Reid: Section 2, Mr. Chairman.

Mr. Chairman: Anything on section 1? All right, the hon. member on section 2.

Mr. T. P. Reid: Mr. Chairman, I would like to move, seconded by Mr. R. S. Smith, an amendment to section 2 of the bill. I move, Mr. Chairman, that section 2, subsection 1, be amended by adding after the phrase, "and not more than nine members," the words, "and resident in northern Ontario"; as defined in section 1(e) of the bill.

Mr. Chairman: Mr. T. P. Reid moves—you do not need a seconder—that subsection 1 of section 2 be amended by adding after the phrase "and not more than nine members", the words, "and resident in northern Ontario", as defined in section 1(e).

The member for Rainy River.

Mr. T. P. Reid: Mr. Chairman, I will be brief. I think I outlined in my earlier remarks in committee of the whole House the reason for this amendment. Just to reiterate, we feel, Mr. Chairman, that to make this bill operative, to make the principle operative as we see it on this side in the Liberal Party, this Act to incorporate the northern Ontario development corporation should be run by people resident, people living in the north. This amendment we feel is absolutely crucial to the bill. It would require that those people serving on the development corporation, other than the ex-officio vice-chairman, must be resident in northern Ontario as defined in subsection (e) of section 1 of the bill.

Mr. Nixon: Mr. Chairman, speaking in favour of the amendment, I can only put to you sir, that the amendment simply follows what has been the stated policy, and that surely the minister should be prepared to accept this amendment. There can be no excuse for not accepting it, since his own statements have indicated that it is his intention to appoint northerners; we want this included in this bill.

So Mr. Speaker, I would certainly urge that the government accept the amendment, and I can only inform you, sir, that in the event the government is not prepared to accept it, we will have to divide the House on this matter, which we consider of sufficient importance.

Mr. Chairman: The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Chairman, I think it is incredible, in a bill like this dealing with northern Ontario, that this was not very specifically spelled out. I think that our destiny needs to be controlled more by northerners and I feel that we have been fed up to here with getting told by southerners what is best for us.

I think that we can expect that northerners will fight more for our section of the province than anybody who might be appointed from down in this part of the country. So I think that the amendment by the hon. member for Rainy River makes eminent good sense and we are prepared to support it.

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid (Scarborough East): The amendment by my colleague from Rainy River could have gone a lot further. It could have spelled out in detail the fact that perhaps certain municipalities and municipal associations would appoint someone and so forth. In other words, it could have gone much further than this.

I think it is a very reasonable amendment. It should be an amendment that the government could accept. It simply says that the people appointed must be resident in the area designated in the bill, in northern Ontario.

I would like to remind the minister, to draw an example from another area here, that the board of governors at Laurentian University has on it men associated with the big companies around Sudbury. When I looked in to see whether they were in fact resident of the area, I found that the people from the big companies—Falconbridge is one of them—were residents of Toronto. I remember how horrified I was to find that out—that they do not really represent the north, they represent the big head offices of companies and they live in Toronto.

So I say to the minister, just simply as a southerner if you like, I think the people who should be on that corporation board should be people who live in the north, who have their residence in the north and who bring their families up in the north and so forth. They may have been people just moved up there recently; but I think that is important. So I would like to urge the minister to accept this very reasonable but critical amendment to his bill.

Mr. Chairman: The hon. minister.

Hon. S. J. Randall (Minister of Trade and Commerce): Mr. Chairman, I gave the hon. members my assurance earlier tonight that with the exception of one, they would all be northerners. That was the object of setting up the northern Ontario development corporation in the first place.

Mr. T. P. Reid: Why not accept it?

Hon. Mr. Randall: We recognize the need for appointing northerners. I see some difficulties. Perhaps they can be overcome, but supposing we had a man appointed in northern Ontario and he was a very active member of the board and his company moved him to Toronto.

Interjections by hon. members.

Hon. Mr. Randall: Now do not get excited!

Interjections by hon. members.

Hon. Mr. Randall: Now do not get excited! Keep your blood pressure down, you have a long while to go yet.

Mr. Nixon: You have not got long!

Mr. T. P. Reid: He is aging rapidly!

Hon. Mr. Randall: These men are not easy to find and you do not—

Mr. T. Reid: How about women—

Hon. Mr. Randall: These men or women are not easy to find to put on a board and make these kinds of decisions, in which they will do a good job for northern Ontario and serve the cause of the northern development corporation in the way we, and I think you, want it served. Our feeling is that they will be northerners except the one man, the vice-president of ODC.

Mr. T. P. Reid: Well we agree!

Hon. Mr. Randall: You do not object to that? So I would say—

Mr. T. P. Reid: Are you going to—

Hon. Mr. Randall: Give me time now; do not rush. I have listened to you all night and I have not even told a joke, yet. I have been listening to you; you have been talking away. I am a great listener; I have not said a word all night. I have been listening.

Mr. Nixon: Do not give us that line.

Hon. Mr. Randall: Yes, I have been listening.

Mr. T. P. Reid: Take your time, we have all night.

Hon. Mr. Randall: I have not said a word all night.

Interjections by hon. members.

Mr. Chairman: Order please!

Hon. Mr. Randall: That is right. Do not throw the hammer.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Chairman, we must remember that these people are not going to be easy to find in northern Ontario, regardless of what my hon. friends say. We are going to have to pick at least eight people from various parts of northern Ontario who have the time and ability to serve on this board and do what we think should be done.

Interjections by hon. members.

Mr. Chairman: Order please!

Hon. Mr. Randall: There may be 90 people.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Chairman, I do not see any major difficulty in appointing at least eight members from northern Ontario, and accepting an amendment along these lines, provided my hon. friends will recognize—and I think you have got to recognize—that if you have a good man on the board and that man is strictly a northerner, even though he has been transferred to Toronto and his interests are still in northern Ontario, I do not think I would like to see him go off the board because he changed his place of residence from Thunder Bay or Timmins to Toronto.

Perhaps when another appointment comes along in two or three years, sure. I think you have got to recognize these people will spend time with the northern Ontario development corporation, to give of their services and to make sure those services are properly supervised and directed in the interests of the north. I would not want to

see them thrown off and I do not think you would.

Mr. T. P. Reid: The amendment does not require—

Hon. Mr. Randall: I have not got the amendment yet; you never gave it to me.

Mr. Nixon: The Chairman read it.

Hon. Mr. Randall: Was it in Greek or what was it in? Are you afraid to give it to me?

Mr. Nixon: No. Read it again, Mr. Chairman.

Hon. Mr. Randall: Sure, I want a copy of it. Read it out will you, Mr. Chairman?

Mr. Chairman: I will read it.

Interjections by hon. members.

Mr. Chairman: Order, please!

Mr. T. P. Reid moves that section 2, subsection 1, be amended by adding after the phrase "and not more than nine members" the words "and resident in northern Ontario as defined in section 1, subsection (e)."

Hon. Mr. Randall: Mr. Chairman, I think, having heard the amendment, I am quite prepared to leave it as it is, and if we feel that we need to change it later on we are quite prepared to change it. At the moment we are going to leave the bill as it is because we think that we can pick out eight members from northern Ontario, and you will be very happy with them when we pick them out. I am quite sure that if the bill needs to be amended later on we can come back with an amendment.

In the meantime, I think we are going to let the clause stand exactly the way it is. We have assured the House, assured the hon. members, that these will be northern appointments with the exception of one man.

Mr. Jackson: Mr. Chairman, just one question of the minister. Can he give us one good reason that the vice-chairman should not be a member from northern Ontario? Is he saying that the Tory members from northern Ontario are not good enough to serve as vice-chairman?

Mr. Ben: Is he not right?

Hon. Mr. Randall: I think you misunderstood me. We said the vice-president of the Ontario Development Corporation would serve on the board. The chairman or the vice-chairman can be northerners. We expect they will be.

All I am suggesting is that the vice-president of the Ontario Development Corporation will be a member of the board—not a vice-chairman and not a chairman.

Mr. Chairman: All those in favour of Mr. T. P. Reid's motion will please say "aye".

All those opposed will please say "nay".

In my opinion the "nays" have it.

Shall we start this vote?

Call in the members.

Mr. Chairman: Order please! Ready for the question?

All those in favour of Mr. T. P. Reid's motion will please rise.

All those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 30; the "nays" 52.

Mr. Chairman: I declare the motion lost and the section carried.

Bill 168 reported.

THE EMPLOYMENT STANDARDS ACT, 1968

House in committee on Bill 96, An Act to amend The Employment Standards Act, 1968.

Interjections by hon. members.

Mr. Chairman: Order please!

Mr. J. Renwick: Mr. Chairman, I have an amendment to subsection 2 of section 6(b) of clause 4 of Bill 96.

Mr. Chairman: Section 6, did you say?

Mr. J. Renwick: Subsection 2 of section 6(b) of clause 4 of the bill.

Interjections by hon. members.

Mr. Chairman: Order, please! On which subsection, the member for Dovercourt?

Mr. De Monte: Mr. Chairman, section 6(b). I have an amendment to move.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. J. Renwick: Mr. Chairman, I would like to move—

Mr. De Monte: On a point of order.

Mr. Chairman, I ask that you recognize me.

Interjections by hon. members.

Mr. Chairman: The member for Riverdale.

Mr. J. Renwick: Mr. Chairman, I would like to move the following amendment. I move that subsection 2 of section 6(b) of clause 4 of Bill 96 be deleted and the following substituted therefor: "2(a). If an employer for any reason tries to curtail or discontinue—"

Interjections by hon. members.

Mr. Chairman: Order!

Mr. J. Renwick: Mr. Chairman, I would like to move—

Mr. Chairman: Just a moment please. Order!

Mr. De Monte: Point of order, Mr. Chairman.

Mr. Chairman: State your point of order.

Mr. De Monte: My point of order, Mr. Chairman, is that I was on my feet before the hon. member for Riverdale. I insist on being recognized first.

Mr. Chairman: Did the member for Dovercourt have a point of order?

Mr. De Monte: Well the point of order is, Mr. Chairman, that I arose before the member for Riverdale and I—

An hon. member: Exactly. He certainly did.

Mr. Chairman: Order please!

It is the member who catches the Chairman's eye first. I recognize the member for Riverdale.

It is on section 4, is it?

Order! May I ask the member for Riverdale what section it is?

Mr. J. Renwick: Mr. Chairman, the amendment which I have is for clause 4 of the bill, but it relates to subsection 2 of section 6(b). It is a very complicated numbering system which the government has adopted; it is talking about clause 4 of Bill 96, but I am really talking about subsection 2 of section 6(b) of the bill, and I am sure the Minister of Correctional Services understands it clearly. Yes.

Mr. Chairman, the motion which I would like to move and then speak on is as follows: I move that subsection 2 of section 6(b) of clause 4 of Bill 96 be deleted and the following substituted therefor: "2(a) If an employer for any reason decides to curtail or discontinue all or any substantial part—"

Interjections by hon. members.

Mr. J. Renwick: I am sorry!

I am. My apologies, Mr. Chairman. I am also very interested in this amendment. I move that subsection 2 of section 6(b) of clause 4, Bill 96, be deleted and the following substituted therefor:

> 2(a) If an employer for any reason decides to curtail or discontinue all or any substantial part of his operations at any location or to change his operations at any location in any way which could reasonably be anticipated to have the effect of materially reducing the number of his employees, or materially changing the composition of his employees as to trade or other skills or qualifications, the employer shall give notice to the minister and to his employees outlining in reasonable detail particulars of the proposed curtailment or discontinuance or change in operation and the anticipated effect on the number or composition of his employees;
>
> (b) Upon receipt of the notice, the minister shall give the employer and the employees—

I may say by way of interjection to the Minister of Municipal Affairs that at this hour of the morning a suggestion that I speed it up tends to slow me down, and that is the end of my interjection.

Hon. Mr. McKeough: But you are losing your audience.

Mr. J. Renwick: I would like to repeat:

> (b) Upon receipt of the notice, the minister shall give the employer and the employees notice of the time and place of a hearing at which the employer and employees may attend, present their evidence and make their submissions about the benefit to the employer and the detriment to the employees individually and collectively, and the minister shall determine the matter and his determination shall be in writing, and may approve, disapprove, rescind, change or alter the decision of the employer; may decide the time—

Hon. J. P. Robarts (Prime Minister): I do not wish to interrupt the hon. member, except that I am going to.

Mr. J. Renwick: On this particular occasion, Mr. Chairman, I will allow—

Hon. Mr. Robarts: I was given—which I am not very often—by the opposition I might say, the courtesy of a copy of what the hon. member is moving, but I do not find that mine corresponds with what you are saying, and these words are very important.

Mr. B. Newman: Turn the page over.

Hon. Mr. Robarts: Did the Windsor *Star* carry this?

Interjections by hon. members.

Hon. Mr. Robarts: That is sort of the way it is. I have a great respect for the member for Riverdale. Maybe I do not read too well anyway. Could the hon. member give me a copy of what he is proposing? I think it is interesting, but I am not going to agree with it. But I would like to have a copy of what he is reading from. I guess that is a simple request, is it not?

Interjections by hon. members.

Mr. J. Renwick: Mr. Chairman, would it be possible—

Interjections by hon. members.

Mr. Chairman: Order please! Perhaps we could return to the amendment—

Hon. Mr. Robarts: I reserve my rights to criticize.

Mr. Chairman: —and take the balance as read.

Mr. J. Renwick: Mr. Chairman, I will simply go back about three lines and—

Mr. Chairman: We do not need to; it is all on *Hansard.*

Interjections by hon. members.

Mr. J. Renwick: Item (b) or item (a)?

Mr. Chairman: Order please! Order! Let us get on with the amendment.

Mr. J. Renwick: Mr. Chairman, I have given the first clause, (a) of the proposed amendment, and I will go back to 2(a). Do you want me to repeat 2(a)?

Interjections by hon. members.

Mr. Chairman: Order, please! It is not necessary to repeat any of it.

Mr. J. Renwick: All right. Mr. Chairman, I will start at the beginning. I move that subsection—

Hon. Mr. Robarts: That is precisely where we should start.

Mr. J. Renwick: Right at the beginning.

Mr. Chairman: No, it is not necessary.

Order please!

Interjections by hon. members.

Mr Chairman: The Chairman rules that it is not necessary to start back at the beginning; it is all in *Hansard.* Will you please carry on from where you left off?

Mr. J. Renwick: Mr. Chairman, I move that subsection 2 of section 6(b) of clause 4 of Bill 96, be deleted and the following substituted therefor: "2(a). If an employer for any reason decides to curtail or discontinue—"

Mr. Chairman: Order! The Chairman ruled that it is not necessary to start back at the beginning—

Interjections by hon. members.

Mr. J. Renwick: Mr. Chairman, on a point of order, that particular comment of yours could be settled between yourself and the Prime Minister.

Mr. Chairman: Would the hon. member please start at the middle of the second paragraph?

Hon. Mr. Grossman moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House reports seven bills without amendments, and three bills with certain amendments, and asks for leave to sit again.

Report agreed to.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 2:10 o'clock a.m.

No. 114



Legislature of Ontario Debates

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Third Session of the Twenty-Eighth Legislature

Friday, June 26, 1970

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, JUNE 26, 1970

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): I have a question of the Premier. Has he been approached by the government of Canada to take part in some sort of a three-level committee or agency which would have the responsibility for the development of the national capital, as recommended by a recent report of the bilingualism and biculturalism commission?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, we have been in negotiations with the federal government for some considerable period of time. I think the member knows about those, but recently I have not had such communication.

Mr. Nixon: I have another question I would like to put to the Premier—perhaps this is the last day—in the absence of the Attorney General (Mr. Wishart). Is the administration more than normally concerned about the rash of bombings in the city of Toronto over the last two years, involving the partial destruction of six bakeries, most of them of Italian ownership? Is there a special investigation under way, since the last one of these occurred just two days ago?

Hon. Mr. Robarts: Mr. Speaker, my answer would be, yes, we are concerned.

Mr. Nixon: A supplementary. Can the Premier report if this concern has manifested itself in any special investigation or special concern over this type of nefarious activity in our capital?

Hon. Mr. Robarts: Yes. I can record yes to that. We are concerned and we are checking into it and we are treating it as something special.

Mr. Nixon: I wonder if the Premier could report to the House what some of these special arrangements might be?

Hon. Mr. Robarts: Mr. Speaker, I think everyone understands that this is an investigation that concerns us very much. We are going to take steps to find out. We have the same fears that you have. We are going to find out, but I cannot report more than that this morning. I have a little laryngitis. I think it is a result of all the talking I had to do last night.

Mr. Nixon: It was the disorderly NDP amendment.

Mr. Speaker, with your permission, I have a further supplementary question. Does the Premier relate these bombings to other charges that have been made in the House recently of a tremendous increase in organized crime activity, which gives him more than usual concern? He has been defending himself ever since he became Premier against charges that the administration has permitted organized crime to come to a high peak of activity in this province. Does he relate these matters to the rise of organized crime in Ontario?

Hon. Mr. Robarts: Mr. Speaker, it has been a constant endeavour of the Liberal Party to hang something on this government—

Mr. T. Reid (Scarborough East): And we will do it sometime.

Hon. Mr. Robarts: —and it resulted in the defeat of one Mr. Wintermeyer when—

Mr. Nixon: My! The government members are a vicious bunch this morning—

Mr. J. W. Snow (Halton East): We have a long memory.

Hon. Mr. Robarts: The members give us opportunities with their questioning, Mr. Speaker.

Mr. Nixon: All right, let us have a reasonable answer.

Hon. Mr. Robarts: I am telling the member we are very concerned. We do not take organized crime lightly. We do not take these events lightly. On the other hand, we are not going to be panicked by this sort of

wide-open, wide-ranging type of general question that the member seems to enjoy so much.

Mr. Nixon: Mr. Speaker, a supplementary question. Does the Premier feel that wide-open generalized questions about a series of bombings in one of our own cities with no activity, at least apparent activity, to control it, are too generalized and of no importance?

Hon. Mr. Robarts: I do not know. I just note the use of the word "nefarious", for instance, in the member's question.

Mr. Nixon: I think the bombing is nefarious—

Hon. Mr. Robarts: We take this very seriously, Mr. Speaker, and we will find out what it is about. I make that statement for the benefit of the opposition and the people of this province. We are not fooling around with this thing at all. We take it very seriously indeed.

Mr. Nixon: I apologize for directing a third question to the Premier, but not all of his supporters are as active this morning as he is.

I would like to know if the Premier is going to investigate personally the decision taken by Hydro not to make available 39 vacant houses owned by Hydro which are going to be destroyed for a substation in the riding which is represented by the hon. Minister of Correctional Services (Mr. Grossman); so that these buildings, largely on McCaul Street, will be made available for lease to residents in the area until they are actually required by Hydro?

Hon. Mr. Robarts: Mr. Speaker, I find it difficult to decide, really, what the hon. Leader of the Opposition means when he asks, am I going to investigate this personally? I find it difficult to answer that aspect of the question. I am quite certain, in my discussion with the Minister of Correctional Services that he has been in constant discussion with Hydro. He is looking after his constituents and the whole situation and if the member would like to direct this question to him perhaps he could tell the member exactly what the situation is.

Mr. Nixon: Mr. Speaker, at the invitation of the Premier and in the absence of the minister responsible for Hydro, I would direct it to the Minister of Correctional Services.

Did he visit, last evening, in his tour of that part of his constituency, a group known as the McCaul Street Memorial Co-operative who are urging the population to become interested in the matters which I have raised in my previous question? Is he going to take any further steps to assist them, or is he still resting his objections on the fact that somehow, somebody insulted his executive assistant and therefore he will have nothing further to do with them?

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, in the first place the hon. Leader of the Opposition has his information completely wrong. The houses which are available are not on McCaul Street.

Mr. Nixon: Beverley Street.

Hon. Mr. Grossman: There is a difference between Beverley and McCaul. Secondly, when I visited my constituency last night it was not especially for that purpose. I was going to have dinner with the Leader of the Opposition and the Liberal caucus.

I can only assume that the Leader of the Opposition's petulance about this this morning is because we refused to pick up the tab.

However, the serious matter of the people who are going to find themselves without some accommodation because of a private developer on McCaul Street having purchased the land to build a high-rise has been of some concern to me, as the hon. member quite well knows. I was deeply involved. I am only repeating what I said on a previous occasion, Mr. Speaker, when I was asked this question.

I took the group in very good faith and we had numerous meetings and I set up meetings with the hon. member for Muskoka (Mr. Boyer) and Hydro officials. We had a number of meetings and the Hydro officials were very considerate about this matter, very concerned, and were very anxious to make all the housing available which could be made available.

A small group decided that they were going to form what is known as the McCaul Memorial Co-operative—the hon. member has the full name—

Mr. Nixon: It is in the minister's riding. I think he should know the right name.

Hon. Mr. Grossman: Well, the co-operative is not necessarily in my riding, besides which the hon. Leader of the Opposition has his oral question written in front of him and he has the complete name written in front of him.

Mr. Nixon: It is the McCaul Street Memorial Co-operative.

Hon. Mr. Grossman: That is right; but I am speaking from memory, you see.

Mr. Nixon: What a memory!

Hon. Mr. Robarts: Quiet, quiet. Come on, a little order, Mr. Speaker, a little order.

Mr. Nixon: I will try not to talk so loud.

Mr. Grossman: Mr. Speaker, as I mentioned previously, Hydro has agreed to make the houses available for housing and Hydro has decided on the advice of its officials, its solicitors, and so on, that the proposition which was put forward by this group and which the chairman of Hydro himself thought a rather intriguing one, and I thought a rather interesting one, was not a practical and feasible one. So the housing is being made available, but not on the terms which the group felt it would like the housing made available.

The housing is there and Hydro is attempting to see that it is used for people who need housing, but it will not necessarily be under the control and the direction of a handful of people who feel they should decide who shall live in these houses and under what conditions.

Mr. Nixon: A supplementary question. Is the minister going to permit those people, who have occupied some of these homes now without any particular permission, to remain there as long as the homes are not required for other public purposes, such as the Hydro transformer station?

Hon. Mr. Grossman: Mr. Speaker, I read the paper this morning and I suppose that is where the hon. Leader of the Opposition got his—

Mr. Nixon: I was down there talking to them. Was the minister not there?

Hon. Mr. Grossman: No, I was not talking to them; they had not advised me that they were there.

Mr. Nixon: It was right on the next corner from where the minister was having his dinner.

Hon. Mr. Grossman: That is right. After the Liberal caucus had finished, after about two and a half hours of repast, we only had about 20 minutes to dine and we had to take in a prior engagement.

Interjections by hon. members.

Hon. Mr. Grossman: Incidentally, it was our third stop. We were helping Caravan.

An hon. member: I hope the minister had his chauffeur.

Hon. Mr. Grossman: Yes. We gave a couple of Liberal members a lift and, as my colleague suggests, a couple of the Liberal members needed that lift.

Interjections by hon. members.

Hon. Mr. Grossman: I have not answered the first question.

Mr. D. C. MacDonald (York South): The minister is not dealing with the first one. Mr. Speaker, we are not dealing with the first one. Let us get on with the question.

Mr. W. G. Pitman (Peterborough): This is ridiculous.

Hon. Mr. Grossman: The question was, am I going to allow, or is the government going to allow, people to occupy these places illegally, which is what they are doing, I take it from the morning paper, and the Leader of the Opposition confirms it. I would have to leave it, of course, to Hydro officials to take what action they deem is advisable or necessary.

Mr. MacDonald: A supplementary question, Mr. Speaker. When we reviewed the situation last week, the minister informed us that this proposal had been turned down. I have two points I would now like to raise with him.

In view of the decision of Hydro, to hand it over to welfare, and welfare's past opposition to acting as a landlord, and, therefore, the likelihood that it will not accept this offer from Hydro, would Hydro, at the minister's insistence, consider the proposition once again, because the people involved know there is a risk but are willing to take the risk themselves and are willing to build an imaginative new kind of project—

Mr. Speaker: The hon. member is now making a statement. He has asked his question.

Mr. MacDonald: Pardon?

Mr. Speaker: The hon. member is making a statement.

Mr. MacDonald: I am making a speech.

Hon. Mr. Robarts: Not a very good one.

Mr. MacDonald: After you let them ramble on, Mr. Speaker, you had better just sit quiet for the next five or ten minutes.

Mr. Speaker: The hon. member has asked his question, and I would hope that the minister would answer it.

Mr. MacDonald: Very good. I will see if he will then, if he understands it.

Hon. Mr. Grossman: Mr. Speaker, the question is the same that was asked last week by the hon. member, as far as I can recall. And the answer must be the same. I have just finished saying it. I did not use the word "imaginative"; I said I thought it was a very "interesting" proposal. In all fairness to Hydro, even though they are dealing with my constituents and I would like to get satisfaction for my constituents, if possible, the fact remains that the proposition was put to the officials and the solicitors at Hydro because the McCaul Street Co-operative wanted an agreement. There had to be an agreement drawn up and signed. In the wisdom of the staff and the solicitors of Hydro, the advice was that this was not a practical or a feasible method of going about it.

Mr. MacDonald: May I now put my question so that perhaps he can grasp the nub of it? In view of the fact that welfare is not likely to take these buildings, and if Hydro thinks the co-operative's plan is a realistic proposition on the basis of past experience, and in view of the fact that Hydro says they are going to be made available to somebody, will it not now make them available to these people so that they can take the risk? If it fails, they will be taking the risk, but at least the houses will be used for the next few years.

Mr. Speaker: May I point out to the hon. member for York South that questions of the ministry are with respect to matters that that particular ministry is interested in. By no stretch of the imagination can I understand how the Minister of Correctional Services has any responsibility for Hydro or for welfare.

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, I rise on a point of order. I simply cannot take any longer the obstructionism that comes from the chair.

Hon. W. D. McKeough (Minister of Municipal Affairs): Shame!

Hon. Mr. Robarts: The member is out of order.

Mr. MacDonald: All right. Just wait. There are certain limits to what one can take.

Hon. Mr. McKeough: Shame!

Mr. MacDonald: We have listened this morning—do not cry "shame", or I will say what a lot of people in the backbenches over there have said about the conduct of the chair. Just keep quiet for a moment. You cannot be double-faced and hypocritical about this.

Mr. Speaker: If the hon. member has a point of order—

Mr. MacDonald: I have a point of order, Mr. Speaker. You sat in your chair, sir, when we were playing games and questions were not being answered from the other side of the House, and yet you move in automatically to impose the rules and to make restrictions on this side of the House. Sir, either we get an even application of the rules or I think you should consider whether or not your position in that chair should be maintained.

Some hon. members: Hear, hear.

Mr. Speaker: I will be quite pleased to consider this point. It has been raised on more than one occasion by the hon. member.

The hon. member for York South still has the floor for questions, if he wishes—supplementary questions, rather.

Hon. Mr. Robarts: The member is out of order so often it is incredible.

An hon. member: The whole thing was out of order.

Mr. Speaker: May I inquire if the member for York South has any further supplementary questions?

Mr. MacDonald: No, I have no further supplementary questions.

Mr. Speaker: Well, then, has the Leader of the Opposition any questions?

The member for York South has the floor.

Mr. MacDonald: I have a question of the hon. Minister of Trade and Development. Is The Department of Trade and Development making a film of Harbour City and, if so, who is doing it and why, and how much is it going to cost?

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I am not too sure whether they are making a film or not. I will take the question as notice and get the information for the hon. member.

Mr. MacDonald: I have a second question in connection with Harbour City. In view of the minister's indication that Harbour City is the kind of project he is willing to consider in many other areas of the province if proposals are put to him, would he not make copies of the Harbour City publication available to all members so that they can read it over the summer recess and consider the possibilities of comparable developments elsewhere across the province?

Hon. Mr. Randall: Yes, Mr. Speaker, we have just completed a brochure on Harbour City and its concept. I will be glad to have one mailed to all the hon. members.

Mr. T. P. Reid (Rainy River): Does it have the minister's picture on it too?

Hon. Mr. Randall: Yes, my picture and I signed my own autograph.

Mr. MacDonald: A final question of the same minister. What action has the minister taken or is he intending to take with regard to the abortive committee to investigate the situation in the Porter Avenue-Humber Boulevard housing complex of OHC?

Hon. Mr. Randall: Mr. Speaker, having spent 14 sessions, hour after hour, in that back room on my own estimates which is no different from a New York police station—like the Attorney General, I did not have time to get it organized; the hon. member was there—I had asked the housing corporation to contact him as soon as Mr. Riggs gets back from vacation. And I would hope that he and Mr. Riggs and Dr. Hill will be available to start around the first of the month.

Mr. MacDonald: Mr. Speaker, on a point of order, I firmly informed the minister that for a variety of reasons, which I will not take the time of the House now to repeat, I have no intention of acting on that committee and I suggested that the appropriate thing is to have a representative of some tenants' organization. Is the minister planning to establish the committee on a basis that will command public confidence?

Mr. Speaker: This is then a question, not a point of order?

Mr. J. Renwick (Riverdale): Both.

Hon. Mr. Randall: Yes, I am, Mr. Speaker, and we are going to get a member from the tenants' association to serve on that committee.

Mr. MacDonald: Very good. I have a final question of the Prime Minister. In view of the Attorney General's refusal to establish a public inquiry but to have further internal investigations, what assurance can the Prime Minister give us that the House is going to be kept up to date with developments in connection with this disturbing revelation of some relationship between the Mafia and the OPP?

Hon. Mr. Robarts: Mr. Speaker, I think that the Attorney General will be able to deal with this question in the discharge of his duties and I am sure that he will make available what information he thinks is necessary to the public. I do not think that the hon. member need have any fears.

Mr. M. Shulman (High Park): A supplementary. In view of the widespread public alarm and alarm of the members of the Attorney General's—

Hon. Mr. Robarts: The member is out of order if he wants to talk about the rules.

Mr. Shulman: Why?

Hon. Mr. Robarts: Because he is drawing all kinds of conclusions and the rules say he cannot do it.

Mr. Speaker: I must hear what the member says first.

Mr. Shulman: It was a supplementary question, if I may, Mr. Speaker. In view of the revelations that have been made in the Attorney General's estimates and in view of the incomplete report which was brought back to the Attorney General, does the Prime Minister not agree that there should be a public inquiry?

Mr. Speaker: Because we have been in the habit of allowing that type of question, I will point out to the member that questions again should not contain such matters of fact or fancy as we very often have, but in any event I would be quite pleased not to rule that one out of order. The Prime Minister may decline to answer because his view of the matter is different from mine at the moment, or it may be answered.

Hon. Mr. Robarts: Mr. Speaker, I am quite prepared to allow all the latitude necessary in order to have a meaningful question period, but, if we are to have questions about what the rules say, perhaps everybody should really look at the rules, because that question is really out of order.

Mr. S. Lewis (Scarborough West): How?

Hon. Mr. Robarts: In any event, once again I think that the Attorney General—

Mr. Pitman: Why is it out of order?

Hon. Mr. Robarts: —is competent to deal with these matters, and I think he will.

Mr. Shulman: There are two schools of thought on that subject.

Mr. Speaker: The Minister of Trade and Development has the answer to a question from the member for York South and one from the member for Sandwich-Riverside.

Hon. Mr. Randall: Mr. Speaker, the member for York South has asked me a series of questions about a matter in Kingston. I think this short statement will answer all those questions.

As a matter of clarification there are at least three classes of harbours. These are federal, provincial and municipal. Under The British North America Act and The Ontario Harbours Agreement Act of 1962-1963, chapter 95, the question of ownership between the provincial and the federal government was resolved.

Several harbours which were established in the early days were vested in the adjacent municipalities, and one of these is Kingston. The Kingston harbour was defined and granted to the city of Kingston by a provincial statute passed in 1846, 9 Victoria, chapter 75, and pursuant to the statute the lands in question have been, since that time, owned by the city of Kingston.

Accordingly, the province has no title to these lands and the issue of quitclaim letters patent in respect of these lands is merely a matter of record to confirm that the Crown has long ceased to have any interest in the title to the lands in question. The current matter has already rested completely with the city of Kingston as far as title is concerned.

However, the government was provided with correspondence from the city of Kingston, indicating their intent to grant the lands in question to Colt Industries Limited and supporting Colt's application for quitclaim letters patent.

The Department of Lands and Forests, at the request of Colt Industries, directed the issuance of quitclaim letters patent to Colt Industries Limited. Colt Industries has an agreement to sell the property to Estron Limited, which is owned by Mr. Teron.

Under section 2 of The Public Lands Act, the Minister of Lands and Forests has the administration of the public lands and has, over the years, administered quitclaims of this kind.

The member asked what justification there was for the speed in which the government acted to assist the developer. I can reply to him that the commitment for a quitclaim was made on April 17, 1970, and issued on May 27, 1970, after a general agreement in which the city came to a decision and supported the application.

The fee for such quitclaim letters patent has been, for many years, about $200, but because of the additional research required it was felt that a fee of $300 was justified.

Mr. Speaker, answering the question of the member for Sandwich-Riverside (Mr. Burr) with reference to the cost of advertising in local newspapers, may I point out that the current newspaper campaign represents $156,000 in space advertising, not $400,000, as has been bandied about by some opposition members. The cost of one insertion in the Toronto *Daily Star*, one insertion in the *Telegram* and one in the *Globe and Mail* is $6,750 each. To date we have had three insertions, amounting to $20,250.

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. Randall: Listen carefully, because I do not want the members to get the wrong figures.

The complete plan is as follows: Toronto and Hamilton dailies—four papers, six ads, $45,360; other dailies—39 papers, five ads each, $37,378; weeklies—223 papers, four ads each, $57,399; ethnic papers—45 papers, three ads each, $16,182, for a total of $156,319.

Mr. J. E. Bullbrook (Sarnia): You would think it grew on trees. The people have to pay that in taxes.

Hon. Mr. Randall: That takes care of the question of the hon. member for Sandwich-Riverside.

Hon. J. Yaremko (Minister of Social and Family Services): Keep the public informed.

Interjections by hon. members.

Hon. Mr. Grossman: They have a right to know.

Hon. Mr. Randall: If General Motors stopped advertising, they would go bankrupt.

Interjections by hon. members.

Mr. Speaker: The member for Sandwich-Riverside has the right to ask a supplementary.

Interjection by an hon. member.

Hon. Mr. Randall: I am delighted to hear it.

Mr. F. A. Burr (Sandwich-Riverside): Can the minister estimate how much revenue the province has received in sales tax from the great shopping binge that has been generated by these advertisements?

Hon. Mr. Randall: Well, that is like asking how far is up, or how long is a piece of string and—

Mr. Nixon: Just answer the question.

Interjections by hon. members.

Hon. Mr. Randall: All I can say—

Hon. Mr. Yaremko: Give them the Ontario gross provincial product.

Hon. Mr. Randall: All I can say is that if we are going to continue with all these social programmes and help the people, we are going to have to advertise, promote and expand the economy, which is what we have been doing for the last 10 years. I would point out that at the present time, despite the difficulties not caused by this government, imports are down, exports are up and more people are shopping Canadian.

Interjections by hon. members.

Mr. Speaker: The minister has the answer to a question.

Hon. Mr. Randall: If my friend would just contain himself for a minute.

Mr. T. Reid: It is awfully hard.

Hon. Mr. Randall: I know it is. I will give him the answer to a question in which he suggested that the housing at the corner of Markham Road and Ellesmere Road was at least half empty at the present time, even though the building is plainly completed. The report I get, Mr. Speaker, from the OHC is that there are two buildings on the northeast corner of Markham and Ellesmere, each consisting of 180 units, and both buildings are completely filled. There are presently two apartments vacant but these are for the resident caretaker and his supervisor. I might add that I do not know how long the building has been finished but there have been a lot of the people who, as soon as they get out of their old lease, move into the new apartment. So if some of the buildings do not have curtains up, it does not necessarily mean they are empty?

Hon. Mr. Yaremko: Resign!

Mr. Speaker: Has the member for Scarborough Centre (Mrs. M. Renwick), a supplementary? The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Minister of Municipal Affairs. Why was draft plans approval given to a subdivision for over some 100 cottage lots on Walker Lake, which I believe is being promoted by Walker Lake Estates Limited, which is the same firm that has Hidden Valley—

Mr. Speaker: The hon. member will ask his question.

Mr. Good: The Department of Lands and Forests survey of the lake, which I have here, shows that no further cottage development can be supported on this small, shallow lake.

Hon. Mr. McKeough: Mr. Speaker, I am afraid I cannot answer that question completely off the top of my head. We have had a number of letters in the last two or three months from other people on Walker Lake who have asked the same kind of question. I have reviewed the file and I satisfied myself that in the opinion of the various agencies to whom the plan was circulated—OWRC, The Department of Health and The Department of Lands and Forests, as I recall—that draft approval was properly given. We are reviewing the situation. Final approval has not been given, and if there are some circumstances which have turned up that would preclude the approval of that number of lots, then we will be taking another look at it.

Mr. Good: The reports I have had have been to the effect that further development should not take place, so would the minister take a good hard look at this plan which has been given draft approval, before it is given final approval?

Mr. T. P. Reid: A supplementary, Mr. Speaker. Has the minister had the approval, or was it the recommendation of The Department of Lands and Forests, that another 100 cottage lots be sold on this lake?

Hon. Mr. McKeough: I am afraid I cannot answer that specifically. As I recall looking at the plans several weeks ago when we got these letters, there was general agreement

with draft approval. It may be that there are often negative letters—if I can put it that way—from various agencies, subject to certain conditions in those things in an attempt to approve. That is what we try to do: to try to approve proposals for subdivisions with some of those reservations, some of the negative comments, being sorted out. As I recall from my looking at the file—it was a very cursory look—there was general agreement that it was in order. But, as I say, we are taking another look at it.

Mr. Speaker: The Minister of Municipal Affairs has the answer to a question from the member for York South.

Hon. Mr. McKeough: Yes, the member for York South asked a question some weeks ago with regard to a petition which was received in my office and I think ultimately signed by some 800 ratepayers in various parts of Toronto with reference to the William R. Allen expressway. I am today writing to the various people—not all the 800, but the people who sent in those petitions; Mr. Vaughan in particular—and perhaps I might put this letter on the record. I think this would answer the question of the member for York South.

I have now had an opportunity to study the petition which you forwarded with your letter of May 1, 1970.

It is my understanding that the purpose of an inquiry under section 262 of The Municipality of Metropolitan Toronto Act is to disclose facts and not to question the judgement of the municipal council or to determine what is or is not sufficient and acceptable information upon which a council can make a decision. The question of the sufficiency and susceptibility of information for this purpose is a judgement decision of the authority having jurisdiction, in this case the metropolitan council.

This position is further strengthened by the reply of Prime Minister Robarts dated April 8, 1970, to the deputy clerk of the city of Toronto. This was in answer to a request for a commission of inquiry respecting expressways and major arterial roads. Mr. Robarts' reply reads in part:

"Because the provision of expressways is the responsibility of the Metropolitan Toronto council, I am of the opinion that any inquiry of the nature suggested by the Toronto city council should be undertaken by the responsible level of local government. Such action would be consistent with the elective responsibility of members of the Metropolitan Toronto council."

In my view, it would be unwise for the provincial government to in effect destroy the traditional divisions of responsibility as between municipal and provincial government. For these reasons, I have decided that this is not a proper subject for a commission of inquiry and I regret that I cannot make the recommendations petitioned for.

Mr. Speaker: The member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): A question of the Minister of Trade and Development. What is the present formula that the Ontario Housing Corporation is using in the amounts of rents that it collects from persons in need in the province who are occupying rent-geared-to-income units?

Hon. Mr. Randall: As far as I am concerned, it is as set out in the schedule and the hon. member knows that that schedule will be changed on July 1 to meet the new rent scale programme.

Mrs. M. Renwick: Will the minister accept a supplementary question? Is that absolutely 100 per cent in operation, or is the minister collecting for some of those units all that is allowed under The Family Benefits Act and under The General Welfare Assistance Act rather than rent-geared-to-income rents?

Hon. Mr. Randall: The answer is yes. We have gone through this a half-dozen times. We do not set the rents. The rents are set by the other authorities and we get whatever amount of money is alloted for rent relief. The housing corporation has no alternative but to take whatever amount is allotted by the welfare authorities for the rent portion of their cheque.

Mrs. M. Renwick: Mr. Speaker, a further supplementary. Even though these are units rented ordinarily on a rent-geared-to-income basis, is the minister saying that at the present time, for rent-geared-to-income units under Ontario Housing Corporation, rent is being collected in the full amount that would be allowed under The Family Benefits Act and under The General Welfare Assistance Act for tenants who are in the protection of those services of the province?

Hon. Mr. Randall: The answer is yes, Mr. Speaker.

Mr. Speaker: The member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. A question of the Minister of Lands and Forests. On June 12, 1970, the minister tabled the report on the study on patents of lands concerning the information of titles and land frontage on Lake Erie. Are copies now available for the members and how does one obtain a copy?

Hon. R. Brunelle (Minister of Lands and Forests): This copy was tabled, Mr. Speaker, and it would be possible to see a copy. To make copies of the report would be rather difficult because there are about 15 maps and the report mainly gives information on the maps. I would be pleased to lend one copy to the member; we have only two. One is in my office and one has been tabled.

Has the member seen the report? I would be glad to show him the report. Maybe after he has seen it he will realize what type of report it is.

Mr. Speaker: The Minister of Lands and Forests has the answer to a question posed by the member for Rainy River.

Hon. Mr. Brunelle: Mr. Speaker, last week the member for Rainy River posed a question in reference to pollution from uranium tailings in the Elliot Lake area.

My staff is certainly aware of the pollution problem in the Elliot Lake area and of the adverse affect of it on the local fishery. They have also been involved in and have contributed to the investigational studies which have been conducted by the Ontario Water Resources Commission. A complete report on these investigations will be issued by the OWRC later this year, but the results from these studies indicate that the decrease in the fishing and in the biological productivity in Quirke, Whiskey and Pecors Lakes, is due mainly to a change in the chemistry of the water caused by the leading of mine tailings rather than from radioactivity. OWRC is working closely with the companies concerned, and every effort is being made to mprove and stabilize the chemistry of the lake waters and to re-establish a viable and productive fishery.

Mr. T. Reid: Mr. Speaker, I have a question—

Mr. Speaker: I would like to get the answers to questions which the members have posed. This minister also has an answer to a question by the member for High Park and I think perhaps he should give the answer at this time.

Hon. Mr. Brunelle: The member for High Park, Mr. Speaker, asked a question in reference to investigation of fish death in the Moira River and the possibility of action with respect to fishing in the Moira River system because of the level of the arsenic and mercury. Mr. Speaker, the fish deaths in the Moira River were investigated by a fishery biologist of The Department of Lands and Forests, accompanied by an investigator for the Moira River conservation authority and the Ontario Water Resources Commission.

Their findings indicate that the fish deaths were a result of the high temperatures during the early part of last week. This phenomenon occurs almost every year. There was no indication that material, such as pesticides or waste materials, contributed to the deaths. Over 90 per cent of the dead fish examined were carp and suckers. Less than 10 per cent were game fish. We have no indication from the health authorities that levels of mercury and/or arsenic in the fish of the Moira River system constitute a hazard. There are no commercial fisheries in this system.

Mr. Speaker: The member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Speaker, I would like to address a question to the Minister of Trade and Development. Is the cost of the plane flight given to Mayor White of Scarborough by Protter Construction Company an allowable or approved cost of the project for which Mr. Protter was the successful proponent?

Hon. Mr. Randall: The answer is no, Mr. Speaker. The project was approved and the price was established when the project was presented to Scarborough council in the first place. There will be no change in the price, regardless of what the developer does to get it approved.

Mr. Peacock: A supplementary. Would the minister confirm that in future proposals from the Protter Construction Company, he will examine as to whether such costs are built into the proponent's tender price?

Hon. Mr. Randall: Mr. Speaker, all I can say to the hon. member is that when these costs come in they are examined on a basis of the presentation of so much per bedroom count. They are approved by Treasury Board; they are approved by the Ontario Housing Corporation; they are approved by cabinet;

they are approved by Central Mortgage and Housing Corporation, and they are approved by the minister in charge of housing in Ottawa. I would think, if there were any inequities anywhere, they would be found out long before it reaches the press.

Mr. Speaker: The Minister of Correctional Services has the answer to a question asked by the member for Windsor-Walkerville.

Hon. Mr. Grossman: Yes, Mr. Speaker. The other day the hon. member for Windsor-Walkerville asked the following question:

> Has there been any noticeable increase in the first five months of this year in the number of youths under 16 who have been directed to training schools as a result of the use of drugs, including the smoking of marijuana?

Mr. Speaker, a rather quick check with the institutions which serve youngsters admitted to training schools for assessment prior to placement in the appropriate setting, would indicate that as a general statement it would be fair to say that there has been a noticeable increase in the first five months of this year in the number of youngsters under 16 who have been admitted to training schools, who have been involved in one way or another with drugs. This is part of a trend which began several years ago.

From January 1 to the end of May this year, 675 juveniles were admitted to training schools. To determine in how many cases the use of drugs had a bearing on the admission would require the examination of the transcripts of the hearings in each individual case, as well as an examination of the social histories, clinical reports, and so on. In many cases, the use of drugs may be only one of numerous factors related to a youngster's admission to one of our schools.

In addition, I would point out that the fact that a youngster has been involved with drugs may not be detected until after his admission—in some cases not for some time after his admission, when it may be brought out in the course of counselling or other interviews.

Mr. Speaker: The member for Ottawa Centre.

Mr. H. MacKenzie (Ottawa Centre): Mr. Speaker, I have a question of the Premier. Does the government yet have a report to indicate the extent of the damage to the teachers' college caused by the recent bombing of national defence headquarters in Ottawa? Has the government yet made a decision whether or not to offer a reward to help apprehend those who are responsible for the bombing?

Hon. Mr. Robarts: I am not aware of any decision to offer a reward, Mr. Speaker, and I have not had a report on the extent of the damage.

Mr. Speaker: The Minister of Labour has the reply to a question asked by the member for York South.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, on June 22, the member for York South asked questions in reference to the ABC Cartage Company. I can answer some of those questions because they fall within my responsibility.

Number two in the inquiry was, will the government look into the allegation by the striking employees of Dominion Tape that ABC Cartage drivers were working excessive hours? That has been referred to our employment standards branch and they will investigate the matter.

The other part of it: Who is registered as being employer for workmen's compensation for the truck drivers? A. B. Moving and Cartage, 129 Jobin Street, Cornwall, employer number 200481, is the registered employer for workmen's compensation.

Mr. Speaker: The member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, my question is of the Minister of Transport. In view of the research findings of the Canada Safety Council that studded tires have little or no advantage on dry or wet asphalt and are a distinct disadvantage on wet or dry concrete, that they increase the braking period and that the damage cost to southern Ontario—

Mr. Speaker: The hon. member should ask a question and not make a series of statements, which is what he is doing.

Mr. Gisborn: It is not a statement; it is an assumption of the research findings of the Canada Safety Council. Inasmuch as the damage costs to southern Ontario highways will be $127 million in the next—

Mr. Speaker: The hon. member is again making a statement.

Mr. Gisborn: Does the minister not think that it is now time to reconsider the use of studded tires in southern Ontario?

Mr. Speaker: The hon. member's question should have been, "Is it not time to recon-

sider the use of studded tires in southern Ontario?" All the rest of it was extraneous. The minister has the floor.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, when we first brought in regulations permitting studded tires I made it very clear that we knew very little about (a) the damage they might do, and (b) the safety value they might have, and I said at that time we would weigh the whole matter in the light of experience. We have had reports from The Department of Highways and now this report has been presented by the Canada Safety Council; these matters are being very carefully considered at this time.

Mr. T. Reid: I would like to ask a question of the Minister of Municipal Affairs. In view of the recent actions of Mayor Robert White of Scarborough in accepting the offer of Bernard Protter Limited to fly him at the company's expense from Halifax to Toronto in time to vote for the development proposal—

Mr. Speaker: The hon. member is not asking a question.

Mr. T. Reid: Does the minister intend to implement the recommendation of the minister's own committee on conflicts of interest under the chairmanship of F. W. Callaghan, QC, which reported in December, 1968:

> The disclosure of interest section of The Municipal Act has been amended to ininclude disclosure where the interest is other than a pecuniary interest; that is, any private interest, financial or otherwise, direct or indirect.

This is found on pages 8 and 11 of the report.

Hon. Mr. McKeough: In my view the two matters are somewhat unrelated. The matter of the report of the committee on conflict of interest is before the Attorney General and myself. I do not relate what possible action might be taken on it with any specific circumstance which has happened recently or in the past.

Mr. T. Reid: I would like to ask a supplementary.

Mr. Speaker: I regret to say that the oral question period has expired. There is one answer to a question asked by the member for Peterborough of the Minister of Social and Family Services. Would the House wish to have this cleared before we close the period?

Hon. Mr. Yaremko: Thank you, Mr. Speaker. The member for Peterborough asked a question along these lines: Is it the policy of this department that individuals who request welfare at the municipal level should be required to have a form filled in, indicating they had approached 15 different companies in order to get a job, and to have that form signed by the representative of these companies?

The general welfare assistance regulations spell out the conditions of eligibility for employable persons. Section 3 shows that where a persons is employable, the welfare administrator must be satisfied:

> —that the applicant or recipient is willing to undertake full-time regular employment for which he is capable; is making reasonable efforts to secure such employment and the unemployment is due to circumstances beyond the control of the applicant or recipient.

The practice in most municipalities is to refer the applicant or recipient to Canada Manpower if he is not already registered for employment with that agency and also to encourage and assist him to explore other employment opportunities which may be appropriate in terms of the local situation. In this process, it is not unusual that an employable applicant may be asked to inidcate, verbally or in writing, the places at which he has been seeking employment. This procedure can be a basis for discussion with the recipient's field worker about possible courses of action in relation to employment and can thus be a means of encouraging the person to maintain reasonable efforts to secure such employment.

The procedure in question which requires an employment form to be signed by the interviewer at each firm or company to which the person applies is one which our department cannot support and we are communicating our views to the municipality concerned. In our view, the use of such a form is undesirable in that it may prejudice the person's opportunity for employment and also in that it requires the person to identify himself as a recipient of assistance. There are, we trust, better ways in which necessary information can be obtained.

I would add as well that, in connection with the use of this form, if an arbitrary number of applications for employment is required—such as 15 a week, as the member suggested —we would also have some question about that aspect of the procedure.

Mr. Speaker: Petitions.

Presenting reports.

Clerk of the House: Mr. Meen from the standing legal and municipal committee reports the following resolution:

Resolved

That supply in the following amounts and to defray the expenses of The Department of Justice be granted to Her Majesty for the fiscal year ending March 31, 1971:

DEPARTMENT OF JUSTICE

Law officer of the Crown—general expenditure	$ 174,000
Crown legal services—general expenditure	4,142,000
Legislative counsel services—general expenditure	727,000
Courts administration—general expenditure	29,566,000
Probation services—general expenditure	4,313,000
Official guardian and public trustee services—general expenditure	2,644,000
Land registration services—general expenditure	5,224,000
Public saftey—general expenditure	6,024,000
Departmental administration—general expenditure	1,385,000
Law research and development—general expenditure	271,000
Supervision of police forces—general expenditure	1,244,000

ONTARIO PROVINCIAL POLICE

Departmental administration—general expenditure	$ 1,634,000
Traffic law enforcement—general expenditure	27,120,500
Criminal and general law enforcement—general expenditure	23,514,500

Hon. Mr. Grossman: Mr. Speaker, just in case someone on the other side may insist that we go into the estimates of University Affairs and Education, in the absence of the Provincial Secretary (Mr. Welch) I have the honour to present the report of the Minister of Education of Ontario for the year 1969.

Mr. Speaker: Presenting reports.

Motions.

Hon. Mr. Robarts: Mr. Speaker, I move that when this House adjourns today, it do stand adjourned until a date to be proclaimed by the Lieutenant-Governor-in-Council.

Mr. Speaker: Mr. Robarts moves that when this House adjourns today, it do stand adjourned until a date to be proclaimed by the Lieutenant-Governor-in-Council.

Is it the pleasure of the House the motion carry?

Mr. Nixon: Mr. Speaker, I would just like to ask the Premier if the Lieutenant-Governor-in-Council has any idea when that date will be.

Hon. Mr. Robarts: I do not know about the Lieutenant Governor, but I know about the council. I might think it would be some time in early October.

Mr. Speaker: Is it the pleasure of the House the motion carry? Carried.

Hon. A. F. Lawrence (Minister of Mines): Are there any more resignations?

Interjections by hon. members.

Mr. Speaker: Introduction of bills.

THE MUNICIPAL ACT

Hon. Mr. McKeough moves first reading of bill intituled An Act to amend The Municipal Act.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: Mr. Speaker, I would simply say that although some members opposite are anxious to get away to summer pursuits, the business of government goes on—

Interjections by hon. members.

Mr. MacDonald: After dragging their feet for months, they finally get around to doing what should have been done five years ago.

Hon. Mr. McKeough: Mr. Speaker, the municipal amendment Act, No. 3, is a measure that will effectively deal with some of the major problems facing Ontario municipalities in areas of debenture financing.

This legislation will—

Mr. Nixon: About time he got around to them.

Mr. J. E. Stokes (Thunder Bay): It was brought to the minister's attention by the Opposition.

Hon. M. McKeough: This legislation will prove significant, Mr. Speaker, in assisting municipal government to meet an increas-

ingly important aspect of its total responsibility in the planning and implementation of capital work programmes.

I should point out that this Act complements in a very direct way the legislation introduced by my colleague, the provincial Treasurer (Mr. MacNaughton), a few days ago, enabling municipalities with populations of less than 20,000 to sell to the Ontario Municipal Improvement Corporation debentures issued for any municipal purpose. These municipalities will, of course, continue to be able to issue instalment debentures and to sell them to the public.

Municipalities with populations of more than 20,000 will, in addition to debentures sold under existing authority, be able to sell to the corporation debentures issued to finance waterworks and water supply distribution systems, sewage works and treatment works, sewer systems or sewers as defined by The Municipal Act, plants and works for the incineration of garbage, refuse and waste, and drainage works as defined by The Drainage Act.

The main thrust, Mr. Speaker, of the municipal amendment Act, No. 3, is that municipalities of more than 20,000 population will be authorized to issue certain new types of debentures. These include:

(a) fully registered debentures;

(b) instalment debentures selected for redemption by law, often referred to as a modified sinking fund debenture which has a single nominal maturity date for all the debentures in the issue. This will prove particularly attractive to institutional investors who use computerized recording systems and who find the traditional instalment debentures inconvenient. Also the single maturity rate makes it easier for the investor to sell or trade.

(c) Conventional sinking fund debentures. Certain provisions apply to this feature, one of them being that the interest rate on the sinking fund may now be calculated at the rate of up to five per cent.

(d) Refundable debentures with refunding to begin not before the 10th year.

Finally, the Act provides that all municipalities with populations in excess of 100,000 people, in addition to debentures issued under existing authority and in addition to those I have just mentioned, will be able to sell debentures payable in foreign currency, other than United States dollars and sterling, subject to approval by the Lieutenant-Governor-in-Council.

Mr. Speaker, in the view of the government, this Act represents an important legislative tool that will allow the municipalities greater flexibility in their borrowing arrangements and greater resilience in dealing with changing market conditions.

I may say to the House, through you, sir, that the situation which this bill is designed to rectify is very difficult and highly technical in many of its aspects. We are not adamant about every provision of the bill. This bill is being left on the order paper over the summer so that municipalities and others who are concerned or interested may consider the provisions of the bill. I will welcome their representations and suggestions, and we will be prepared to amend the bill if necessary in the light of these suggestions.

Hon. Mr. Robarts: Before the orders of the day I would like to table answers to questions 6, 13, 15, 18, 19, 22, 24, 27, 28, 33, 35, 36, 40, 42, 44, 46, 47 and 50 (see appendix).

Mr. Ruston: The ministers have been doing their homework.

Hon. Mr. Robarts: We always do our homework.

Mr. Haggerty: What about last night?

Hon. Mr. Robarts: We got a lot done last night—homework that is.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 90, An Act to amend The Registry Act.

Bill 102, An Act to establish the Regional Municipality of York.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I want to repeat, there are three major defects in this bill that I see. First of all—

Mr. Speaker: The hon. member will understand the type of debate for third reading?

Mr. Deacon: I understand. I am just summing up the points.

Three major defects—first of all, every other regional government that has been formed has added to it something to give it greater and stronger financial resources to meet the needs of the region.

The second point that I want to make is that every other regional government has had

available to it major or adequate places within the municipality for water and sewage plants and facilities that are needed to supply services. This one is blocked off by Metro Toronto and yet no provision for this has been made.

The third point is that this particular municipality is located close to the major metropolitan area of the province and between that major metropolitan area and its recreational playground. Because of its location, it has special costs for highways, policing and other services that are not being compensated for in any way in the future.

I would ask the minister to allay the fears. One concern that has not been clarified in the minds of people is to assure them that the Treasury Board payments replacing the former contributions of Metropolitan Toronto to the Toronto and York roads commission are over and above the additional grants of $1.25 million to be paid to the region in 1971, over 1970.

Mr. Speaker: Did the member for Wentworth wish the floor?

Mr. I. Deans (Wentworth): No.

Mr. Speaker: Is there any other member who wishes to speak to the bill? Does the minister wish to make any reply at this time?

Hon. W. D. McKeough (Minister of Municipal Affairs): I would simply say in reply to the question asked by the member for York Centre, the answer is yes.

THIRD READINGS
(continued)

Bill 139, An Act to amend The Mortgages Act.

Bill 142, An Act to amend The Municipal Act.

Bill 143, An Act to amend The Assessment Act, 1968-1969.

Bill 150, An Act to provide Incentive for the Abatement of Pollution.

Bill 159, An Act to amend The Corporations Tax Act.

Mr. J. Renwick (Riverdale): Mr. Speaker, on the third reading of Bill 159, I want to ask the government if they would not give serious consideration to referring these technical tax amendment bills, such as The Corporations Tax Act, and bills such as amendments to The Succession Duty Act, because of their technicality and complexity, to a committee.

My suggestion to the government, and I hope they would seriously consider it, would be that this matter be referred to the standing committee on rules and procedures to devise a method by which the technical taxing statutes, when they are presented in this House for second reading, be referred to a special committee of a limited number of members interested in that kind of a problem and then to come back through the House.

The reason I think we have to devise such a procedure is that I do not think we are properly discharging the work of the House in connection with bills such as The Corporations Tax Act, which after all affects the citizenry of the province and the companies of the province, if we do not consider them properly and if we do not get the explanations made. I am not suggesting for a moment that the explanations are not available but the explanations, when given in Committee of the Whole House, tend to be meaningless because of their technicality and it is very difficult to carry on the kind of discussion about such proposals that they warrant. Yet at the same time I feel we cannot allow ourselves simply to be a rubber stamp in this House because of taxation agreements between the government of this province and the government at Ottawa, which permit the government at Ottawa to amend their taxing statutes and then we move the amendments to conform.

Of course I am most suggesting for a moment that we should have different taxing statutes, but I think when the amendments do come to this House that we have to have an opportunity to make full assessment of them. I know what the minister responsible for the bill had suggested last year—and it just did not work out—that he, along with his advisers, would meet with a representative of each of the parties privately before the bills came through the House, but I really do not think that is a proper way in which it should be done.

My suggestion, therefore, is that the standing committee on rules and procedures be seized with this problem to come back with some efficient way in which a small committee of those interested in this kind of technicality could deal with all amendments to all taxation statutes which, because of their complexity and technicality, require study and explanation before they can be properly understood because taxing statutes always tend to be very complex.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, may I speak on this, backing my friend. The

hon. minister was quite prepared to have us meet in private to go over this, well realizing that it is a hopeless task before either the House on second reading, because there is no specific principle in these bills, or in terms of the Committee of the Whole House.

I would ask the Prime Minister, and seek to prevail upon him, that in the instance of these taxing statutes which are not being given the proper going-over and cannot be given the kind of debate we have here—the nitty-gritty of those statutes do not admit of that particular kind of going-over—either to consider setting up a small, compact committee specifically to deal with passing statutes as the budget comes through in any one year or, as my friend suggests, having the committee on privileges and elections look the situation over and see what kind of recommendation can be made so that our work will be made effective and worthwhile in the House.

After all, it is the taxing statutes by which the government is extracting the money from the pockets of the taxpaying citizens. If they cannot be given the proper surveillance within the present rules and procedures of the House, a great deal of time in the House could be saved if we could set it up in a more structured way and with greater form than the formless way and the private way that is being suggested by the minister, albeit in the very best of faith.

I am very grateful to him for his open hand in these matters, but that does not solve the issue. We have to have some kind of structure; it has to be neat. You do not want too many members there, precisely because the thing is so technical that you can become bogged down with great ease with too many questions. A highly select group of about six or seven people probably would be enough, with a couple of members from each party, possibly without any voting privileges at all, simply to discuss and get a clear picture of the ramifications of any particular section and subsection of this particular kind of legislation.

Mr. Speaker: Perhaps I might point out before we go any further, so that I will not have the usual statement of inconsistency thrust at me, both speakers to this bill have been entirely out of order. The basis of a debate on third reading is why the bill should not be given third reading and not the procedures by which the bill reached third reading. I have allowed the members to continue because I thought their points were good and, as this is, I hope, the last day of the current part of this sitting, I saw no point in engaging in discussion with them. But if there are other members who wish to speak to this or subsequent third readings, they will please follow the rules.

The member for Windsor West.

Mr. J. Renwick: Mr. Speaker, may I just speak on the point of order? I had given thought to this question of whether or not my remarks would be in order. I felt they were in order because we are asked to give third reading to a bill which in our judgement—and this is not a criticism at all, as this has been the way in which such bills have been dealt with—was not adequately dealt with. That is why I felt that it was important on third reading to voice our concern about the way in which such bills are dealt with, because we do not want to be in a position of opposing the third reading of a bill such as this. But on other occasions we would like to have an adequate sense of satisfaction that the business of the House with respect to bills of this type has been properly dealt with, and I thought that the matter was quite in order.

Mr. Speaker: Of course, the hon. member's original thought was very sound, but when he developed it into proceedings at another time with another bill, then I am afraid he got off the particular bill.

The member for Windsor West.

Mr. H. Peacock (Windsor West): I wonder, Mr. Speaker, if I could endeavour to frame my remarks within your ruling that the bill should not now be proceeded with, and that is what we are doing on third reading. I say the bill for *pro forma* should not be proceeded with, because it has not received the adequate consideration which it should have been given by this House in the form of a committee, either specially selected, or established as a standing committee to deal with the bill as a revenue raising or revenue adjusting statute, for which there is no special or standing committee presently formed to do that work.

The bill obviously should have gone to such a committee. We do not have such a committee at the moment. The House of Commons of Canada considers its financial measures in this manner. They are sent to the standing committee on finance, trade and commerce, although according to May, at the time of the last edition, that had not been the case at Westminster. Certainly, it has been a matter of great concern that a bill, such as this one, did not go before a special

or standing committee to deal with its very technical provisions. That is why I say that this bill should not have a third reading. By saying that, perhaps we can make the point.

Mr. Speaker: I say that I think the member for Windsor West has put it quite well, as did the member for Riverdale. But the member for Riverdale, in my opinion, went just a little far. I think his point was well taken. The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): I would rise to support the remarks made by the member for Windsor West. The Minister of Revenue (Mr. White) has done us the courtesy of suggesting certain meetings with the member for Lakeshore, as the NDP critic for this department, and with me, as the critic for this department for the official opposition.

While this courtesy was well meant, and I think would have been useful, there is of course a better way in which to deal with this matter. I believe that there are not too many members of the House who may have the same interest in matters of taxation and revenue as some others. Surely it is incumbent upon all of us in the House to deal with these bills as best we can and with sufficient depth, so that we are aware of all the ramifications that the involvement in this kind of a taxing statute will bring forward.

I would agree with the member for Windsor West that there must be some better form than the one we have now with which to deal with this kind of taxation and revenue statute. I would encourage the minister and his colleagues to place this matter before a committee at some other time in order that it might be resolved. I would call upon all members to attempt to develop some interest so that this kind of problem can be better resolved in the future.

THIRD READINGS
(continued)

Bill 162, An Act to amend The Planning Act.

Bill 163, An Act to amend The Motorized Snow Vehicles Act, 1968.

Bill 168, An Act to incorporate the Northern Ontario Development Corporation.

Mr. T. Reid (Scarborough East): If I could, Mr. Speaker, reiterate the position in two or three sentences which we took last night, we fail to understand why the minister did not put into this Act that the members of the corporation—excluding the vice-chairman, but not the other members of the corporation—should be resident in the north as defined in terms of the Act. We would like to see a guarantee in this bill making that explicit in law.

Clerk of the House: The 13th order, House in committee of the whole; Mr. A. E. Reuter in the chair.

THE EMPLOYMENT STANDARDS ACT, 1968
(continued)

Mr. Chairman: The hon. member for Riverdale had the floor when we recessed last night.

Mr. D. M. De Monte (Dovercourt): A point of clarification on one point.

Mr. Chairman: I cannot hear the hon. member.

Mr. De Monte: I have an amendment to move, Mr. Chairman, that is quite similar to the amendment that has been moved by the hon. member for Riverdale. I was wondering, Mr. Chairman, in order to be able to get a section in here that is meaningful, whether the hon. member for Riverdale would accept my amendment to his amendment?

Mr. Chairman: Perhaps the hon. member would just wait a moment until we get the show on the road.

An hon. member: He cannot do it like that.

Mr. Chairman: Yes, he can.

Mr. De Monte: Thank you.

Mr. Chairman: Yes, he can.

When we adjourned, the hon. member for Riverdale had the floor. I believe he had an amendment—

An hon. member: He had read most of it.

Mr. Chairman: —which he had read, I believe, to the committee; and a copy of which I do have before me.

Mr. R. F. Nixon (Leader of the Opposition): He had not read it to the committee.

Mr. Chairman: Had the hon. member not read the amendment to the committee?

Mr. J. Renwick (Riverdale): No, I had not.

Hon. A. F. Lawrence (Minister of Mines): This time, is the member certifying they are true copies?

Mr. Chairman: I recall distinctly that the hon. member had read at least part of it.

Mr. P. D. Lawlor (Lakeshore) No, he started several times.

An hon. member: At least twice.

Mr. J. Renwick: Mr. Chairman, it would seem appropriate since it is not all that long, and I had not got all that far, that at least it should be all in one place.

Mr. Chairman: I agree with that.

Hon. A. F. Lawrence: Are you certifying they are true copies?

Mr. J. Renwick: No, I am not.

Mr. Lawlor: He reiterates they are true copies.

Mr. Chairman: The hon. member may proceed with that motion.

Mr. J. Renwick: Mr. Chairman, I move, and then I would like to comment briefly on the amendment, that subsection 2 of section 6b of clause 4 of Bill 96 be deleted and the following substituted therefor.

Hon. A. F. Lawrence: This is where I came in.

Hon. A. Grossman (Minister of Correctional Services): This is where we all left off.

Mr. J. Renwick: The amendment reads:

2 (a) If an employer for any reason decides to curtail or to discontinue all or a substantial part of his operations at any location, or to change his operations at any location in any way which could reasonably be anticipated to have the effect of materially reducing the number of his employees, or materially changing the composition of his employees, as to trade or other skills or qualifications, the employer shall give notice to the minister and to his employees, outlining in reasonable detail particulars of the proposed curtailment or discontinuance or change in operations and the anticipated effect on the number or composition of his employees.

(b) Upon receipt of the notice, the minister shall give the employer and the employee notice of the time and place of hearing at which the employer and employees may attend, present their evidence, and make their submissions about the benefit to the employer and the detriment to the employees individually and collectively and the minister shall determine the matter and his determination shall be in writing and may approve, disapprove, rescind, change or alter the decision of the employer, may decide the time and manner in which the decision may be implemented, may impose such other terms and conditions as the minister considers necessary, having regard to the public interest and the interest of the employer and his employees, and shall contain the reasons for his determination.

(c) For the purposes of the hearing, the minister may exercise any powers under section 5.

(d) An employer or an employee, dissatisfied with the determination of the minister made under clause (b), may appeal from the determination to the court of appeal within 30 days from the date of the decision upon the ground that the decision is: (1) erroneous in point of law or (2) in excess of jurisdiction;

(e) Upon the request of the employer or employee desiring to appeal, the minister shall state a case, setting forth the facts as found, his determination and the reasons for his determination;

(f) An appeal shall be by motion, notice of which shall be served upon the minister and the employer or employees, as the case may be, and the record shall consist of the case as stated;

(g) The court of appeal shall hear and determine the appeal in accordance with the practices and appeals from a decision of a judge of a supreme court, and may make such order as the court considers proper, or may refer the matter or any part thereof, back to the minister to review the determination with such corrections as the court considers proper;

(h) Any notice required to be given to the minister or to the employer shall be by registered letter or by letter served personally and any notice required to be given to the employee shall be by posting the notice in a conspicuous place where the employees are engaged in their duties.

I so move, Mr. Chairman.

Mr. Chairman: Mr. Renwick has moved that subsection 2 of section 6b of clause 4 of Bill 96 be deleted and the following substituted for it—and the committee has heard the recitation of the amendment. The hon. member may speak to the motion.

For clarification I would point out to the hon. member for Dovercourt that the proper procedure, after the hon. member for Riverdale has spoken, is that I will recognize the hon. member for Dovercourt, who may then speak to the motion and propose any amendment to the amendment, and if he gets the concurrence of the hon. member for Riverdale, he can weld the amendments together. The hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, very briefly, this bill and this particular section of the part which the minister (Mr. Bales), has introduced is in direct response, inadequate as we believe it to be, to the Dunlop situation and I want to send to the minister something over 25,000 signatures to the petition which was taken and circulated in the area of the Dunlop plant and through many of the unions related to Metropolitan Toronto and District Labour Council. In a very short time it was not only willingly signed but anxiously signed. That petition very briefly stated:

> We, the undersigned citizens of Ontario, demand:
>
> 1. That the Dunlop plant be kept open;

As a matter of fact for practical purposes, apart from 12 employees of the work force as such, the plant will be closed tonight.

> 2. That a commission be established, representing the province and the federal government, the union and management to work out how the plant can maintain operation; and
>
> 3. That there be legislation enacted to prevent such unilateral action in the future.

I send the the minister the petition with somewhat in excess of 25,000 names.

The minister's provision in the bill leaves everything in practice to be done by way of regulation and then relates only to the question of notice. There is no way in which the kind of public hearing can take place to determine the economic impact, the social impact, and the public interest in relation to decisions by management to shut down a plant or to substantially curtail operations or to make such changes because of automation or otherwise where the skills of the existing force are replaced by persons, or by a certain number of persons, with different skills.

Therefore in line with the position which we have taken throughout and in line with the quotation, which I put on the record on second reading, of Mr. Justice Rand in his commission about this whole problem and the need for the public interest to be protected and consultation to take place between an employer and the employee, we have put forward in this amendment the simple proposition that there be a requirement of notice, and once that notice has been given to the minister and to the employees in the circumstances specified in the resolution, then the minister is required to reply by way of notice, giving particulars of the time and place at which a hearing can be held at which the employer and the employees may attend and present their evidence and make their submissions about the benefit and the detriment of the proposed course of action. Then the resolution, as is clear from the way it is worded, gives the minister power to make that kind of determination with all the flexibility that he might require in the particular circumstance.

The balance of the amendment is simply procedural to cover the obvious question of the appeal to the court—not on the question of the minister's decision, because the court is not an appropriate place for that, but simply on the basic question of whether or not his decision may have erred in law, or whether it may have been in excess of jurisdiction, and with no suggestion whatsoever that the courts are the proper forum to make any kind of a decision about a socio-economic problem created by a decision for a plant to be shut down.

It is an endeavour on our part to get across to the minister that there has got to be a public hearing and that there may be another body that could determine this kind of question rather than the minister. But I make the point, because it is the minister's bill and the minister's department, that he must hold such a hearing and people be given the opportunity to express their views pro and con about it. In the course of making his determination, the minister on the particular situation which is then in front of him can make such a determination in such a way as to ease the impact, if it is necessary that a decision be implemented, in the most suitable way for that purpose.

Our basic concern was that doing it by way of regulation tends to be just as restrictive as if we endeavoured to set it all out in the statute. That is, I think, going to lead to difficulties, plus the fact of course that the minister does not have any intention of having any kind of a public hearing.

Our concern about the problem—it ties in with the determination that the minister might make in any given case—is a concern which we expressed on second reading of the bill about other aspects of this problem, and it is that if the employer is required to give a certain amount of notice, at what point can the

employee leave and pick up the balance of his pay for that full period of notice? Or must he stay to the bitter end in order to get the proper notice? Or, as I put it in rather more legalistic terms at the time, does he in fact have to give up his right to protection against the act of the employer in the sense of repudiating it and suing for damages on it, and be left only with the alternative of acquiescing in the decision of the employer and going about his business to try to get another job as best he may?

It also would permit the minister to deal with the difficult problem of the adjustment of all the factors which very wisely, in my view, should be taken into consideration in any particular case; not just the length of service, but the age of the employees, for example, the likelihood of them getting employment, depending on the particular state of the labour market at that time, and the other factors which I endeavoured to set out when I spoke on second reading.

All of those points are subsumed within this amendment because a public hearing in line with what we have endeavoured to state in the amendment would give that kind of opportunity. I think that the minister would be the first to agree that in the diverse kinds of economic activities in the province, the size of different plants—whether they are foreign-owned or whether they are owned within Ontario; whether they are small plants in a big city or whether they are big plants, a sort of a single plant in one community, or where they are located in the province—the total impact is not something which can be legislated.

It can only be dealt with by a public hearing, by the minister hearing all the information about it in a special situation, so he can then come up with the kind of solution that will protect the interests of the public, the interests of the employees, the interests of the employers and permit the most flexible and useful way for the rationalization of industry, the introduction of automation or any other changes that are required because of changing technology and economics.

I therefore would ask, Mr. Chairman, that the government consider accepting this amendment to this bill. I think it is sound for the reasons we have stated and ask the support of the House for the amendment.

Mr. Chairman: The member for Dovercourt.

Mr. De Monte: I move that the proposed amendment be amended by deleting clause (b) thereof and substituting therefor the following: That party (b) of the amendment—I have changed it a bit, Mr. Chairman, if you will bear with me—by adding a new clause (b) to the following effect:

> Upon motion being given in the manner prescribed, the minister shall establish a committee made up as follows: two persons to be nominated by the minister; two persons to be nominated by the employer; two persons to be nominated by the employees of the employer, to inquire into the reasons for the curtailment or termination of the employer's operations.
>
> If, to the satisfaction of the committee, the termination or curtailment is justifiable, to inquire into: (a) the job availability in other plants or operations of the employer; (b) the retraining of the displaced employees of the employer; (c) all other factors that may assist in alleviating the dislocation of the employees of the employer.

Now, Mr. Chairman, this party's position, of course, Mr. Chairman, is that the government in moving this very important Act, did not go far enough. It did not consider any of the major problems which certainly take place when you have an industrial conversion or an industrial rationalization.

We made our point clear on second reading, Mr. Chairman, that there was actually not a very close look taken at the problems created by conversion or rationalization. We in our party, notice, Mr. Chairman, the complete unrest in labour because of the fact that they do not really know what is going to happen to them when some giant corporation—or for that matter any corporation—decides to close up shop.

There is no doubt that in some cases, as the member for Riverdale is trying to point out in his amendment, some of these rationalizations and conversions are not really necessary, that the employer really does not take into consideration the impact upon the workers who he is throwing out on the street.

It is my very real opinion, Mr. Chairman, that in this bill this section is the crunch of the whole matter. It does not really look to or attempt to solve, as I said before, any of the major problems created by industrial rationalization or conversion.

Really, the member for Riverdale seems to take it upon himself to put into the hands of the government fairly extensive powers—powers that in my opinion would perhaps cost the government quite a bit of money. There is no doubt there may be times, Mr.

Chairman, when a government must step in and decide whether an undertaking or an industrial operation should be taken over. I think a perfect example of that is the Nova Scotia government when it decided to take over the steel mill down there.

There is no doubt, Mr. Chairman, that some day the Ontario government is going to have to make that decision, but I certainly do not think that clause (b) of his amendment is acceptable to this party. I think it goes too far. It rests too much power in the minister, and I think it is heading toward that control of our society, Mr. Chairman, that our party is in no way going to accept.

There is no doubt though that we in our party have looked to the very basic problems that are created by industrial rationalization. And certainly, Mr. Chairman, the advance notice of a closedown is basic to the justice that might be meted out to the workers when these things happen. There must be consultation with unions. There must be retraining programmes. There must be speed-up of pensions; pensions must be protected.

These are things, Mr. Chairman, that really affect the individual workman as an individual. There is no doubt that it affects the public collectively and the work force in a particular plant collectively, but there is no doubt that my amendment gets to the basic problems in the matter.

There is no doubt in my mind, Mr. Chairman, that industrial rationalization and conversion or shutdowns, or whatever you want to call them, are a necessary part of our industrial society. There is no doubt in my mind that we are going to have them with us for a long time and this party believes that in order to alleviate the impact on the worker, that our amendment, together with the amendment of my friend from Riverdale, would probably set up a good system whereby we can do that. But I must impress upon you, Mr. Chairman, that this party does not agree and completely repudiates clause (b) of the amendment of the member for Riverdale.

One thing that has struck me, Mr. Chairman, is that the hon. minister really has not looked at the problem, has not really given serious consideration to this whole, vast problem. I do not think he thinks that this is going to happen too often in Ontario but things have shown us that these are happening in Ontario and will happen all over the world as technological changes force rationalization and a change in industrial undertakings.

There is no doubt, too, Mr. Chairman, that the government must impose on employers the obligation to participate with government and unions. That is the intent of my amendment—that the government must participate with the unions and the employers in the programmes of reclassification and the indemnifications that cushion the sometimes awful impact that takes place when a plant shuts down.

It is interesting to note, Mr. Chairman, that the railway run-throughs have caused great dislocations in many areas where towns have been wiped out; where ghost towns have been created. We have to come to grips with this situation very quickly because if we do not, it will just show the complete lack of feeling by this government for the problems of the workers in this type of undertaking.

There is no doubt that it is certainly a half-hearted attempt to solve the problem. I feel it is so half-hearted that it does not really get to the problem and I respectfully ask the minister to support this amendment. I will send you a copy as quickly as I can, Mr. Minister. I will write it out. Can you give him your copy, Mr. Chairman?

Mr. Chairman: The chair does not have a copy at the moment.

Mr. De Monte: I gave it to the—

Mr. Chairman: I believe the chair should have a copy to deal with it.

Mr. De Monte: Yes, I think you should, Mr. Chairman. I will—

Hon. Mr. Grossman: You will just have to rule it out of order.

Mr. C. G. Pilkey: Well, just adjourn the House for an hour and we will have some made up.

Interjections by hon. members.

Mr. De Monte: Except for the preamble, Mr. Chairman, that is the—

Mr. Chairman: Does the hon. member have further comments?

Mr. De Monte: No, I am just making sure everyone gets a copy of this beautiful amendment.

Mr. Chairman: All right.

Mr. J. Renwick: I do not need one.

Mr. De Monte: The member should, because it is informative.

Mr. J. Renwick: I know that. I was listening.

Mr. De Monte: All right.

Mr. Chairman: I should put the amendment, I believe; Mr. De Monte has moved an amendment to the amendment.

Hon. Mr. Grossman: Mr. Chairman, on a point of order. I guess we had better get these things sent out to have them photostated, but this is a different one from the one I think you have.

Mr. De Monte: Yes, it is slightly different.

An hon. member: The concept is the same.

Interjections by hon. members.

Mr. Chairman: Is the hon. Minister of Labour satisfied that I present the amendment to the amendment that I have before me? Mr. De Monte has moved an amendment to the amendment to clause 2a.

Mr. G. Ben (Humber): Clause 2b of the proposed amendment, which is clause 2 of section 6b, as enacted by section 4 of Bill 96.

Hon. Mr. Grossman: First or second reading?

Mr. Chairman: Is there any discussion on the amendment to the amendment?

Mr. J. Renwick: Mr. Chairman, in the interests of amiability—the amendment to the amendment proposed by the member for Dovercourt is, in substance, along the same thrust of the basic point that we are trying to make in our amendment. He specifies certain matters and he selects a different device for accomplishing it. I do not think that we need to have two separate amendments. If it is agreeable to the member for Dovercourt—it is agreeable to us—we could simply incorporate the amendment into the proposal that we put forward and treat it as a single amendment.

Mr. Chairman: Do I understand the hon. member for Riverdale to say, then, that we can take Mr. De Monte's amendment at (b), stroke out (b) of his own amendment and substitute Mr. De Monte's amendment?

Mr. J. Renwick: Yes, for the purposes of this debate this morning.

Mr. Chairman: Is this agreeable?

Mr. De Monte: Yes. It is, Mr. Chairman.

Mr. Chairman: To Mr. De Monte and to the mover of the amendment? All right. We now have one amendment before the House. This consists of a melding of the suggestions of the two amendments. Any discussion on this? The hon. member for Humber was on his feet.

Mr. Ben: Mr. Chairman, I was going to get up and speak in support of the proposed amendment to the amendment by the hon. member for Dovercourt. Frankly, I am both surprised and pleased that the hon. member for Riverdale has seen fit to permit the proposed amendment to his amendment and, in fact, adopt it.

Mr. Chairman, we are told almost daily that a man must be right up to date in his skills or training or be retrained every 10 years, that cybernetics have made this necessary. For this reason, I was so strong in supporting the position of the hon. member for Dovercourt, which is now the position, I am happy to say, of the parties of the opposition. The proposed amendment recognizes this necessity and specifies that this need must be considered whenever a material change in the operation of a company takes place, which would either radically or materially change the composition of a work force or the skills or qualifications which that work force had acquired.

Considering that the opposition parties have, without any argument whatsoever, agreed upon this proposed amendment, I would ask that the minister also give some consideration to the import of this amendment and let us cut the debate on the amendment to as little as possible.

Mr. Chairman: Any further discussion? The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Chairman, I think the setting up of the committee, as proposed by the members from this side of the House, is a very important step to take and to have incorporated in this bill. I would say this committee, which would have two employees and two government people, as well as two representatives of the employer, should do the following things in particular.

I think it should be concerned with dismissals on a large scale, especially arising after a takeover by U.S. multi-national corporations. This is why I want to see this committee set up in order to look into that type of takeover in particular, and also into another type of shutdown and that is termination of employment of a large number of employees in a wholly owned foreign-centred or a foreign-controlled branch plant operating in this province. I think these two cases,

or types of cases, that result in shutdowns and dismissals of employees are the key types of cases that need to be examined, and this committee should look at this very carefully.

Then the committee must determine whether the shutdown in Ontario was done for efficiency reasons in terms of the community or purely for gain.

I close my remarks on this point, Mr. Chairman, by saying that it would take such a committee to make sure that rationalization to increase the international profits of a multinational corporation, by closing down a completely foreign-controlled Canadian subsidiary operating in Ontario, which is operating profitably, locally would simply not be allowed under the laws of this province.

This is why I would like to see a committee established in this Act. I would like to see it look into the reasons plants have shut down or eased off production considerably and laid off employees on a permanent basis. We must make sure that the American domination of this province, particularly in the manufacturing and resource-centred industries, is not used as an excuse to close down profitable operations in this province which have absolutely nothing to do with economic conditions in this province, but have to do with international rationalization and conversion by large multi-national corporations.

One other comment I have, Mr. Chairman, is about the reasoned amendment as placed by the member for Riverdale to establish a system whereby the court of appeal becomes a part of this bill. That is to say that an employee, or an employee dissatisfed with the determination of the committee, could appeal from the determination to the court of appeal within 30 days, and so on, on two grounds; erroneous in point of law or in excess of jurisdiction. I would like to ask the hon. member for Riverdale why he has put that appeal system in? Of course, he is not here but I put it on record that when he spoke to this before, he noted that it is a little difficult for individuals who are not members of a union to finance such an appeal.

I understood from the member for Riverdale's previous remarks, Mr. Chairman, that he wanted to see this legislation in terms of that sector of the labour force or those employees who are not unionized. He felt this bill should be geared, and the section should be geared, to deal with those situations where employees are non-unionized. This bill must provide them with protection; if, as John Kenneth Galbraith has been saying, the unions are, in fact, declining in our society, then the laws of a province and a country must do more to protect the employees, particularly the blue-collar employees. Therefore, I wonder why the member for Riverdale has set up what could be a costly system of appeal through the courts of appeal, for non-unionized workers, blue collars as opposed to professionals. Mr. Chairman, I have been informed that that has been struck out. I conclude my remarks with that.

Mr. Chairman: Any further discussion on the amendment? The hon. member for Oshawa.

Mr. Pilkey: Mr. Chairman, the amendment proposed by my colleague from Riverdale obviously goes much further than the position taken in Bill 96 by the minister. Really, I do not see any improvement on what has been the past practice as far as plants closing and terminating operations are concerned. Obviously, the minister has to provide a vehicle that gives the employees the opportunity to make their case, if I could use that term.

The member for Riverdale pointed out that the Dunlop plant was closing tonight and I can appreciate, working in an industry myself, some of the anguish that some of these people are going through as a result of that plant closedown. I happen to think that this government has a deep responsibility, and should have a deep concern for the workers who find themselves in that invidious position. Obviously, Mr. Chairman, this legislation will not do the job that is necessary. What the minister is saying to this House is that we want to have a short period of time to implement some of the programmes that we have in terms of labour mobility. Well, the programmes that the government has in terms of labour mobility in this province are totally inadequate.

There is no way, when a plant closes down and the employees' jobs are terminated, that there is any guarantee that they are going to have employment in another area or, alternatively, there is no guarantee that they are not going to find themselves a responsibility of The Department of Social and Family Services. Surely we ought to be able to provide a vehicle where the management has to justify the closing out of that plant and the termination of employment.

What I do not really understand is why the government does not want to take that extra half step in that direction, so that the employees' long-term service and the equity that they have built into that establishment over the years are given some protection.

We have never said on this side of the House that a plant cannot close out. It may be absolutely necessary. I mean, the plants that were making horseshoes are not in existence today; they were phased out as we went much deeper into the technological age. So there may be some very valid reasons for that. But I just happen to think that this government has to put the corporations in this province in a position to justify; I think that the employees ought to have an appeal to any corporate unilateral decisions in closing out the operation.

As I understand the amendment by my colleague from Riverdale, this is what it is all about: This will not in any way jeopardize the corporate position in this province. It will not jeopardize the corporate position in terms of their employees. All the member is saying is that we ought to have a vehicle of appeal and there should be some justification. This is how I understand it.

You may say that it will harm, if I can use that term, the corporations, and I recall the minister saying that it would even be a deterrent against companies establishing a business in the province of Ontario. I really do not think this would have that effect at all, of acting as a deterrent against corporations coming into the province of Ontario. Let us face it: What is the motive of the corporate empire? It is a profit motive. If they can make a buck in Ontario, they are going to be here—make no mistake about that. So this will not act as a deterrent against expansion of industry in the province of Ontario.

What it is really saying is that the employees will have a measure of protection—and not all the protection in the world either. But they will have some measure of protection against the closing out of an operation and the termination of their employment.

Mr. Chairman: Any further discussion?

The hon. member for Dovercourt.

Mr. De Monte: I just wanted to expand on the position of my friend from Oshawa. If we show corporations that come into this province that we are not against rationalization and conversion and that if it does take place we help our employees and help the company in order to relocate, retrain and re-establish an industry in a more efficient way, I think that more corporations would come to this province. I think the Swedish example, Mr. Chairman, has been a system whereby industry has benefited, as well as the workers of the industry in which these rationalizations take place.

So I just wanted to say to the minister, through you, Mr. Chairman, that far from dissuading corporations from coming into this province, I think it would actually help the province to bring more industry into this province.

Mr. Chairman: The hon. minister.

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, we now have one amendment before us in that the official opposition have amended the amendment proposed by the member for Riverdale.

First of all, before dealing with those particular amendments, I want to reiterate again the real objective of this legislation, of The Employment Standards Act. That is to provide protection for the employee in various basic ways, and, under this part 1 (A) entitled the termination of employment, it assists him in relocating and finding a new job.

There are many facilities available to the employee for that matter and they are facilities provided, not just by this government, but also by the federal government and in co-operation between the two governments. We must see that the means are provided whereby the employee can take advantage of those facilities and they are used so that he can be relocated as quickly as possible in a new job, given the necessary retraining that he might need, and that mobility grants that are there can be used if necessary.

We require notice to enable the employee to take advantage of those situations. Today, regretfully, we have a situation, from time to time, where the individual receives notice that the plant shall close, say, within a few days or very short time. That is not sufficient time for the employee to relocate and we recognize this and we want to make sure that the facilities are there and used to assist him.

That is why, Mr. Chairman, under the provisions of the Act it is stipulated that where an employer is required to give notice referred to in subsection 4, the employer shall co-operate with the minister during the period of notice in any action or programme intended to facilitate the re-establishment in employment of the person whose employment is to be terminated.

And I reiterate—

Mr. S. Lewis (Scarborough West): What does that mean?

Hon. Mr. Bales: —and I reiterate that these facilities are there. We want to see that the employees are registered, that their skills are categorized as quickly as possible, that they are advised of new job opportunities for them, so that we will help them to get employment and so forth. We want them to have adequate notice of the plant closedown.

We know that this kind of assistance requires a period of time and when you have a larger number of employees, we must have a longer time for that kind of situation.

Both systems, I may say, that are set forward in the amendments, are extremely cumbersome. The one by the member for Riverdale, I think has had more thought than the other amendment, because the member for Dovercourt has put forward a large number of people who are going to be on a committee and so forth.

Mr. T. Reid: Six, six.

Hon. Mr. Bales: It is not a feasible situation.

Mr. T. Reid: Too big for the minister to handle.

Hon. Mr. Bales: There has also been reference to a number of special situations. For example, in the debate on second reading on this bill, there was reference to the Dosco situation. That is not a typical situation; that was a unique matter in the province of Nova Scotia, because theirs was a basic industry that the government felt had to be preserved. The government took control of that and in essence subsidized it as necessary to keep it functioning, because it was a basic industry to the whole of the province's economy.

Mr. J. Renwick: Mr. Chairman, that turned out to be very profitable.

Hon. Mr. Bales: Maybe it turned out to be profitable, but I do not know how far it has been subsidized. Granted, it was necessary because it was a basic industry to that province and to many other industries, but you cannot classify all industries in a province such as Ontario—

Mr. J. Renwick: Mr. Chairman, would the minister accept one small question?

Hon. Mr. Bales: No, not now. You cannot classify all industries as basic industries to the economy of the whole province.

Now, looking at the amendment, the official opposition have veered away from the position they took the other day. In their amendment, at the moment, they say you should have a committee to inquire into the reasons for the curtailment or termination of the employer's operations. That means nothing. You are only going to inquire into it: you are only going to go through the motions. Now they have passed away from that. They have now accepted—

Interjections by hon. members.

Hon. Mr. Bales: They have now amended the amendment of the member for Riverdale, as I take it; the Liberals have accepted the other.

Looking at the other amendment by the member for Riverdale the really operative part of this is under clause (b).

Mr. T. Reid: It is not there any more.

Hon. Mr. Bales: Oh yes it is. As I appreciate it, the official opposition have accepted the one amendment and I take this to be the—

Just relax, will you!

Interjections by hon. members.

Hon. Mr. Bales: No, it is not my view.

Let us look at this clause and see what the operative part is:

> Upon receipt of the notice, the minister shall give the employer and the employee notice of the time and place of hearing at which (they) shall make submissions.

And then it goes on and it says: "The minister—"

Mr. De Monte: Point of order, Mr. Chairman. I think it was clear when I moved my amendment that the member for Riverdale withdrew and accepted that my amendment was to replace clause (b) of his amendment. I suggest, with respect, Mr. Chairman, that the hon. minister is out of order in discussing clause (b). I would like to say, Mr. Chairman, that it is the opinion of this party that the amendment as proposed by our party and the party to our left is an excellent amendment.

Hon. Mr. Bales: In other words, the hon. member has adopted the one from the member for Riverdale, because in essence you said—

Mr. Chairman: The hon. member for Dovercourt did arise on a point of order in respect to this situation. As far as the hon. minister is concerned what he was discussing is up to him, but I must concur with the hon.

member for Dovercourt that the paragraph shown as (b) on the first page of the amendment introduced by the hon. member for Riverdale has been struck out and has been substituted by the amendment introduced to that amendment by the member for Dovercourt.

Hon. Mr. Bales: You have deleted your paragraph (b) entirely?

Mr. J. Renwick: Mr. Chairman, in response to that comment by the minister. At this particular point I did not spend any time fussing around with one clause as against the other. In order to expedite the discussion of the substance of the problem, we said that we would accept the proposal of the member for Dovercourt, not for the purpose of getting in an argument about whether it was going to be a committee, or a minister, or anything else, but for the purpose of establishing the proposition that there was going to be a public hearing before somebody which would have the responsibilities of making the kind of study which we asked for in the Dunlop case.

That is the substance and I would hope that we could get right on with that substance.

Hon. Mr. Bales: I am agreeable to that, Mr. Chairman.

Mr. E. W. Martel (Sudbury East): Now if you would just adopt the amendment we could go home.

Hon. Mr. Bales: I am agreeable to discussing it on that basis, but I say again, the hon. member's amendment did state that the minister shall determine the matter as to whether the plant shall close.

The amendment proposed by the hon. member for Dovercourt does not say that. It really says nothing. It says you shall go through the motions of a hearing, but you need not determine anything. That is not what they said the other day and that is not what was meant by the substance of the two motions.

What the opposition parties are saying, in effect, though they are skirting around this with words, is that they do not want to be committed to it exactly.

Interjections by hon. members.

Hon. Mr. Bales: They say that when a plant is going to close, then the government must establish a board or a committee to determine whether that industry is making a decision that is reasonable and proper under the circumstances.

If you are going to do that, then we must bring in experts to look at the situation and to make a determination as to whether that plant, through its own assessments, through its own experts, has made a proper decision or not.

In my view and in the government's view a business operating in the province knows more about its own matters than do the outside people who might come in to examine it.

Mr. T. Reid: He is the minister of American management!

Hon. Mr. Bales: We believe we should protect the interest of the employee, but we have an economy in this province in this province that has prospered because we encouraged business to expand, to increase, and to bring in new industry.

Mr. Lewis: What has that got to do with it?

Hon. Mr. Bales: It has got a lot to do with it because you are—

Mr. Lewis: They are closing down; we are not closing the plants.

Hon. Mr. Bales: You are restricting the decision of plants as to whether they are to phase out an operation or not—

Interjections by hon. members.

Hon. Mr. Bales: You are saying to them that before they can make a decision we must bring in experts and decide whether the decision of that company was correct or not.

Mr. T. Reid: Canadian experts.

Hon. Mr. Bales: You have to go one step further, because if you make that determination and you are wrong, then you must subsidize that industry.

Interjections by hon. members.

Hon. Mr. Bales: In other words, we get down to the basics of this—that the opposition party really wants to take over the means of production in this province.

Interjections by hon. members.

Mr. Chairman: Order, please! Order!

Hon. Mr. Bales: They want to control the industry entirely.

Mr. Chairman: Order, please!

Hon. Mr. Bales: There is a private enterprise economy in this province which has prospered over the long years, and today we have the highest rate of development in the whole of the country.

We are adding, as the Minister of Trade and Development (Mr. Randall), will be glad to tell you, 100,000 jobs a year to the province's work force.

Mr. T. Reid: We are closing down now.

Hon. Mr. Bales: Sure we are closing down. We are phasing out some; industry is phasing out some operations from time to time.

The hon. member for Oshawa said that is bound to happen.

Mr. Martel: Why does he not find out why?

Hon. Mr. Bales: Some markets are changing; the federal government changes tariffs from time to time; many factors change. But the economy encourages continual and increasing growth. We must provide the kind of atmosphere and climate so that industry will continue to expand.

Mr. Chairman, we cannot accept the amendments proposed by the opposition party.

Mr. Chairman: Ready for the question?

Mr. Lewis: No; no question.

Mr. Chairman: The member for Windsor West.

An hon. member: He closed the debate.

Mr. Lewis: Closed the debate? It is in Committee of the Whole. It is not second reading.

Mr. Chairman: The Chairman is quite aware of what is going on. There are four people speaking at once. The member for Windsor West has the floor.

Mr. H. Peacock (Windsor West): Mr. Chairman, I just want to say to the minister, I believe I was in his predecessor's office, and the office of the minister before that, on a number of occasions, as was the member for Oshawa, regarding plant closings, regarding the total failure of the corporations, about which we were speaking to those ministers, to give adequate notice, as called for in this amendment, and their total failure to give to the minister any of the information as to why they were bringing about those closings, or reductions in the work force, as called for in the second paragraph of the amendment that is now before us.

Let me give this minister an instance which the Prime Minister (Mr. Robarts), his leader, is well acquainted with through the delegation of a group of unemployed workers from the Windsor area. The corporation, as a result of the automotive free trade agreement, undertook on short notice to its employees to lay 1,500 of them off, in order to undertake a multi-million dollar, in fact $100 million-plus renovation of that operation, to make the plant one of the most highly automated engine plants in the North American automobile market.

Those 1,500 employees ranged in age and service from younger people to many older employees, approximately half the total number were aged over 50 years; and in service from just one to two years to very long service employees—15, 20 or more years in the top half of that group.

They had virtually no notice other than the summer model-change layoff. It happens every year. Once they had started that summer model-change layoff, they were shortly thereafter told that most of them would not be recalled to work until February or later in the following year.

When the delegation came to the Prime Minister, it asked why the corporation could not have given more notice to his government; why it could not have fulfilled some of the requirements for forwarding information to the government as proposed in clause (b) of this amendment. The Prime Minister gave the answer in exactly the same manner as the Minister of Labour has just now. This is a free enterprise economy. We are not going to curtail the operations of business enterprises in this provice by forcing them to do anything. In fact, in answer to the member for Riverdale, when he asked the Prime Minister about this government's action, respecting the Dunlop closing—

Hon. Mr. Bales: You said just a minute ago that you were not going to force them to do anything. Is that what you said?

Hon. G. A. Kerr (Minister of Energy and Resources Management): That is exaggeration.

Hon. Mr. Bales: You said we were not going to force them to do anything?

Mr. Peacock: Will you do anything?

Hon. Mr. Bales: This bill will force them to give notice, notice that they do not receive now.

Mr. Peacock: Mr. Chairman, I am not speaking about the requirement of the bill to give notice. I am speaking of the requirement of the amendment to clause (b), that the minister, or, in terms of the amendment now before us, some other body, some other emanation of the minister or the government, will require the corporation to appear before it and set out for the hearing all of the aspects of the reduction or closing. That is what I am talking about.

In this particular instance that I have just been dealing with, the renovation of the engine plant in Windsor, the Prime Minister said, "No, we will not require this kind of information of the Ford Motor Company."

The delegation of unemployed workers of that plant then turned to the federal government in Ottawa and said, "What kind of help will you give us? Will you force the company to admit your Manpower mobility people? Will you force the company to admit your Manpower centre officers, so they can make an inventory of the work experience of the people who have now been laid off and will likely be laid off for a considerable amount of time?"

Many of them have no real expectation of ever being recalled, because of the astonishing impact of the technology that was introduced into that plant by which twice the production was going to be achieved following renovation, than before, with exactly the same work force, or a few hundred less in fact, I think, than was forecast at the time.

Could these officers not be told to enter the company's premises, ask for the personnel records and make an inventory so that those younger workers, at least, without long service, could be assessed for placement in other plants of the auto industry, then undergoing expansion as a result of the trade pact, and have priority for those jobs in the expanding sector of the auto industry?

The federal government said, "No, we will not force them either. We cannot ask the company to tell us all the factors. We will try but we cannot force them. We will ask them." This was the federal government's reply.

In any event, at a further meeting, in which the Minister of Labour for Canada and the now senator and government leader of the Senate in Ottawa, actually got some company officials to meet, when the unemployed workers asked, "Why are you doing this to us now? Why could you not have told us much sooner?" The Ford Motor Company wound up by saying to the government, "We have no obligation to tell them any sooner. We have no obligation to tell them why."

Under the minister's bill there will now be some obligation for companies to give notice. There will be no obligation to tell the minister anything as to the reasons, and I suggest to the minister that without that obligation, the requirement to give notice would prove a nullity.

Mr. Lewis: Right. Exactly.

Mr. Peacock: In the instance I am referring to, the company finally admitted in the presence of the federal Minister of Labour that it had plans under way for 18 months to undertake that renovation. We finally got that admission out of them before the Minister of Labour for Canada, because for competitive reasons, according to the company, it would not say what it was doing or why it was doing it until the very last minute. Unless the corporations which intend to make substantial reductions in their operations as a result of renovation and as a result of forecasts about the market, or intend to close down, are made to appear before a hearing such as this, they will, I submit to the minister, do everything conceivable to avoid giving him adequate notice. They will claim that their plans were not far enough advanced to be really able to tell him exactly how many people in the work force were involved.

I just do not believe that a corporation the size of the Ford Motor Company, when it undertakes a multi-million-dollar renovation programme to re-equip an engine plant, such as it did in Windsor, where production will be doubled, where approximately the same force will be employed after the completion of the renovation, does not know very early on exactly what the impact of its operations on its manpower force will be.

This corporation waited until absolutely the last minute. I submit that all other corporations for these alleged competitive reasons will do exactly the same thing, unless they are under onus to report to the minister the nature of the change in operations and the reasons for it, and are submissive to a determination by the minister as to whether that change, in fact, will require the change in manpower that they are required to give notice to the minister, and I do not see how the provision for notice can possibly operate effectively unless along with it goes this requirement for hearing as to all the ramifications of the decision.

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid: Mr. Chairman, I will try to make this very clear. I think he should probably understand this and simply disagree as a matter of policy.

Mr. Chairman: Did you say reiterate? Is it repetitious?

Mr. T. Reid: It is not repetitious in this sense, Mr. Chairman.

Mr. Chairman: What sense is it then?

Mr. T. Reid: There was a report that came out yesterday, as reported in *The Globe and Mail* financial section today. It was a report prepared by Harry Johnson, the fairly well-known international economist, and I find that report quite terrifying in one respect.

Mr. Lewis: And only one respect?

Mr. T. Reid: Yes, on this issue. And it is this: His forecast is that the international rationalization and conversion of multi-national corporations in the world, and particularly those controlled from the United States of America, is going to be such over the next decade that we will see shutdown after shutdown after shutdown in this province of their branch plants and wholly-owned subsidiaries.

Hon. Mr. Grossman: You have a thing about Americans, haven't you?

Mr. T. Reid: What I am trying to impress upon the minister, Mr. Chairman, is that through such a committee that could review shutdowns, particularly of wholly-owned branch plants or subsidiaries in this province, we would be able to have a better public understanding of just what is happening to our economy in the decade ahead.

I would close by putting it this way, Mr. Chairman: There are very many studies that have been made over the past five years; in particular, one by Professor Neufeld of the University of Toronto about a big international corporation—it happens to be a Canadian-controlled one. He examined the decision-making within that large multi-national corporation and he found something which is very obvious to everybody, that large multi-national firms make decisions on a multi-national basis; they make a decision to increase the total profit on their total operation. This leads to situations—and I suspect, in fact I am very sure that in Ontario over the past five years some plants at least owned and controlled by large American multi-national corporations have been closed down to increase the total profits of the multi-national corporation, even though the individual enterprise operating in Ontario had been and was operating at a profitable level. And I think it is for this reason more than any other—

An hon. member: That is a very good point.

Mr. T. Reid: —that I want to have a review technique that is wider than simply the minister, which would comprise six people, say, to look especially into what will become an increasing problem in this province for the next 10 years. I think it is very important that the reasons that are often manufactured by multi-national corporations in their public statements are not the real reasons for closing down. I think the onus of proof has to be shifted from the public; it has to be shifted from the union; it has to be shifted right on to those people who want to make the decisions to close down and where those decisions would affect their dependent communities.

So I say to the minister that if he wants to look at some of the long-term trends in the free enterprise sector of the world economy, he should realize that increasingly unless action is taken by this government—and of course by the government in Ottawa—then increasingly plants are going to be shut down in this province which are operating profitably for reasons that have nothing to do with the Ontario economy, but with reasons that have to do with political and economic forces in Europe and the United States.

We must find out, and this government must assume the responsibility for assisting in finding out, whether the closing down of these wholly owned branch plants and subsidiaries in Ontario is proper—because there are proper close-downs—or whether they are improper in the sense that they are being closed down, not because they are inefficient in Canada, but because the multi-national corporation is trying to increase its international profits.

Finally, Mr. Chairman, the minister must surely realize—he must be reading some of the literature at least from businessmen, from union people, as well as the academics—that there is tremendous pressure on the head offices of American corporations operating out of New York with subsidiaries in Ontario, if they want to cut back on their international production, to cut back in Ontario and not in the U.S.

This is one of the nationalistic problems of the multi-national corporations controlled in the U.S.—that there is pressure, not to close down the production facility in Minnesota and put Americans out of work—there is pressure, even if things are not quite equal, even if the Canadian operation in Ontario is even slightly more profitable than the plant operating in Minnesota, there is political pressure on the people who own those companies, on the management of those companies, to close down plants outside of the U.S., rather than closing down plants in the U.S.

So we must find out, Mr. Chairman, when those cases take place in the province over the next 10 years, because they are improper in terms of our public policies in this province and in this country and we cannot condone them by not looking into them.

Mr. Lewis: Mr. Chairman, because the minister is such a congenial will-o'-the-wisp and has not had his estimates before the House yet and there is very marginal legislation—the entire Labour Relations Act is waiting for the fall—we have not had an opportunity to engage with him around some of the basics of his department and the way in which he views things. I want to ask him two or three or four very specific questions which relate directly to the heart of this section from his perspective.

The basic, the inherent clause in this section, the clause which is most usefully operative beyond the simple giving of notice, is that clause to which the minister himself referred about a notice—well, I will read it:

> Where an employer is required to give the notice referred to in subsection 2, he shall co-operate with the minister during the period of the notice in any action of programming intended to facilitate the re-establishment and employment of the persons whose employment is to be terminated.

That is a pretty crucial clause. I do not know under what self-delusion the minister works—or perhaps that is unfair, perhaps it is just quiet and gentle euphoria—the reality is that there is nothing of any substance operative in this country for people who are dislocated by way of a serious plant shutdown.

In case after case, your federal counterparts are totally delinquent. The workers are lucky if they even condescend to visit the plant one week prior to the termination taking place. There is never any job assessment or appraisal which is substantive. There is never any retraining which incorporates the majority of the workforce, there is never any sensitive appreciation of the human consequences of what the dislocation means. There is a fatuous, bureaucratic nonsense of wandering through a plant in a patronizing way, three or four weeks before the final moment and saying: "What is your skill?" And: "Fill out this form." And: "Come and see us later." And: "Do not call us, we will call you."

An hon. member: Incredible.

Mr. Lewis: And you pretend that that somehow is solely the prerogative of the federal government and therefore you are excused from sharing in the delinquency—which is now vastly more important than delinquency; it is almost malevolence, because you have just swept the whole thing aside.

Well, you have a responsibility, you have a primary responsibility. You have refused to exercise that responsibility, totally.

You have taken no initiatives on your own to move into areas where shutdowns and dislocations are obvious or imminent and do the kind of serious work with the workforce that is useful. Can you show me in your department a single study of the consequences of plant shutdown or dislocation on a continuing basis since your inception in the ministry? Can you show me one? I will take my seat if you can stand proudly in your place and say so. Well, tell me, can you give me one?

Hon. Mr. Bales: Carry on.

Mr. Lewis: All right. I would like to know where you are doing that kind of thing—unless you are doing it quietly at Dunlop, for which we would be most appreciative since it is a classic case. One rather doubts it.

Because it is so profoundly difficult for the workers, once they are dislocated to have any support from government, provincial or federal, in their relocation, we are profoundly concerned about the simple proposition of providing notice of layoff without providing justification for notice in public terms as well.

Let me ask you some specific questions, because I want to understand the social philosophy in terms other than protecting the free enterprise ethic. Even the Minister of Trade and Development, in his estimates, was not quite as bold and as Adam Smithian as you have been this afternoon. Protecting the free enterprise climate in Ontario means for you, Mr. Minister, that the workers are expendable.

Hon. Mr. Bales: No.

Mr. Lewis: That is what it means. Yes, that is precisely what it means.

Employees are commodities to be thrown on the scrap heap of the economic system so that you can preserve the free enterprise system. That is just absurd. Let us ask you a simple question and perhaps you can explain it to us in these terms. I will ask you three or four.

One: Tell me and tell the House, why you feel, in the Dunlop instance as one example, you had no right to know the economic justification or ask for a full financial disclosure from the company when the jobs of 597 human beings and their families were at stake? Why did you simply accept it as a *fait accompli* without, in public terms, asking that subsidiary of a multi-national corporation to tell you why it was doing it and what the implications would be for the work force. Why did you not ask?

Hon. Mr. Bales: Okay.

Mr. Lewis: You say you did?

Hon. Mr. Bales: No, just carry on.

Mr. Lewis: I would like to know about Dunlop. That is fine, I am just asking you about Dunlop—

Hon. Mr. Bales: No, I said I will, just carry on.

Mr. Lewis: I am not going to carry on. It is just too facile. We all make our little speeches and then you make a little addendum and then we have a vote and then we have another little club-like meeting. I would like to know some specific answers in specific cases. Why did you not ask for public economic disclosure on the part of Dunlop for what they did?

Mr. T. Reid: What were their profit levels?

Hon. Mr. Bales: When you get through, I will talk to you.

Mr. Lewis: Mr. Chairman, I am through for the moment.

Mr. Chairman: Is there any further discussion on the amendment?

Mr. Lewis: All right, Mr. Chairman, if the minister will not answer that then perhaps he will tell me about the case of Canadian General Electric's closing of the Dufferin tube plant in Toronto; the closing of the tube plants in Grimsby and Hamilton, and the layoff, on June 19, of 180 people at the Dufferin tube plant. Can the minister explain to the House why he did not ask CGE for financial disclosure and economic justification in the light of the numbers of people thus dispossessed of jobs? These people never once received from the federal Department of Manpower the retraining requests which they put in and through the entire period it must be three to four months, they have not, as of 10 days ago, been carefully assessed as to job relocation.

Indeed, as a matter of fact, they felt it was a matter of some frivolity that it should have been suggested that they have been seriously treated. They were hurt; they were humiliated and they were, as the member for Oshawa pointed out, anguished about the job problem. Why should CGE, a nation-wide Canadian subsidiary of one of the most powerful international corporations in the world, be able to ride roughshod over its workforce—

Mr. R. Gisborn (Hamilton East): Name one.

Mr. Lewis: —throw them into the economic wastebasket, and you as a minister not ask for economic justification and not say that the public has a right to know? Would you explain it to me in the case of CGE? Mr. Chairman, for the moment, I am finished.

Mr. Gisborn: And 1,500 employees at International Harvester by October 1.

Mr. Chairman: Any further discussions?

Mr. Lewis: Is the minister not going to—

Hon. Mr. Bales: Go ahead and I will.

Mr. Lewis: Then I will ask the minister. What are you doing about International Harvester in Hamilton? You have had 1,500 people thrown out of work in the gradual atrophying of the workforce over the last three years, from 3,000 to 1,500. Now you have got the foundry closing down which will mean another 150 people, and the possibility of machine tooling being done in the United States by this subsidiary of an international corporation. This is imminent, and may mean the loss of a further 1,500 jobs.

You had a group of men and women who appeared in this Legislature and met with your colleagues. Your colleague from Hamilton Mountain (Mr. J. R. Smith) was there. Your colleague from Hamilton West (Mrs. Pritchard) was there and put up a pretty powerful case about the anxiety and distress which they, as human beings, felt.

Why are you not prepared to ask International Harvester to give public economic justification or financial disclosure of the reasons for the contraction of the workforce with all that it means for the people involved? Have you done so? Are you willing to do so? Will you explain the social philosophy to me that justified not doing so?

I am finished again, Mr. Chairman. If the minister wants to answer any of these he can go ahead.

Hon. Mr. Bales: Go ahead.

Mr. Chairman: Is there any further discussion?

Mr. Lewis: All right, Mr. Chairman, Pilkington Glass in Scarborough, in my own area—in the area of many of us on this side of the highway—is in the process of rationalizing again, on the basis of international corporations, the various sheet glass operations. I will not go into it, but the implications are clear.

The implications for 200 people in that workforce are clear. They may not be clear to the minister because the minister is prepared to accept the fact of the company uncritically, as he did in the case of CGE and as he has done in the case of Dunlop. They offer him an explanation. It is thrown out to us in the House. It then turns out to be indefensible. By that time the people are on the streets and another imminent or incipient crisis has been averted by delay.

So tell us, on this side of the House, why should not Pilkington have to explain to its workforce and to the public the reasons for its close-down or its rationalization of that—the economic justification, the financial disclosure?

Mr. T. Reid: What were their profit levels?

Mr. Lewis: The member for Scarborough East is interjecting. He, of course, is perfectly right. I should be drawing continuous attention to it—the financial statements, not of the parent balance sheet, but of the individual subsidiary operation in the province of Ontario.

Mr. T. Reid: They do not even keep the books—

Mr. Lewis: How long are you, in the name of the fetish of private enterprise, prepared to sacrifice employees in the province of Ontario? Because you are defending the employer, not the employee.

You are not creating a climate of economic security in Ontario. You go to the meetings of the unemployed in St. Catharines and in Oshawa and in Windsor. You see what is happening in the automobile industry. You see what is happening in all those that we have been discussing. That is hardly an environment of economic security.

And it is not simply Pierre E. Trudeau, let us say to you. It is your refusal as a government to cope with the dislocations and the shutdowns that are now everywhere prevalent and are a consequence of multinational enterprise. Tell us again if you would, philosophically, why in Dunlop; why in CGE; why in Pilkington; why in International Harvester?

We will leave it at that. I can see you are determined to be quietly monosyllabic. You will doubtless enter at some point. Why are you not willing to ask for a public explanation to indicate what it is that has occurred? Why are not willing, as a government, to look at the plant itself and to see whether or not the conditions are justified?

I am not going to rise again, Mr. Chairman, until the minister gets in.

Hon. Mr. Bales: When the minister for Scarborough West is through speaking I will be glad to reply to some of these things. I have been into this matter before; he constantly gets up and starts on another point. I would like to know all the points you want to raise and I will deal with them.

Mr. Lewis: I have raised the points for those plants and I am now willing to subside gently and listen to the explanation.

Hon. Mr. Bales: Mr. Chairman, I will very briefly deal with some of these matters and in reverse order.

In reference to Pilkington—and first of all, on a general basis, the member was just talking about "Why cannot all of this be public?"

I have no authority to demand that all of this be made public. I have had detailed discussions in reference to a number of these plant closings and in dealing with Pilkington I answered questions in this House. The hon. members know many of the facts about that, but the fact is that you have an operation there, an older operation. A new phase of it opened in 1967 of a different type of process entirely, the float glass process, and that process is being expanded very greatly in that plant.

I understand the enlarged edition of the plant is to operate at full capacity in September. But the fact is here you have a plant which operated on the old basis of a drawn

glass operation. They decided to phase that out and bring in a float glass operation. Surely that is the kind of decision that that company should be able to make on its own?

They have phased out certain employees. There will be certain changes back and forth, dependent upon seniority and other matters, but the fact is that a very large number of employees are being retained in that operation, probably more.

Mr. J. Renwick: A large number are being laid off.

Mr. Lewis: And a large number are losing their jobs.

Hon. Mr. Bales: There has been a phase-out over a period of time in reference to inventory and so on; I went into this very carefully with the president and others in that company.

Mr. J. Renwick: What about the president of the union? Did the minister go into it carefully with him?

Hon. Mr. Bales: I got the information and I checked to see what the situation was in reference to the employees.

Mr. J. Renwick: If you were half as solicitous about the men in the plant, then we might be able to get somewhere.

Hon. Mr. Bales: Next, in reference to CGE: The member referred to several operations there; he referred to another one—

Mr. Lewis: Let us talk about the tube plant alone.

Hon. Mr. Bales: All right. We went into that in reference to their change in markets and all of the other factors, and the fact is that type of operation has been phased out in a number of industries of that nature. There is bound to be phasing-out of those people from time to time, but the fact is that the majority of the employees in the CGE tube operation were assimiliated into other phases of the plant operation—not all of them.

Mr. Lewis: Mr. Chairman, on a point of order. That is not so.

Mr. Chairman: The hon. member does not have a point of order. He may respond.

Mr. Lewis: Well, all right. I am interjecting that it is not true.

Hon. Mr. Bales: In reference to Dunlop, the member says to me, "Why not have a public discussion on this matter?" We went into these matters in great detail with the company. They provided us with the information; we got it on a confidential basis. We did not concur in the actions that they took, but—

Mr. Lewis: You did not concur?

Hon. Mr. Bales: No.

Mr. Lewis: You did not concur in their actions?

Hon. M. Bales: I did not concur in the way they operated in that matter. It was our determination that those employees should have just as much in the way of benefits available to them as possible, that their pension should be explained carefully to them, that all of the facilities and all of the provisions of the collective agreement should be carried out. Your seat-mate there, the member for—

Mr. Lewis: What about International Harvester, while you are mentioning—

Hon. Mr. Bales: Now, just a minute. The member for Windsor West was dealing with a particular matter in reference to the Ford operation and his great concern was about the reasons for the shutdown and so on, but he referred to matters of Canada Manpower being able to register the employee. This is the reason we want this legislation, so that we can see that it is carried out. I am not making excuses for Canada Manpower; I know that there must be improvements, that is a federal matter, but it is up to us as well to urge them to improve.

Mr. J. Renwick: It is this government's responsibility and the minister knows it.

Hon. Mr. Bales: We are only going to injure the situation if we try to duplicate Canada Manpower's operation in this area.

Mr. Lewis: Duplicate it?

Hon. Mr. Bales: We work carefully with them and bring in our people to make the assessments. In the Dunlop case we stipulated that those people should be brought in as quickly as possible to make the assessment.

Mr. Lewis: Sure, after the member for Riverdale flagellated the minister in the House.

Mr. Bales: We made the arrangements before the member for Riverdale had anything to do with it.

Mr. J. Renwick: You did not do a single solitary thing before that.

Hon. Mr. Bales: We did.

Mr. Lewis: They did not even give the minister advance notice.

Hon. Mr. Bales: They gave me advance notice.

Interjections by hon. members.

Hon. Mr. Bales: That is wrong.

Mr. Chairman: The hon. minister has the floor.

Hon. Mr. Bales: That is wrong. They had meetings in my office.

Interjections by hon. members.

Hon. Mr. Bales: We arranged for meetings and for people to go in there as soon as it was announced.

Mr. Lewis: As soon as it was announced! What about the interim?

Hon. Mr. Bales: We could not make any move until the company had made its final decision. We made the plans and we were available as soon as the final decision was made.

Mr. Lewis: You feel no responsibility for participating in that?

Hon. Mr. Bales: Then the hon. member talked about how bad the economy of this province is, and he talked about the automobile industry. It is my understanding that in reference to the Windsor plants they are now—

Mr. J. Renwick: Nobody said that at all.

Mr. Lewis: On a point of order, Mr. Chairman, I did not say how bad—

Hon. Mr. Bales: I am talking about the auto industry.

Mr. Lewis: —the economy was. I said the responsibility for unemployment went beyond Pierre Elliott Trudeau to the number of shutdowns and dislocations that were everywhere evident and your refusal to deal with them, the typical state of industry and how it was much worse today than before.

Mr. J. Renwick: Who said that?

Mr. Peacock: And the work force is at a 1958 level.

Hon. Mr. Bales: If you look at the Chrysler situation, it is my understanding that they are producing more units today than they have at any other time. I understand that the Ford company has increased production very substantially. Now this is the kind of thing going on that you deny is here. Mr. Chairman, in dealing with these kinds of problems, our intent and the purpose of the legislation is to say that the employee in all cases, not just in most cases, but in all cases will have adequate notice—not adequate notice necessarily, but as much notice as we feel we can require in these things, and we will use that time to assist the employee to find other jobs in other places.

Mr. Lewis: The problem, Mr. Chairman, is that in every single instance with which we are dealing, there is a real possibility of multiple reasons. The minister insists on giving only one reason in a fairly casual way. Let me provide just very quickly the alternative possibilities of which the minister is aware. In the case of Pilkington Glass, you had an international cartel arrangement among Pilkington and Duplate and Pittsburgh Plate. You had rationalizing in Ontario determined outside the province; you have movement from Scarborough to Owen Sound likely in the sheet glass operation, which is perfectly appropriate so long as the government is told in advance and some effort is made to assist those in Scarborough who will be affected.

These are international complications. They are not a simple matter as the minister suggests, that in 1970 there is going to be a shift from sheet to float glass. In the case of Canadian General Electric's Dufferin tube plant, Mr. Minister, as I stand here I say to you, sir, those people have not been absorbed; they have no possibility of being absorbed. Your colleague, the Minister of Trade and Development, stood in this House and, in answer to a question, said, they will be absorbed in the lamp operation which shares the same factory area. That was his answer. They are laying off people from the lamp operation, let alone absorbing those from the tube operation.

As a matter of fact, CGE in Ontario is cutting back its work force in almost every plant, as was testified during the estimates of The Department of Energy and Resources Management. What you have really is inadvertent misinformation which comes to the House on the basis of some simple report to you from the management, because you never discuss it with the workers. You do not talk

to the union about it or to those employees who are affected. You go to the management and you say, "What are you doing and why are you doing it?" They give you some phony proposition about reabsorbing the workers which you accept uncritically and then everyone loses their jobs, because in the CGE Dufferin tube plant, there has been no absorption of the work force at all.

Hon. Mr. Bales: Mr. Chairman, let me just correct that. I did not say that they were absorbing all of the workers. I said to you that in the two plants up to the end of—I think I said the end of last year—they absorbed most of those workers. The figure I had was all but four. They are not absorbing the final group, because they have no places to put them. Up to the end of last year, they had absorbed all of those workers in other phases of the plant.

Mr. Lewis: How could that possibly be? In October and November they laid off over 200 people as the first phase. How could it possibly be they were absorbed?

Mr. Chairman: Order, please! There have been numerous repeated references to specific cases. We have permitted extensive debate on these specific cases, which has in effect turned the debate into sort of a debate on each individual case mentioned by the hon. member. Now, references to specific cases may be used frequently as examples, but we should be discussing the amendment to this particular bill before us in generalities without so much reference to specific instances. I think the hon. member will agree with that.

Mr. Lewis: I will move from the specific to the general, with minor reference to the specific. The minister said, when dealing in general terms with one of the specifics, that he "did not concur in the way in which Dunlop handled things." He will recall two weeks before the event saying that the shutdowns would occur and the company would take action. They spent two hours in his office, and told him what happened, and the minister said he had no option to take any action until the event occurred. Why?

In all of these cases—in terms of the amendment before us; never mind the specifics at all—let the minister tell us again why he feels that he cannot ask the company to justify its decision in economic terms and to make financial disclosure at least before the parties collectively affected; that is, the government and the workers. Why is he not prepared to allow that?

Would the minister answer I would appreciate an answer to that.

Hon. Mr. Grossman: He has answered that question.

Mr. Lewis: He has not answered that question.

Mr. Chairman: Does the hon. minister have any further comments or answers of any kind?

Hon. Mr. Bales: Mr. Chairman, concurring in your suggestion that we deal in general matters, we are getting into another whole series of specifics again.

Mr. Lewis: No, no. I have asked a general question and I will repeat it. Why does the minister feel that in the case of dislocation and shutdown he cannot call the company to account for economic justification and financial disclosure to government and the union at the very least, if not to the public as a whole, if not to the committee that has been set up? Why does the minister feel that he is denied that right, given the effects on the workers involved? Why? Just tell us, "We do not think the workers have that right. They are just automatons in the economic process to be used by corporate industry as they wish." Tell us that and we will have the minister's social philosophy on a platter in the House.

Why is he not prepared to tell the workers involved of the facts which the company has adduced? Can the minister say that? Can he tell us?

Hon. J. H. White (Minister of Revenue): Is this a leadership speech?

Mr. Lewis: Oh, never mind that nonsense. I am asking a question.

Mr. Lawlor: The only reason most people are Tories is because they are inarticulate.

Mr. Lewis: Mr. Chairman, I can only assume that for the Minister of Labour in this province, the defence of labour involves the defence of management and nothing else, and that for the minister, every single employee caught in the process of industrial dislocation is expendable.

Hon. Mr. Bales: That is not so. That is the reason for this legislation, to protect the worker and to provide additional protection for him in the way of notice.

Interjections by hon. members.

Mr. Lewis: This is a time when stupidity and cupidity are both worthy of discussion.

Mr. Chairman, I want to ask—well, I feel relatively relaxed, Mr. Chairman, so I will put it in a relatively amiable fashion.

Hon. Mr. Grossman: That is not possible.

Mr. Chairman: Order.

Mr. Lewis: Are you not going to let me—

Mr. Chairman: I am trying to assist the hon. member.

Mr. Lewis: I am sorry. I am so defensive that I thought you were calling me to order.

Mr. Chairman: I would not think of it.

Mr. Lewis: I appreciate that. Will the minister again just tell us, does he not think —I do not know how to phrase it—does he not think the workers in a given plant have the right to know the economic and financial relationships which the company gives to anyone, perhaps to the minister, as reasons for the shutdown? Does the minister not think that the people directly affected have that right?

Mr. Chairman: Does the hon. minister wish to reply?

Hon. Mr. Bales: I just reply to specifics.

Mr. Lewis: What do you mean by "specifics"? I ask specifics and the chair rules me out of order. I ask generalities and you tell me you want specifics. It just seems to me, feeling a modicum of frustration, that it is a perfectly civilized question and worthy of an answer.

As Minister of Labour managing industry in this province and a work force of, I do not know how many millions, do you think the employees have a right to know the reasons for their dislocation? Is that a legitimate right for workers to be given in notice provisions in this bill?

Hon. Mr. Bales: Mr. Chairman, in most instances, the matters are explained to the employees. They are explained to the unions because in their discussions, as I have stated to management in all of the cases that come before me, they should make these matters clear to the unions and discuss them with them and employee committees. It is my recommendation to them that they should take the union and take the employees into their confidence just as much as they could. They should give them as much notice as they can.

We have not been satisfied with the length of notice that they have given to employees; hence, we have brought in this bill amending The Employment Standards Act to provide a basis of notice to employees, grading it on a longer notice for a larger number of employees, so that they can have a better chance of relocating in a new job. We are here to assist the employees relocate. But we believe that management can make its best determination as to whether it should continue to operate a plant or not, because it has far greater knowledge and experience in the running of that plant than this government can have.

Mr. Lewis: Is the recommendation which you make to management, as you did in the case of CGE, not regarded at all by management? If no plant committees are set up, if no explanations are given to the workers, do you think then that government has the right to insist that all the details, financial and economic, are granted to both parties in the presence of government?

Hon. Mr. Bales: You are dealing in details but if you will refer, as you referred before, to subsection 4 where it says—

Mr. Lewis: That is after the dislocation.

Hon. Mr. Bales: I am concerned for the workers to see that they get relocated in other jobs. That is why the provisions are in there so that the minister can insist upon matters that he cannot insist upon at the present time.

Mr. Chairman: I must really, at this point, state that the entire debate by most of the members who have been taking part in it has become extremely repetitious, which is out of order according to our rules. The debate so far has been repetitious. Now, if there is further discussion on the motion, which is not repetitious, I will entertain such discussion.

Mr. T. Reid: Just a simple question. When is the minister going to change his title to "minister of management" from Minister of Labour?

Mr. Chairman: The hon. member is quite out of order.

Those in favour of Mr. J. Renwick's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Is it agreed by the committee that we stack votes in connection with this particular bill?

Mr. Nixon: It is all right with us.

Mr. J. Renwick: It is all right with us.

Mr. Chairman: This vote, then, will require division, or will be stacked for consideration with any other required provisions.

Are there any comments, questions or amendments to any section after section 4?

The hon. member for Oshawa.

Mr. Pilkey: Yes, Mr. Speaker, on section 7.

Mr. Chairman: Section 7?

Mr. Pilkey: Clause 22(1). It is on page 7; the bottom of page 7.

Mr. Chairman: I have it.

Mr. Pilkey: Section 7. I move an amendment to clause 22(1) by adding the following: "If an employee so designates, he will have the option of taking his vacation during the months of June, July or August."

Mr. Chairman: Mr. Pilkey moves that section 7, clause 22(1) be amended by adding the following: "If an employee so designates, he will have the option of taking his vacation during the months of June, July or August."

Any discussion on the amendment?

Does the hon. minister wish to comment on the amendment?

Mr. Pilkey: If I might—

Mr. Chairman: The hon. member may.

Mr. Pilkey: Well, Mr. Chairman, under this section of The Employment Standards Act, many employees are not given the opportunity to take their vacation during the summer. Many of these are in the unorganized plants obviously and it puts them in a different position from thousands and thousands of workers in the organized plants.

I recall when the minister introduced this Employment Standards Act he was very proud to stand in his place and say that this was a charter for the unorganized, because the unorganized in this province did not have the same protection, did not have the same rights, as the organized workers. I make this amendment because this will affect many of the unorganized and particularly in the service industries, where they are not given that opportunity.

It may be argued that in some of these service industries June, July or August may be the most productive months for a specific industry. But then that brings me to another argument—that there is an opportunity to provide employment during the summer months for the students of this province.

This government is always concerned—or at least indicates concern—for employment for university and high school students. Here will be the opportunity, because most of these jobs, I think, would be in the unskilled classifications and the university students and high school students could fit into them.

If you will notice, in the amendment I talk about the option, because some employees may not want to take their holidays during that period, but only if they deem it necessary so that they can be with their families during the period that school is out. In many of these cases, it is relating to women employees whose husbands work in industry as well, and these are the months that the families can go together. As the minister knows, there are employers in this province who insist on following this section of The Employment Standards Act to the letter; they will wait the 10 months beyond the year and that is when they will give the vacation.

I do not know if he recalls it, but a couple of occasions I have called the minister's deputy about this very thing. These were unorganized workers obviously, because in the organized plants they are usually able to negotiate specific, designated vacation periods and in most cases it is during the months of June, July or August.

I just happen to think that all of the employees in this province should have the same opportunity and I think that the option should be open to them.

Mr. Chairman: Any further comments on the motion? The hon. member for Hamilton East?

Mr. Gisborn: Not on this one, Mr. Chairman.

Mr. Chairman: All right, those in favour of Mr. Pilkey's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost.

The hon. members do wish to have a division.

Mr. Deacon: You were more generous than you ever were with us.

Mr. Chairman: Why is that?

Mr. Deacon: They only had four standing up.

Mr. Chairman: There were five members standing.

Interjections by hon. members.

Mr. Chairman: With respect, I do not know what the Liberal members are talking about.

Mr. J. Renwick: Thank you, Mr. Chairman. Neither do they.

Mr. T. P. Reid (Rainy River): Most of our comments are over your head.

Mr. Chairman: Any further comments, questions or amendments to any other section?

Mr. Gisborn: Yes, as I indicated, Mr. Chairman, when you called that question previously and the member moved to section 7, I wanted to ask some questions on subsection 3.

Mr. Chairman: On which?

Mr. Gisborn: Subsections 3, 9, 10 and 11.

Mr. Chairman: On section 7?

Mr. Gisborn: No, on section 4.

Mr. Chairman: I am sorry, we have already come up to section 7. We have dealt with that.

Mr. Gisborn: I will abide by your ruling, Mr. Chairman. I thought that when one said, "Yes" to "Are there any more questions" on the sections between the one we just dealt with and 10—

Mr. Chairman: Section 4 had already been carried.

Mr. Gisborn: I said, "Yes."

Mr. Chairman: Section 4 had already been carried, before the hon. member stood in his place.

Are there any comments, questions or amendments to any section after section 7 of this bill?

Mr. Gisborn: After 7? That means the rest of the Act.

Mr. Chairman: The rest of the bill.

Mr. Gisborn: All right, Mr. Chairman, I would like to raise a question on section 10 and it would be on subsection 2(mb), "providing for the substitution of another day in lieu of a day defined as a holiday in this Act." The change refers to subsection 1 of section 29 in the present Act that establishes those things that will be dealt with under regulation. The definition of a holiday under the present regulation is spelled out. Holiday means New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day, and where New Year's Day, Dominion Day, Christmas Day fall on a Sunday, the day next following in lieu thereof will be a holiday.

I would like the minister to explain why he wants this provision to be placed in those sections that the Lieutenant Governor can provide in the regulation. It makes me suspicious that, under the present situation there may have been complaints from employers. They can no longer avoid substituting a holiday day for another day to avoid paying overtime. Will the minister give me a reason why he has now asked for 2(mb) providing for the substitution of another day in lieu of a day defined as a holiday in this Act?

Hon. Mr. Bales: Mr. Chairman, we have had requests from unions and management in reference to this to clarify it. It occurred, particularly last year, in reference to July 1, that they wanted to substitute another day. We worked it out, but it is not clear that we can do it properly. Hence we are meeting the requests of both parties to provide greater flexibility.

Mr. Chairman: Any questions, or comments, on any other section?

Mr. De Monte: On this section.

Mr. Chairman: On section 10.

Mr. De Monte: I was wondering, Mr. Chairman, I noticed also subsection (mc) which provides for the averaging of daily or weekly hours of work over a longer period of time. Does that mean, Mr. Chairman, that an employer can say to an employee, "Instead of paying you with time and a half for working New Year's, we will have to substitute another day for it"? Could the minister tell me why?

Hon. Mr. Bales: You are dealing there with the holiday situation. We see that he is properly paid for that on a different date, but you refer to (mc) and this is the averaging of time over a limited period—for example, in reference to harvesting situations when all of the work comes in a very short space of time and they have to work more time. You

average the time out over a longer period for them in that instance.

Mr. Chairman: Any comments to any section after section 10?

Mr. Gisborn: My only one, Mr. Chairman, is to bring 13 to the minister's attention. The Act comes into force on a date to be named by the Lieutenant Governor by his proclamation.

Surely the minister is now aware of the contention of the opposition and the import of his bill to protect employees in the various areas. In particular reference to the continuing increase in plant shutdowns, phasing outs, and cutbacks, would it not be reasonable that the minister get this bill into effect as soon as possible and that we change 13 to put it into effect today when it gets royal assent—unless the minister can give me some idea of when he intends to urge the Lieutenant Governor to proclaim the bill, without delay. We do not want it to sit on the order paper for some months, when it is of such importance to employees.

Hon. Mr. Bales: Mr. Chairman, the reason we are debating it today is that I want to finalize the bill as soon as possible. After the close of the main debate today, with reference to the matter where we develop regulations, as soon as the regulations can be developed, the Act will be proclaimed. We want to bring it into effect just as quickly as possible.

Mr. Chairman: Any further questions to any section of the bill after 13?

Mr. De Monte: I was just going to speak on section 13.

Mr. Chairman: All right.

Mr. De Monte: On the proclamation section, can the minister give us an idea of how long the proclamation might—

Mr. Chairman: The hon. minister has just replied to that question.

Mr. De Monte: No, he just referred to the fact that he was going to do it after the regulations were drawn up. I am wondering how long it will take to draw up the regulations. When does he expect to proclaim it?

Hon. Mr. Bales: Pretty soon.

Mr. Chairman: As soon as possible.

Any further questions or comments to the bill?

We have two divisions to be dealt with so I would ask the attendant to call in the members.

There are two votes that had been stacked, the first being the amendment of Mr. J. Renwick.

All those in favour of Mr. J. Renwick's motion will please rise.

Those opposed to Mr. J. Renwick's motion will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 39, the "nays" 53.

Mr. Chairman: I declare the motion lost. Section 4 will stand as part of the bill.

Section 4 agreed to.

Mr. Chairman: The next item is that moved by Mr. Pilkey, an amendment to section 7. Is it agreeable that we take the same vote? Agreed?

I declare the motion lost and section 7 will stand as part of the bill.

Section 7 agreed to.

Bill 96 reported.

Hon. Mr. Grossman moves that the Committee of the Whole House rise and report one bill without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House begs leave to report one bill without amendment and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bill was given third reading upon motion:

Bill 96, An Act to amend The Employment Standards Act, 1968.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, the Lieutenant Governor is waiting to give royal assent. With your permission I will ask him to come into the chamber.

The Honourable the Lieutenant Governor of Ontario entered the Chamber of the Legislative Assembly and took his seat upon the Throne.

Hon. W. Ross Macdonald (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the legislative assembly of the province has

at its present sitting thereof passed several bills to which, in the name of and on behalf of the said legislative assembly I respectfully request Your Honour's assent.

Clerk of the House: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 4, An Act to amend The Bills of Sale and Chattel Mortgages Act.

Bill 7, An Act to consolidate and revise The Law Society.

Bill 8, An Act to amend The Solicitors Act.

Bill 9, An Act to amend The Barristers Act.

Bill 10, An Act to amend The Notaries Act, 1962-63.

Bill 43, An Act to establish The Ontario Educational Communications Authority.

Bill 59, The Blackwell-Laurie Boundary Act, 1970.

Bill 61, The Business Corporations Act, 1970.

Bill 69, An Act to amend The Mining Act.

Bill 71, An Act to amend The Operating Engineers Act, 1965.

Bill 72, An Act to amend The Industrial Safety Act, 1964.

Bill 73, An Act to amend The Elevators and Lifts Act.

Bill 75, An Act to amend The Corporations Act.

Bill 79, An Act to provide for the Preservation of the Niagara Escarpment and its Vicinity.

Bill 80, An Act to establish The District Municipality of Muskoka.

Bill 83, An Act to prevent Discrimination in Employment because of Sex or Marital Status.

Bill 84, An Act to amend The Telephone Act.

Bill 85, An Act to amend The Land Titles Act.

Bill 86, An Act to amend The Boundaries Act.

Bill 87, An Act to amend The Certification of Titles Act.

Bill 88, An Act to amend The Provincial Courts Act, 1968.

Bill 89, An Act to amend The Trustee Act.

Bill 90, An Act to amend The Registry Act.

Bill 91, An Act to amend The Mechanics' Lien Act, 1968-69.

Bill 92, An Act to amend The Assignment of Book Debts Act.

Bill 93, An Act to amend The Ontario Heritage Foundation Act, 1967.

Bill 94, The Waste Management Act, 1970.

Bill 96, An Act to amend The Employment Standards Act, 1968.

Bill 97, An Act to amend The Ontario Education Capital Aid Corporation Act, 1966.

Bill 98, An Act to amend The Tile Drainage Act.

Bill 99, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

Bill 100, An Act to amend The Farm Products Containers Act.

Bill 102, An Act to establish The Regional Municipality of York.

Bill 103, An Act to amend The Succession Duty Act.

Bill 136, An Act to amend The Athletics Control Act.

Bill 137, An Act to amend The Regional Municipality of Ottawa-Carleton Act, 1968.

Bill 139, An Act to Amend The Mortgages Act.

Bill 141, An Act to amend The Legal Aid Act, 1966.

Bill 142, An Act to amend The Municipal Act.

Bill 143, An Act to amend The Assessment Act, 1968-69.

Bill 146, An Act to amend The Game and Fish Act, 1961-62.

Bill 147, An Act to amend The Public Lands Act.

Bill 148, An Act to amend The Ontario Energy Board Act, 1964.

Bill 149, An Act to amend The Energy Act, 1964.

Bill 150, An Act to provide Incentive for the Abatement of Pollution.

Bill 152, An Act to amend The Secondary Schools and Boards of Education Act.

Bill 153, An Act to amend The Separate Schools Act.

Bill 154, An Act to amend The Public Schools Act.

Bill 156, An Act to amend The Municipality of Metropolitan Toronto Act.

Bill 157, An Act respecting the Village of Point Edward.

Bill 158, An Act to amend The Sandwich, Windsor and Amherstburg Railway Act, 1930.

Bill 159, An Act to amend The Corporations Tax Act.

Bill 160, An Act to amend The Agricultural Societies Act.

Bill 161, An Act to amend The Crop Insurance Act (Ontario) 1966.

Bill 162, An Act to amend The Planning Act.

Bill 163, An Act to amend The Motorized Snow Vehicles Act, 1968.

Bill 164, An Act to amend The Highway Traffic Act.

Bill 165, An Act to amend The Ontario Municipal Improvement Corporation Act.

Bill 166, An Act respecting the City of Kingston.

Bill 168, An Act to incorporate The Northern Ontario Development Corporation.

Bill 169, An Act respecting the City of Hamilton.

Bill Pr25, An Act respecting the Charlotte Eleanor Englehart Hospital of the Town of Petrolia.

Bill Pr26, An Act respecting the City of Ottawa.

Bill Pr37, An Act respecting the Town of Fort Erie.

Clerk of the House: In Her Majesty's name, the Honourable, the Lieutenant Governor doth assent to these bills.

The Honourable, the Lieutenant Governor was pleased to retire from the Chamber.

Hon. Mr. Grossman moves the adjournment of the House.

Mr. Speaker: Before I adjourn the House, may I wish that each one of you have a happy, safe and a restful vacation time.

Motion agreed to.

The House adjourned at 1:50 o'clock, p.m., until a date to be set by the Lieutenant-Governor-in-Council.

APPENDIX

(See page 4615)

Answers to questions were tabled as follows:

6. *Mr. Peacock*—Enquiry of the Ministry of Financial and Commercial Affairs: 1. Does the decision of the general meeting of medical members of Windsor Medical Services Incorporated held in Windsor on Wednesday, March 4, 1970, to wind up the association comply with The Prepaid Hospital and Medical Services Act? 2. Specifically, what was the recommendation, or recommendations of the directors of WMS to the medical members? What was the amount of undistributed reserve or surplus in question? How many medical members of WMS were present and voting at the general meeting? Were proxy votes of medical members unable to attend counted at the meeting? If so, did the proxy form contain notice of the director's recommendation or recommendations? 3. If the decision of WMS Incorporated does not comply with the Act, can the superintendent of insurance block the distribution of the reserves to members, or recall them if they have now been disbursed?

Answer by the Minister of Financial and Commercial Affairs:

In view of the action presently being taken regarding Windsor Medical Services Incorporated, it is not considered in the public interest to answer this question at this time.

13. *Mr. Martel*—Enquiry of the Ministry of University Affairs: (a) How many sons and/or daughters of the following received student awards in the academic year 1969-1970: doctors (all types); lawyers; dentists; chiropractors; teachers; architects; accountants; businessmen; managers in businesses; (b) How many sons and/or daughters received student awards in the academic year 1969-1970 whose parents' net earnings were: (a) $10,000; (b) $11,000; (c) $12,000; (d) $13,000; (e) $14,000; (f) $15,000; (g) $16,000; (h) $17,000; (i) $18,000; (j) $19,000; (k) $20,000; (l) $20,000 to $25,000; (m) $25,000 and over.

Answer by the Minister of University Affairs:

(a) The computer system for recording student awards programme does not provide a breakdown of the student recipients by parental occupation. It is not possible, therefore, to provide a numerical listing of the occupations or professions of parents whose children received Ontario student awards. It could be stated as a general premise, however, that, since awards are directly related to income assessment, very few applicants whose parents are in the major professions would qualify for assistance under the Ontario student awards programme, unless they came from families with a large number of dependents.

(b) While the computer is not programmed to provide data on net income, it does provide detailed information on the "discretionary income" of parents of group A or dependent students. Within the terms of the Canada student loan plan, to which Ontario has agreed to adhere in processing applications for student aid, discretionary income is the amount of income remaining after allowable expenses have been deducted from gross income. These deductions include a standard of living allowance of $1,650, income tax paid during the year, medical and hospital insurance, other uninsurable medical and dental expenses, allowances for dependent relatives and an allowance for each dependent child. The child allowance varies with the age of the chidren between $330 and $890 per child.

Under the Ontario student awards programme in 1969-1970, 42,335 group A students received assistance. Of the total number 67 per cent or 28,432 recipients were from families whose discretionary income was less than $3,000; 13.6 per cent or 5,744 came from the $3,000-$4,000 range; 10 per cent or 4,221 came from the $4,000-$5,000 range; 5.3 per cent or 2,230 came from the $5,000-$6,000 group; 2.6 per cent or 1,095 came from the $6,000-$7,000 range; and 1.4 per cent or 613 came from the over-$7,000 range.

15. *Mr. Ferrier*—Enquiry of the Ministry of Education: How many students have enrolled at the beginning of each academic year in the various courses at the Porcupine campus of the Northern College of Applied Arts and Technology since it opened in the fall of 1967? How many students have been forced to withdraw each year because of failure in examinations? How many students each year have withdrawn for other reasons? What has been the staff-student ratio in each year? What has been the number of staff employed each year of its operation? How many teachers have been fired each year, and what is the reason given for each firing? How many teachers have resigned each year, and what is the reason for each resignation?

Answer by the Minister of Education:

The fulltime enrolment, withdrawals for various reasons, academic staff, and student-staff ratios for the academic years 1967, 1968 and 1969 are as follows:

Porcupine Campus—Northern College of Applied Arts and Technology

	1967	1968	1969
Fulltime enrolment—fall term			
Business courses	45	70	64
Technical courses	26	58	72
Applied arts courses	—	—	17
Total	71	128	153
Withdrawals due to examination failure			
Business courses	7	13	12
Technical courses	7	10	8
Applied arts courses	—	—	1
Total	14	23	21
Withdrawals for personal reasons			
Business courses	8	11	4
Technical courses	—	—	1
Applied arts courses	—	—	—
Total	8	11	5
Academic Staff	12	21	25
Student-staff ratio	5.9:1	6.1:1	6.1:1

The information regarding resignations and dismissals, by years, is as follows:

1967-1968

Resignations, two (one to pursue graduate study, one to return to industry)

Transfers to other CAAT's, three

Dismissals, none

1968-1969

Resignations, two (one to teach in a secondary school, one to pursue graduate study)

Transfers to other CAAT's, five

Dismissals, one (unsatisfactory teaching)

1969-1970

Resignations, two (one because of an injury sustained in an automobile accident, one because the teacher's husband was transferred elsewhere)

Dismissals, three (two for unsatisfactory teaching, one because of insufficient courses available in the teacher's areas of competence).

18. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry of Education: How many

written requests were received in 1969 by The Department of Education for their consultative service for school personnel, as described on page 80 of the publication entitled *Ontario Government Services, 1970*? What are the names of all the local authorities involved? How many such requests were received from January 1, 1970, to March 31, 1970? What are the names of all the local authorities involved?

19. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry of Education: How many written requests were received in 1969 by The Department of Education from school boards for consultative services to school boards, as described on page 82 of the publication entitled *Ontario Government Services, 1970*? What are the names of the school boards involved? How many such requests were received from January 1, 1970 to March 31, 1970? What are the names of the school boards involved?

Answer by the Minister of Education:

Requests from school boards that have the right to make enquiries for the services of programme consultants and of other academic and administrative officials, are received at the head office of The Department of Education and at each of the 10 regional offices located throughout the province. There are 222 school boards across the province, as follows:

Number of School Boards, By Regions
January 1, 1970

Region No.	*Boards of Education*	*Combined R.C. Sep.*	*Public*	*Other R.C. Sep.*	*Other Boards*	*Total*
1	9	7	20	4	4	44
2	9	4	10	7	3	33
3	10	7	9	2	8	36
4	8	6	—	—	5	19
5	7	6	—	—	3	16
6	6	4	—	—	2	12
7°	7	4	—	—	4	15
8	7	2	—	—	5	14
9	7	4	—	—	3	14
10	6	5	—	—	7	18
Total	76	49	39	13	44	221
°Metropolitan Toronto School Board (Included in region 7 for administration purposes)						1
						222

Of these 222 boards, 96 are located either in the more remote parts of Ontario or in hospitals and other special centres, and require much more assistance in the form of consultative service than do the larger boards. In addition, the regional directors of education convene regular meetings of the senior officials of these larger boards, and many requests are received by telephone from all boards. Records are not kept in the various offices of these many and varied requests.

22. *Mr. Deans*—Enquiry of the Ministry of Financial and Commercial Affairs: Would the Minister of Financial and Commercial Affairs take whatever action is necessary to have the consumer protection division and the superintendent of insurance conduct an investigation into the automobile repair industry? The purpose of this investigation would be to ascertain the validity of the claim that a two-pricing system is being used by the industry, the result of which is a higher cost levied against those who have automobile insurance coverage with the result being higher automobile insurance premiums.

Answer by the Minister of Financial and Commercial Affairs:

The Department of Financial and Commercial Affairs does not have authority under The Insurance Act or under The Consumer Protection Act to conduct such an investigation.

24. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry of Correctional Services: Do the training schools under the jurisdiction of The Department of Correctional Services receive the high school records of teenagers who are sent there? If so, do the training schools keep these school records after the young people leave, thereby necessitating such young people to give a training school as the reference for their high school records which could prejudice potential employers against hiring such young people? Is it not true that some young people in Ontario's training schools have committed no offence? Should not high school records be sent back to the high schools when the young people leave the training schools?

Answer by the Minister of Correctional Services:

The training schools under the jurisdiction of The Department of Correctional Services receive the Ontario school records (OSR cards) of all students admitted, in accordance with established procedure of the Ontario Department of Education for all schools in the province. Students returning to community schools have their cards returned with them.

Most of our students return to school but in cases where they do not, the card remains with us. The student is given a report using the euphemistic name of the school, with no

reference to "training school." This can be used by the student seeking employment.

Some youngsters are admitted to a training school under section 8 of The Training Schools Act, 1965, which does not refer to any offence having been committed.

In all instances where students resume their studies in the community, OSR cards are forwarded to the appropriate schools.

27. *Mr. Renwick* (Riverdale)—Enquiry of the Ministry of Trade and Development: How many applications for Ontario Housing are still outstanding, bearing respectively appendix letters A, B, C, D, E, F, G, H and J?

Answer by the Minister of Trade and Development:

The housing registry of Metropolitan Toronto, which is responsible for receiving all public housing applications in Metropolitan Toronto, registers such applications by number, alphabetical appendix and order of date of filing. As of April 30, 1970, over 20,000 applications were on file with the housing registry. The coding used at present on these applications requires the registry to use a different card for each code.

In order for me to reply to the question by the hon. member it would be necessary to have the housing registry manually count the number of applications in each of the above appendices and to accomplish this, additional staff and time would be required. This again would entail approval of the commissioner of the housing registry. It is estimated that this manual count would take between seven and eight days but no estimate can be made of the actual cost of this count.

It would be my hope that the question might be satisfied in some other way rather than involve the staff of the housing registry and the cost which would be incurred.

28. *Mr. Renwick* (Riverdale)—Enquiry of the Ministry of Financial and Commercial Affairs: How many charges were laid and prosecuted by the Ontario Securities Commission during the years 1968 and 1969 for breaches of The Securities Act and of these charges how many were withdrawn and how many were dismissed?

Answer by the Minister of Financial and Commercial Affairs:

Charges under The Securities Act

	1968	1969
1. Laid and prosecuted	6	8
2. Charges withdrawn	—	1
3. Charges dismissed	—	2

33. *Mr. Nixon*—Enquiry of the Ministry of Public Works: What action is being taken by the Prime Minister or any department for the purchase of the area known as Camp Picton in the county of Prince Edward, in view of reports in the *Kingston Whig-Standard* and *The Belleville Intelligencer* of April 17, and the *Picton Gazette* of April 17, to the effect that Piasecki Helicopter Company has changed its intentions about going into business in the Camp Picton facilities? How long has bargaining been going on with the federal government for the purchase of this property? Does the provincial government have any intention of promoting this area as a centre for small industry?

Answer by the Minister of Public Works:

The province has been negotiating with Crown Assets Disposal Corporation for the acquisition of the remaining part of the former Canadian Forces Base at Picton for the last nine months. The corporation has now recommended the sale of property to the province on terms agreed upon. A substantial part of the property will be used by The Department of Health for its programmes. The Department of Public Works is undertaking a planning study in regard to the use of the remainder of the property.

35. *Mr. Nixon*—Enquiry of the Ministry of Labour: What activities have been conducted by The Department of Labour during the past month in connection with the strike of 250 members of the Textile Workers of America who are employed by the Trent Valley Woollen Mills in Campbellford?

Answer by the Minister of Labour:

On May 5, 1970, Mr. J. M. Hopper of the department's conciliation and mediation services branch was appointed as mediator in the dispute involving the Textile Workers of America, Local 743, and the Campbellford Cloth Company Limited, Campbellford. (Trent Valley went out of business in 1923.)

A proposal was made by the mediator at a meeting called on May 7, 1970. It was accepted by the union bargaining committee but was rejected by the union membership in a subsequent vote.

A meeting was called on May 21, 1970, and the strike was settled. The men returned to work on June 1, 1970.

36. *Mr. Renwick* (Riverdale)—Enquiry of the Ministry of Energy and Resources Management: What is the name of the Japanese company which is or will be actually manufacturing the conveyor belting for the Hydro-Electric Power Commission of Ontario in the contract awarded to Mitsubishi International Corporation as agent for Mitsuboshi Rubber

Company and is such company to the knowledge of the Hydro-Electric Power Commission of Ontario related or affiliated to the Dunlop Company Limited of London, England, either directly or indirectly through any of the related or affiliated companies of the Dunlop Company Limited group in Japan?

Answer by the Minister of Energy and Resources Management:

The name of the Japanese company which will actually manufacture the belting is Mitsuboshi Belting Limited. The Hydro-Electric Power Commission of Ontario has no knowledge of any relationship or affiliation between Mitsubishi or Mitsuboshi and the Dunlop Company.

40. *Mr. Pitman*—Enquiry of the Ministry of Energy and Resources Management: 1. How many complaints against water polluters were received in 1967, 1968, 1969? 2. How many complaints were found to be accurate? 3. How many industries, municipalities and institutions were taken to court by the OWRC for water pollution in 1967, 1968, 1969? 4. How many industries were taken to court for pollution by private citizens in 1967, 1968, 1969? 5. Are all OWRC reports on specific examples of water pollution public documents? 6. Are specific records kept by all sewage disposal plants in the province and are they deposited with the OWRC? Are these reports public documents? 7. Under what regulations does the OWRC allow an industry, municipality or an individual to avoid the specific legislation against all polluting under The OWRC Act? 8. Is an investigation and a report made on all complaints laid by an individual against a polluter? Is the report available to both the complainant and possible polluter? 9. Is every polluter informed of the complaint and given any specific programme of anti-pollution measures? 10. If the anti-pollution programme is rejected, what steps are taken by OWRC? 11. Would the minister list forthwith all the industries and municipalities with whom the OWRC has an agreement to end water pollution, as promised on April 16, 1970, in the Legislature? (*Hansard*, page 1591).

Answer by the Minister of Energy and Resources Management:

1. All complaints received by the OWRC against polluters are investigated and documented but because of the diverse nature of these investigations, cumulative statistics are not maintained.

2. While the complaints which have been brought to the attention of the OWRC by the public sector have generally been well founded, the conclusions as to the extent, source and gravity of the pollution have often been erroneous or exaggerated.

3. 1967—11; 1968—5; 1969—10.

4. Any such information is a matter of public record and may be found in the appropriate court records. As these cases were initiated by private citizens the commission has no available data.

5. It is the general policy of the OWRC to make these reports available to the public.

6. Operating records are maintained by the operating authority of each sewage treatment plant and are made available to the OWRC on request. These records are the property of the operating authority.

7. Section 27(2). This section was put in the Act to enable the discharge to a watercourse of treated effluent from a waste treatment facility constructed and operated in accordance with the approval of The Department of Health or the OWRC.

8. Yes, an investigation is made of all complaints laid by an individual against a polluter and the complainant is advised of the results of the investigation. When formal reports are prepared, copies are sent to both the complainant and the polluter.

9. Yes, the polluter is informed of the complaint and of the OWRC requirements for pollution abatement and is required to take the steps necessary to abate, eliminate or prevent the source of pollution which caused the complaint. A schedule for compliance is set wherever possible.

10. Failure to comply with the anti-pollution programme can result in legal action being taken against the polluter.

11. Since the OWRC is involved in projects at one time or another in almost all of the 946 municipalities in the province of Ontario and at the same time is working with the almost 700 industries in the province which discharge wastewater to watercourses, the question raised by the member is so extensive that it would not seem possible for it to be answered in the usual way.

42. *Mr. Paterson*—Enquiry of the Ministry of Energy and Resources Management: In the regulations governing the drilling for gas and oil north of the 51st parallel, is it the intention of The Department of Mines to allow drilling to take place in the waters of lakes or rivers? If not would the Minister bring in a new regulation to that effect?

Answer by the Minister of Energy and Resources Management:

The existing regulation on this matter appears as section 9 of O. Reg. 420/68 made under The Energy Act and reads as follows:

9. No person shall bore or drill a well,

(a) within 150 feet of any high voltage road allowance, railway, transmission pipeline or other utility right of way;

(b) within 250 feet of any dwelling, commercial or industrial building, school, church or place of public assembly;

(c) on land, within 350 feet of the shoreline; or

(d) in water-covered areas, within one-half mile of the shoreline or within one-half mile of the international boundary,

except where special circumstances exist that in the opinion of the minister justify the drilling of a well within a lesser distance of any of the above-mentioned limits and a permit to do so has been granted.

Drilling north of the 51st parallel would conform to these restrictions, unless otherwise directed by the minister.

43. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry of Lands and Forests: What is the provincial riding constituency breakdown of the approximately 1,860 teenagers in the 1970 junior ranger programme (showing the number of teenagers for each riding) of The Department of Lands and Forests? Which ridings had none? What was the same breakdown for 1969?

Answer by the Minister of Lands and Forests:

Constituency	1970	1969
Algoma	7	0
Algoma-Manitoulin	10	5
Armourdale	22	10
Beaches-Woodbine	12	14
Bellwoods	4	3
Brant	6	3
Brantford	11	13
Carleton	39	21
Carleton East	21	22
Chatham-Kent	9	8
Cochrane North	17	24
Cochrane South	26	19
Don Mills	13	17
Dovercourt	1	4
Downsview	6	8
Dufferin-Simcoe	6	6
Durham	9	6
Eglinton	24	19
Elgin	9	17
Essex-Kent	6	10
Essex South	6	4
Etobicoke	31	21
Fort William	8	14
Frontenac-Addington	9	0
Glengarry	8	5
Grenville-Dundas	10	6
Grey-Bruce	14	10
Grey South	6	2
Haldimand-Norfolk	4	5
Halton East	23	20
Halton West	36	21
Hamilton Centre	5	1
Hamilton East	16	6
Hamilton Mountain	33	16
Hamilton West	13	7
Hastings	11	9
High Park	4	8
Humber	8	4
Huron	2	3
Huron-Bruce	5	2
Kenora	6	3
Kent	7	3
Kingston and the Islands	28	20
Kitchener	7	7
Lakeshore	7	11
Lambton	3	3
Lanark	12	11
Leeds	14	17
Lincoln	10	3
London North	26	18
London South	28	25
Middlesex North	5	3
Middlesex South	4	8
Muskoka	4	2
Niagara Falls	11	6
Nickel Belt	38	31
Nipissing	48	41
Northumberland	13	5
Ontario	4	8
Ontario South	25	15
Oshawa	28	15
Ottawa Centre	15	7
Ottawa East	3	1
Ottawa South	64	60
Ottawa West	58	58
Oxford	16	8
Parry Sound	10	8
Parkdale	4	5
Peel North	21	14
Peel South	35	40
Perth	5	7
Peterborough	22	29
Port Arthur	4	19
Prescott and Russell	3	3
Prince Edward-Lennox	7	10
Quinte	19	21
Rainy River	15	14
Renfrew North	45	49
Renfrew South	7	7
Riverdale	13	5
St. Andrew-St. Patrick	3	5
St. Catharines	42	31

St. David	13	13
St. George	3	6
Sandwich-Riverside	43	51
Scarborough Centre	26	25
Scarborough East	22	20
Scarborough North	38	36
Scarborough West	17	14
Sarnia	16	12
Sault Ste. Marie	30	27
Simcoe Centre	8	7
Simcoe East	9	5
Stormont	14	6
Sudbury	39	37
Sudbury East	25	30
Thunder Bay	17	4
Timiskaming	18	16
Victoria-Haliburton	10	18
Waterloo North	14	8
Waterloo South	17	14
Welland	14	12
Welland South	11	16
Wellington-Dufferin	8	3
Wellington South	17	14
Wentworth	22	20
Wentworth North	15	22
Windsor-Walkerville	33	34
Windsor West	27	40
York Centre	35	24
York East	17	15
York-Forest Hill	8	10
York Mills	73	69
York North	17	16
York South	11	13
Yorkview	22	6
York West	55	32

44. *Mr. Reid* (Scarborough East)—Enquiry of the Ministry of Education: Who were the 1969-1970 recipients of the $499,300 worth of "miscellaneous" *Miscellaneous Grants* (Item Number 8, Vote 501), which are "paid as may be directed" by the Minister of Education, as noted on page 46 of the *Expenditure Estimates 1969-70*? How much did each recipient get?

Answer by the Minister of Education:

The recipients of the $499,300 in grants under the miscellaneous, miscellaneous appropriation for the fiscal year 1969-1970 were as follows:

Association canadienne d'Education de Langue française, $3,500; Association for Educational Data Systems—Ontario Chapter, $1,000; Atlantic Council of Canada, $2,500; Boy Scouts Association, $2,500; Canadian Council for International Co-operation, $7,500; Canadian National Institute for the Blind, $5,000; Canadian Special Olympics for the Mentally Retarded, $5,000; Canadian UNICEF Committee, $600; Canadian Vocational Association, $7,000; Commission on Emotional and Learning Disorders in Children, $30,000; Federation des Associations de Parents et Instituteurs de Langue française de l'Ontario, $2,000; Federation of Catholic Parent-Teacher Associations of Ontario, $1,000; Federation of Ontario Naturalists, $3,000; Friends of Zach Phimister Committee, $300; Hospital Auxiliaries Association of Ontario, $1,000; Institute of Public Administration of Canada, $5,929; Integra Foundation, $4,000; International Commission on Glass, $2,500; Italian Community Education Centre, $8,000; Kiwanis Music Festival Association of Greater Toronto, $500; Labour College of Canada, $5,000; National Ballet School, $103,000; National Theatre School of Canada, $65,000; Ontario Association for Children with Learning Disabilities, $3,500; Ontario Association for Continuing Education, $5,000; Ontario Camp of the Deaf, $10,000; Ontario Committee for Education Week, $1,000; Ontario Craft Foundation, $50,000; Ontario Educational Association, $7,500; Ontario Educational Research Council, $5,000; Ontario Federation of Home and School Associations, $2,000; Ontario Film Association Incorporated, $2,000; Ontario Girl Guides Association, $2,500; Ontario Youtheatre, $5,000; Ontario Youth Concert Band, $5,000; Ottawa Central Student Council, $300; Performing Arts in Canada, $1,500; Salvation Army, $500; Scarborough Board of Education, $1,000; Stratford Shakespearean Festival Foundation of Canada, $50,000; Theatre Hour Company, $65,000; United Nations Association in Canada, $1,985; Whitby Arts Incorporated, $14,500. Total, $499,114.

46. *Mr. MacDonald*—Enquiry of the Ministry of Highways: Would the Minister of Highways list the make and model year of each car at present assigned to the Prime Minister, each minister and chairman of commissions, showing each person's name, the cars assigned to him and the number of drivers assigned to each such person?

Answer by the Minister of Highways:

Name	*Make*	*Year*	*Number of Drivers*
Hon. J. P. Robarts	Buick	1968	1
Hon. J. A. C. Auld	Oldsmobile	1970	1
Hon. D. A. Bales	Buick	1970	1

Hon. R. Brunelle	Mercury	1970	1
Hon. W. G. Davis	Chrysler	1970	1
Hon. G. E. Gomme	Buick	1969	1
Hon. A. Grossman	Buick	1970	1
Hon. J. Haskett	Chrysler	1969	1
Hon. G. A. Kerr	Mercury	1969	1
Hon. A. B. R. Lawrence	Oldsmobile	1969	1
Hon. A. F. Lawrence	Oldsmobile	1968	1
Hon. C. S. MacNaughton	Oldsmobile	1969	1
Hon. W. D. McKeough	Chrysler	1970	1
Hon. S. J. Randall	Buick	1969	1
Hon. J. R. Simonett	Buick	1970	1
Hon. W. A. Stewart	Chrysler	1970	1
Hon. R. S. Welch	Buick	1969	1
Hon. T. L. Wells	Buick	1970	1
Hon. J. White	Chevrolet	1970	1
Hon. A. A. Wishart	Oldsmobile	1970	1
Hon. J. Yaremko	Chrysler	1970	1
W. A. B. Anderson	Oldsmobile	1970	nil
D. J. Collins	Mercury	1969	nil
S. W. Martin	Oldsmobile	1968	1
R. P. Milligan	Chrysler	1969	1
E. A. Royce	Buick	1969	1
J. N. Allan	Buick	1966	nil
G. Gathercole	Buick	1969	1

47. *Mr. MacDonald*—Enquiry of the Ministry of Education: What are the annual salaries of the director of education or chief administrative officer for each division board of education for the latest date for which information is available in each case?

Answer by the Minister of Education:

Directors of education for each of the divisional boards of education are also the chief executive officers of those boards. They are employees of the boards which set their salaries and working conditions. The salaries of these officials are not communicated to the department.

50. *Mr. MacDonald*—Enquiry of the Ministry of Health: With reference to the contract awarded to Wipp Pest Control of London by The Department of Health for institutions in southwestern Ontario, how many tenders were submitted, by whom, and for how much?

Answer by the Minister of Health:

Five companies submitted quotations for pest control services and for the respective amounts:

Abell Waco, 246 Attwell Drive, Rexdale, Ontario, $16,680;

Bikoe Manufacturing Company, 434 Queen Street East, Toronto, Ontario, $18,960;

P.C.O. Services, 232 Norseman Street, Toronto 18, Ontario, $15,264;

Red Line Prevention Services, 333 Evans Avenue, Toronto 18, Ontario, $18,252;

Wipp Pest Control, 282 Pitt Street East, Windsor, Ontario, $12,216.

ERRATA

No.	*Page*	*Column*	*Line*	*Should read*
9	314	1	12	federal and/or provincial government. Those
9	314	1	17	The EPTF would work collecting the man–
16	604	2	6	There is a welfare programme for the rich.
16	606	1	29	the member that they can harness this water
52	2089	1	5	brought out by the staff. They are very good
52	2089	1	6	pamphlets for the parents. Now I do not know
52	2089	2	5	recommended, of that nature, by the
52	2089	2	41	other hand, try to improve the self-image of
52	2089	2	43	or students in the training schools, by having a
52	2092	1	42	jails and putting up a new regional detention
52	2092	2	12	I have been needing them for five, six
52	2092	2	52	of Sarnia for having been so foresighted
52	2093	1	17	architects who were responsible not only for
52	2094	1	22	parole in the middle of the night–that is be-
52	2094	1	38	him to be very careful about bringing these com-
52	2094	1	49	if so, I would be very pleased to direct myself to
52	2096	2	40	**Hon. Mr. Grossman:** No. I think that
52	2100	1	2	one writes to the civil service commission and
52	2100	1	3	shows a preference for a particular type of
52	2105	1	32	the annual report referred to the racial and/or
54	2162	2	58	splitting training schools from our department, and so on. At
54	2163	1	26	system, which may not be working either–and I
54	2164	2	32	the need for more of this is exemplified by
54	2171	2	25	was about 65 per cent–they had not got in any
54	2172	2	13	Ontario Research Foundation; we sent to
54	2177	1	34	ing about, unless he has committed an indictable
54	2186	1	47	made. We have a pretty big job ahead if we
54	2186	1	48	never spend an additional dime on new pro-
54	2188	1	32	being done now by our research branch. The
55	2211	2	5	task. By and large, staff of my department have
55	2212	1	54	it. As the hon. member says, quite correctly,
55	2212	1	55	it is one thing to adopt a philosophy, a state-
55	2214	1	33	hon. members of the House the facts, and
55	2221	2	40	Kent–I wish he were here–that we all are
55	2222	1	26	this minister better than to think that he could
55	2223	2	33	to communicate. Get them to communicate with
55	2224	2	5	in the training schools or in the adult
55	2225	1	36	Chairman. The argument of where the training
84	3365	2	50	now have 37 parts per million and yet we
98	3925	2	50	which they were related to previously. Their
98	3926	1	23	came from the McLeod committee–the
98	3927	1	21	indeed to the development of future teacher educa-
98	3927	1	31	I think that these institutions must not be
98	3927	2	56	university official. Anyway, the point was
98	3929	2	5	a very likely thing. It may very well be
98	3929	2	25	That is why I do not say–and I say this very cate-

No. 115

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Tuesday, October 6, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, OCTOBER 6, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Our visitors today in the east gallery are students from the Earl Beatty Senior School of Toronto, and from the Queen Mary Public School of Peterborough.

Before we embark upon the formal procedures of the House today, I beg to inform the House that the hon. member for Scarborough West (Mr. Lewis) is now recognized as the leader of the New Democratic Party.

Statements by the ministry.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I have a statement to read on behalf of the Prime Minister (Mr. Robarts) who, along with the Minister of Municipal Affairs (Mr. McKeough) and the Minister of Revenue (Mr. White), is presently in London attending the funeral of the Bishop of Huron, or else he would be here to give this statement himself. He has asked me, though, on his behalf, to share this with the members of the House.

You will recall, sir, that two years ago the government of Ontario embarked on a major, long-term programme to reform the provincial system of taxation. To assist the individual taxpayer, we have three principal objectives:

1. To reduce the burden and regressive nature of the real property tax;

2. To broaden the base of the real property tax;

3. To ensure that the burden of local taxation is reasonable when combined with the total taxes being carried by the taxpayer.

Accompanying these objectives is our commitment to strengthen the machinery of local government and to provide greater budgeting autonomy to our municipal partners. We are vigorously pursuing these objectives.

The immediate adoption of our total programme of tax reform has been complicated by the unsettled question of tax reform at the federal level and by the practical impossibility of completing the programme of province-wide property reassessment until 1975.

We fully recognize that there are pressing requirements for changes in a number of areas without awaiting the completion of our programme of provincial tax reform. And so, to date:

We have established the residential property tax reduction programme;

We have transferred the cost of the administration of justice to the province from the municipalities;

We have transferred the cost of assessment to the province from the municipalities;

We have increased the proportion of school expenses that is met from provincial grants;

We have broadened the municipal tax base by allowing municipalities partially to tax university properties;

We have permitted the assessment and taxation of smelters in mining municipalities;

We have increased subsidies to cities and separated towns for road and street maintenance and construction, and we have limited the cost to the local taxpayer of establishing new water and sewage facilities.

Now the cost of these measures—

Mr. V. M. Singer (Downsview): No municipal taxes have gone down.

Hon. Mr. Welch: I am sure that the members like to have this information.

Interjections by hon. members.

Hon. S. J. Randall (Minister of Trade and Development): Cool it, fellows; cool it!

Hon. Mr. Welch: The cost of these measures to reduce the property tax burden over the last two years has totalled more than $400 million, in addition to the normal increase in government support programmes to the municipalities and school boards.

Mr. Speaker, I should like now to inform all members of four additional measures which the government is proposing immediately as part of its undertaking to assist local taxpayers.

These measures are:

1. The reduction of property taxes paid by pensioners.

2. Tax relief for farmers.

Interjections by hon. members.

Hon. Mr. Welch: We are not now in the Royal York Hotel. We are in the Legislature of Ontario.

Interjections by hon. members.

Hon. Mr. Welch: Just in case, with the exuberance of my colleagues, the members missed point number 2, I will repeat it.

Interjections by hon. members.

Hon. Mr. Welch: Point number 1, the re-reduction of property taxes paid by pensioners.

2. Tax relief for farmers.

3. Grants to assist municipalities to provide public transit systems.

4. A new system of taxation for the re-assessed region of York and the county of Peel.

Mr. C. G. Pilkey (Oshawa): Going to have another convention—

Interjections by hon. members.

Hon. Mr. Welch: I get the impression that this programme is very successful by the remarks on the other side of the House.

Interjections by hon. members.

Hon. Mr. Welch: In presenting the 1970 budget the Treasurer (Mr. MacNaughton) announced that supplementary tax relief would be made available to all eligible residents of Ontario who receive the federal guaranteed income supplement.

Mr. R. F. Nixon (Leader of the Opposition): That was 10 months ago.

Hon. Mr. Welch: I want to advise the House that we are now in a position to implement this plan.

Interjections by hon. members.

Hon. A. Grossman (Minister of Correctional Services): Great stuff, eh?

Mr. G. Ben (Humber): We have been advocating it for 10 years.

Hon. C. S. MacNaughton (Treasurer): Yes, but you have been over there for 10 years.

Hon. Mr. Welch: I take it that the member for Humber enthusiastically supports this, so let the record show that.

Mr. Ben: I not only support it—

Hon. Mr. MacNaughton: Do not forget you cannot do anything about it. You just talk about it, that is the problem; we do it.

Hon. Mr. Welch: I would like to advise the House that we are now in a position to implement this plan and our objective is to have the first payment in the hands of the elderly by the end of this year.

Interjections by hon. members.

Mr. S. Lewis (Scarborough West): With a personally signed Christmas card from the Premier.

Hon. J. Yaremko (Minister of Social and Family Services): Good suggestion! We will take it up.

Hon. Mr. Grossman: We could not get it in time for Yom Kippur.

Hon. Mr. Welch: Under this plan all recipients of the federal income supplement will receive a basic $50 to apply to their taxes. This will apply whether they live in their own home or in a single room.

In a household consisting of husband and wife, where both receive the income supplement, the maximum payment of $100 will be made automatically. If only one is eligible for the income supplement, he or she may claim an additional payment of up to $50 in keeping with the policy announcement of the Treasurer at the time of the budget. A single person may also receive additional benefit if his property tax liability exceeds $50.

Mr. Pilkey: One dollar a week. Incredible.

Hon. Mr. Welch: This plan recognizes that nearly everyone paying for accommodation, even when living with others, is making some contribution toward property taxes, although he may not be paying taxes directly. The assistance to our elderly under this programme will reduce substantially the burden of property tax on elderly people.

Mr. Lewis: That is a monthly programme, is it not?

Mr. W. C. Pitman (Peterborough): Monthly payment?

Mr. Lewis: Monthly programme?

Hon. Mr. Welch: On the basis of the 1969 province-wide residential property taxes, the average homeowner paid $382 in local taxes. Of this amount, $201 was directed to support our schools and $181 went to the municipality for general taxes.

Under the property tax reduction programme, the average residential tax relief was $54, reducing the total burden to $328. Therefore an elderly couple maintaining their own average-size home who receive $100 under this plan would be relieved by the province of $154, or more than 40 per cent of their total taxes.

It should be remembered that many of our elderly people live in modest accommodation. Therefore, the effect of this new plan combined with the property tax reduction programme could eliminate their entire property taxes.

I am sure that you would agree that a prime consideration in developing this plan has been to produce a programme that is easy to understand by the elderly people for whom it is designed. There will be no detailed inquiries into personal circumstances. There will be no needs test because an income test has already been applied by the federal government to determine eligibility for the guaranteed income supplement.

The initial payments will be made automatically to all eligible persons. They will not have to fill out complicated forms. Nor will there be complicated procedures for those who will be eligible for these additional payments.

Mr. T. Reid (Scarborough East): Your face on the cheques?

Hon. Mr. Welch: Pardon?

Hon. Mr. Grossman: Not a bad idea.

Hon. Mr. Welch: As long as we can find someone who is a Canadian to print them I suppose that would be all right.

Hon. Mr. Grossman: Some of this may be American money.

Hon. Mr. Welch: The second measure will relieve some of the burden of property tax on another particularly hard-pressed group of taxpayers, namely our farmers.

Before the end of this year the government of Ontario will make a direct payment to all owners of land assessed for farming equal to 25 per cent of their net 1970 property taxes. While this—

Interjection by an hon. member.

Hon. Mr. Welch: There is a question period after this.

While this programme is designed to help all farmers—

An hon. member: The farmers are going to like it.

Hon. Mr. Welch: —owners of properties of less than 11 acres—

Interjections by hon. members.

Mr. I. Deans (Wentworth) The government is buying votes with their own money.

Hon. Mr. Grossman: All you fellows have left now is the UAW.

Interjections by hon. members.

Mr. Pilkey: We will not have to give them the 25 per cent.

An hon. member: You are giving them a lot more than that now.

Hon. Mr. Grossman: You take that from them.

Hon. Mr. MacNaughton: I am not sure whether I should listen to your new leader or the hon. member for Oshawa any more.

Hon. Mr. Welch: I think they will have to get in touch with Detroit to get their instructions.

Hon. Mr. Grossman: You mean those Americans?

Hon. Mr. Welch: Meanwhile, back to the farmers—

While this programme is designed to help all farmers, owners of properties of less than 11 acres must have a gross income of $2,000 from the farming of their land to be eligible.

Further, it would not be proper to relieve taxpayers who own land that is merely being farmed while it is being held for speculative purposes.

On the other hand we fully recognize that it is difficult, if not impossible, to distinguish between a farmer and a speculator. Consequently we will apply the tax reduction to all lands while it is being farmed. However, should the land cease to qualify as farm land, the province will require payment with interest, at an appropriate rate, of all tax reductions granted on the property for 10 years preceding the date when it ceases to qualify as farm land.

While this new programme of—

Interjection by an hon. member.

Hon. Mr. Welch: As long as it stays as a farm.

Mr. Singer: Oh yes.

Hon. Mr. Grossman: The member from Owen Sound just said you thought about it 10 years ago over there.

Mr. Speaker: Order!

Hon. Mr. Grossman: You thought it was a good idea 10 years ago and now the member for Downsview does not like it.

Mr. Speaker: Order!

Hon. Mr. Welch: The member for Downsview is just hearing what he wants to hear in the plan, that is all.

While this new programme of tax relief for farmers will be dealt with on a special basis this year, in future years the tax reduction will be made at the time the tax bills in fact are issued.

This programme is being carried out under The Department of Agriculture and Food Act and will be administered by The Department of Municipal Affairs.

Now we go to our third point.

Mr. Lewis: Do not streamline it by putting everything into one department!

Hon. Mr. Welch: I am sure that members of the House will agree that one of the most costly and difficult challenges faced by local governments is the mass movement of people. The increasing numbers of people who must be moved on a daily basis in our larger cities can no longer be accommodated by the private automobile.

Interjections by hon. members.

Hon. Mr. Welch: In the Metropolitan Toronto area the government has been encouraging the development of more efficient systems of public transit by financially assisting the construction of the subway and by the development of such experiments as GO Transit. We as a government are continuing to investigate other methods of mass transit and undoubtedly will conduct other experiments adapting other means now being developed elsewhere.

Without waiting for further experiments, we plan to make—

Interjections by hon. members.

Hon. Mr. Welch: We plan, right now, to make available to municipalities throughout Ontario, financial assistance to enable our municipal partners to develop methods whereby they can transport in a rapid and efficient manner large numbers of people. Therefore, the Prime Minister has requested the Minister of Highways (Mr. Gomme) to advise the government, not later than the end of this year, how financial assistance can best help municipalities develop public transportation systems.

Interjections by hon. members.

Mr D. C. MacDonald (York South): You should not laugh too loud; you may sit over here before you are much older. Would you like that?

Hon. Mr. Welch: And now number 4.

Hon. Mr. Grossman: *Pièce de resistance.*

Mr. MacDonald: Number 3 was not very good.

Hon. Mr. Welch: It may have been short, but it is powerful.

Mr. Speaker: Order!

Hon. Mr. Welch: The fourth measure which I want to place before the members deals with the effective reassessment of all property in Ontario.

We recognize the concern of the people arising from this programme.

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. Welch Will members listen carefully? These gems are buried in the statement now. We have learned a great deal from the experience—

Interjections by hon. members.

Hon. Mr. Grossman: We are always honest with the people.

Hon. Mr. Welch: Mr. Speaker, that should come as no surprise to the members of this House because this party is dedicated to progress based on experience. That is why I am a Tory.

In fact, let me repeat that point. We have learned a great deal from the experience in the region of York and the county of Peel where reassessment, as you well know, was completed before the government assumed responsibility for this programme and where, in some cases, a greater burden of taxation was shifted to the residential taxpayer from the commercial and industrial segment of the community.

This government does not agree that there should be any shifting of burden to residential property.

Hon. Mr. Grossman: You know, I think those fellows will vote for us.

Hon. Mr. Welch: In fact, we wish to lighten the burden carried by residential property owners.

Hon. Mr. Grossman: How about that!

Hon. Mr. Welch: The objective of this government is to establish firmly the integrity of evaluations placed on properties and to ensure equity for individual taxpayers.

Because of our experience in York and in Peel we are now in a position to plan genuine tax reform in these two areas by translating the reassessment into a more equitable system of taxation. We expect to be in a position to present our findings to York and Peel next year.

Interjections by hon. members.

Hon. Mr. Welch: I, like the new leader, am not riveted to any text. I hope that the members would allow me some spontaneity in my enthusiasm for the programme.

In the meantime, the process of reassessing all properties will be pursued in other areas of the province. But, and the government emphasizes this, reassessment will not be reflected in the tax bills of this province until we are satisfied that the new system to be developed in York and Peel is suitable for application across the province.

Hon. Mr. Grossman: A revolting development, eh fellows?

Mr. J. R. Breithaupt (Kitchener): The government promised that in 1943.

Hon. Mr. Welch: I thought the member had to be back at Oktoberfest.

Mr. Breithaupt: I am glad I am here. This is funnier!

Interjections by hon. members.

Mr. MacDonald: Regulations fouled up even the Oktoberfest.

Hon. Mr. Welch: In addition to these four programmes, may I remind the members that the government is continuing its programme to remove the heavy reliance which municipalities and school boards have had on real property taxation. During the current financial year, provincial support of school board expenditures surpassed 50 per cent, an increase of some six percentage points over last year.

Including the residential property tax reduction programme, the average assistance of the government of Ontario now is closer to 55 per cent of local education costs. As outlined by the Treasurer in his 1969 budget, the government will continue to increase its support of local education and, thereby, will reduce the property tax burden even further toward our immediate goal of 60 per cent.

I am fully aware, Mr. Speaker, of the numerous requests to shift a much greater percentage of local school costs from property tax to income tax sources. Some groups have even pointed out that all education costs should be met out of levies on income and more progressive tax sources. The effect of financing such a massive shift must be recognized.

For example, Mr. Speaker, to take over all the costs of education would involve an immediate transfer of $800 million from property tax to other tax fields.

Since about 45 per cent of this revenue is paid by industrial and commercial ratepayers and can be charged against income tax liability, we could expect an automatic increase in our income tax revenue. Our analysis shows, however, that the total income tax revenue would increase by about $140 million.

However, under the present system of sharing income tax, the province would receive only $40 million while the federal government would have a windfall of $100 million which, at present, is available to our provincial-municipal system. So, as a result, this province would be forced to raise $760 million, which is the equivalent of more than 20 points of personal income tax.

Without pursuing these details further at the moment, it is readily evident that the processes of tax reform are not simple, nor can they be imposed by a single stroke.

Mr. Speaker, we can achieve our paramount objective of comprehensive tax reform only by the progressive introduction of such measures as I have been very proud to announce on the Prime Minister's behalf this afternoon.

Mr. Speaker: Statements by the ministry.

Hon. Mr. Randall: Mr. Speaker, I want to deal with a matter raised at a press conference held yesterday by the hon. Leader of the Opposition.

An hon. member: This is just like Mutt and Jeff.

Hon. Mr. Randall: If the hon. Leader of the Opposition expects this Legislature, or the public, to believe that a study commission more than a year ago—less than two years ago—into the public's concerns is either a battle plan for an election or has some other hidden political motivation, then I suggest—

Interjections by hon. members.

Hon. Mr. Randall: —he is sadly mistaken.

Mr. Pitman: The minister has a sense of humour, eh?

An hon. member: Is the minister suggesting we have political motives at any time over here?

Hon. Mr. Randall: The question here is nothing more than an attempt by the government of this province to determine on an objective basis—

Mr. E. Sargent (Grey-Bruce): Would the minister like to table it?

Hon. Mr. Randall: —the attitudes and needs of the people to whom it is responsible. The questionnaire was circulated to provide us with information in respect to our own programmes as well as those of our federal and municipal counterparts. It is perfectly plain from a reading of this questionnaire—and everyone who wants one can have a copy; I will give it to him—

Mr. Sargent: Read the findings.

Hon. Mr. Randall: —that its purpose was solely to elicit a response in respect of broad governmental considerations and there are no questions that could possibly be described as political in nature.

Interjection by an hon. member.

Hon. Mr. Randall: Before I get into the questionnaire itself, I should point out that one of the principal and more immediate aims so far as my department is concerned, is the use of certain of these responses in the design and development of a major portion of the exhibition at Ontario Place, which is being devoted to the challenge of the future for Ontarians. We are a modern progressive government, and we care about what the people of this province think and are concerned about it. We exist and have continually been re-elected because of this.

Interjection by an hon. member.

Hon. Mr. Randall: There is nothing insidious in the use of studies like this one. They are tools like many other techniques and my department has long used them to good effect.

Mr. T. P. Reid (Rainy River): Oh, we know that.

Mr. Ben: Forgivable loans, for example.

Hon. Mr. Randall: Here is a tidbit for you. Put this away for your grandchildren. In fact, it has made it possible for my department to win over 45 national and international promotions since 1964.

Mr. Breithaupt: All of which the minister has accepted.

Hon. Mr. Randall: In 1964, Mr. Speaker, my department commissioned a major study on people's likes and dislikes with respect to the pavilion at the New York World's Fair. In 1964, we also commissioned a study on U.S. attitudes to Canadian products. We subsequently released this report for sale. I will be glad to sell the members a copy any time. In 1965, two years before the opening of Expo 67—

Interjection by an hon. member.

Hon. Mr. Randall: Now you just listen. You are going to get smart. You have to listen.

Two years before the opening of Expo 67 we commissioned two studies—about the same time lag as before the opening of Ontario Place—on Ontario attitudes toward Quebec, Expo 67 and what the people of Ontario wanted to see at that pavilion. After careful consideration, we released parts of our study.

One year before the opening of Expo 67, we also commissioned a study in the U.S. and Canada as to possible Expo 67 attendance. We had in our final report, two months before Expo 67 opened, a document that predicted an Expo 67 attendance of 57 million people at a time when most people wondered whether even 20 million would show up. Studies like this allowed us to lay in the facilities and staff that made the Ontario pavilion the fourth most popular at Expo 67. I do not say that; this is according to a federal government study on pavilions at Expo. They rated us, not we ourselves.

In 1968, we began to study the CNE and the waterfront to try to get things going to meet our part of a pledge to help the CNE revitalize or renew itself in contemporary terms. We again resorted to studies. What did people like about the CNE and what

not? What did they think about our proposal for Ontario Place which, I would remind the hon. members, opens in seven months?

Seventy-nine per cent of the people liked the Premier's proposal for Ontario Place in 1968. On the basis of that study, I will predict now a 13 per cent increase in CNE attendance in 1971. We have done studies, Mr. Speaker, on public reactions and concerns about Harbour City and we are taking steps to incorporate them in our planning.

Mr. T. Reid: Why did you not ask the people instead?

Hon. Mr. Randall: May I point out to the hon. members of the House—and this is very important—that the table of contents described by the hon. Leader of the Opposition was not the questions asked. This table of contents was the result of the information provided in answers to the questionnaire and was categorized by the research company and the advertising agencies, not by my department.

Mr. Nixon: The minister did not really want what they gave him, then?

Hon. Mr. Randall: Mr. Speaker, I mentioned that the questionnaire was available. Here are some of the questions, and perhaps we should just go down them for a second.

Mr. Singer: How about all of the questions?

Hon. Mr. Randall: There has been an increase in the amount of publicity about how well we are going to handle—what we are going to do with—our leisure time in the future. That is not political, I do not think. We are building a big programme out here for the people—

Mr. Singer: Going to read some or all of them?

Hon. Mr. Randall: Sure, we will read the whole thing. Are the members all ready?

Mr. Singer: The minister's selective editing is not any good.

Hon. Mr. Randall: "Do you personally feel that significant increase in leisure time to the average"— You are not listening. You are not listening.

Mr. Singer: Give us the whole thing.

Hon. Mr. Randall: I will send you a copy if you like. You are not listening. I just want to touch on a couple of points so you do not get off the track.

Hon. Mr. Grossman: He puts it on the record. There is nothing wrong with that.

Hon. Mr. Randall: And, Mr. Speaker, that dealt with leisure time. The fourth question: "Would you not say—" or, "What would you say was the single most important problem the people of Canada had to collectively face during the past five years?" Certainly that is not political.

Mr. T. Reid: The minister is the biggest problem.

Hon. Mr. Randall: And, "6. As far as you can judge right now what do you feel is the major problem the people in the community will have to collectively face during the next five years or so?" Is that political?

Mr. Speaker, here is a list of activities that are of public and collective concern, which can directly or indirectly influence each of us as individuals or heads of families. "Would you please tell me which of them are of particular concern or interest to you?" Certainly, at the present time, they are local public service, housing problems, public relations, youth problems, health insurance, regional government, air pollution, water pollution. Now, I do not think they are political, Mr. Speaker.

Hon. Mr. Grossman: Well, everything is political.

Hon. Mr. Randall: So let me just conclude the statement, Mr. Speaker, by saying in the past we have furnished the analyses on these studies. If we feel that the information should be made public, we have been quite prepared to do so, but at the present time—

Interjections by hon. members.

Mr. Speaker: Order, order!

Hon. Mr. Randall: At the present time, much of the information is still under study and I have no intention of releasing the study or tabling it before I have completed my analysis.

Mr. Singer: The minister just said he was going to give it to us.

Interjections by hon. members.

Mr. Pitman: Oh, the questionnaire is ridiculous.

Mr. Speaker: Are there any further ministerial statements? If not, the oral question period.

The hon. Leader of the Opposition.

PAYMENTS TO PENSIONERS AND REBATES TO FARMERS

Mr. Nixon: Mr. Speaker, I have a question of the hon. Provincial Secretary.

He said in his closing remarks that he did not want to go into any further details at this time. One further detail that perhaps he might enlighten the House on is the overall cost of the four programmes that he put forward. If there is no cost associated with the continuing surveys, then the cost of the first two; the first involving payments to pensioners and the second a 25 per cent rebate to the farm community.

Hon. Mr. Welch: Mr. Speaker, I think I will direct that question to the Treasurer, who can reply.

Hon. Mr. MacNaughton: The cost of the first programme is $17 million. The cost of the second programme is estimated at $20 million. Both will be dealt with in supplementary estimates, which will be tabled in due course.

Mr. Nixon: A supplementary question, Mr. Speaker: We might expect the supplementary estimates to total at least $37 million for the remainder of this year?

Hon. Mr. MacNaughton: Yes, that is correct.

Mr. Lewis: I have a supplementary question.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Has the Treasurer given the Minister of Highways a round figure within which to work when relieving municipalities of public transit costs?

Hon. Mr. MacNaughton: Mr. Speaker, the answer is no.

SURVEY OF PUBLIC WANTS

Mr. Nixon: Mr. Speaker, a further question of the hon. Minister of Trade and Development: Would he not agree that the section of the report he was just referring to, intituled "What the provincial government should be doing to handle particular issues" is, in fact, a political question and should either be made available to this House now or tabled in this House now? Can he give any reason why he would feel that that should be asked by his government rather than his party if it is not to be made public?

Hon. Mr. Randall: Mr. Speaker, I thought I explained it very clearly. That was the information out of the questionnaire and it is not on the questionnaire. That information is on the table of contents. I believe that is what the hon. member is reading from. That information, when we are finished with it, yes, I think we will table. But when we are finished with it, not before.

Mr. Nixon: A supplementary question: Is he aware that the Premier yesterday, when asked if he would table it, said that it would not be tabled. Is he reversing the stand taken by his leader?

Hon. Mr. Randall: I am not reversing his stand at all. We have said at the time—many times—that we will not table them. The Prime Minister, I think, left himself open to the fact that it will be tabled, maybe, at some time if we feel it should be. I do not think it needs to be tabled. The member already has purloined a copy.

Interjections by hon. members.

Hon. Mr. Randall: Right. Because the information the member gave to the press indicates that he has that in his hands right now and that was purloined. That was purloined, and the very thing that he accused that other party of last year, he is doing himself this year. He has not done himself any good, believe me.

Mr. Nixon: All right. A supplementary question of the hon. minister: Does he say that this information should not be made public and he therefore will not table it? That is what we want to know.

Hon. Mr. Randall: It will not be tabled.

Mr. Nixon: It will not be tabled?

Hon. Mr. Randall: No, not now; it will not be tabled.

Mr. Speaker: A supplementary question by the hon. member for York South.

Mr. MacDonald: The minister indicated that he would be willing to table it when he is finished with it. Will the minister be finished with it before the next election?

Hon. Mr. Randall: If the next election is 1972, 1971, yes, I think we will be finished with it.

INCREASE IN HYDRO RATES

Mr. Nixon: Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management.

Did the minister approve the recently announced nine-per-cent increase in hydro rates to the rural community of Ontario? If he did, is he prepared to refer this decision to the Ontario Energy Board for their approval before it takes effect?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, no, I did not specifically approve the recently announced rate increase. However, as the hon. Leader of the Opposition knows, this is just the second general rate increase in about 17 years for rural retail rates; and it is over two years since the last increase in rural retail rates. However, to get back to the hon. member's question, this is to be considered by the government further, and my department is considering the suggestion of referring this to the board.

Mr. Nixon: A supplementary question: If it is referred to the board, their disapproval would mean that the rate increase would not, in fact, come into effect? Is that to be understood?

Hon. Mr. Kerr: It is quite possible, Mr. Speaker, that it would not come into effect on the date announced by Hydro, that is right.

Mr. Deans: Mr. Speaker, as a supplementary question, I wonder if I might ask the minister if the proposition to refer to the Energy Board is the mechanism that was suggested by the Prime Minister earlier this year in a debate in the House dealing with the price of gas and the price of hydro?

Hon. Mr. Kerr: Mr. Speaker, the Minister of Energy and Resources Management has had this particular move under consideration for some time.

SALE OF TEXTBOOK PUBLISHER TO U.S. INTERESTS

Mr. Nixon: I have a question of the Minister of Education.

What action will the minister undertake to forestall the reported sale of the textbook division of W. J. Gage Limited to L. S. Foreman of Chicago? He is aware, I am sure, that so far the transaction is based only on a letter of intent and that the transfer to American interests is still a whole month away.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, my colleague, the minister to my left—I do not mean philosophically—is meeting some of the publishing people, I believe, on Friday of this week to discuss the whole question of, shall we say, Canadian control of the publishing business. This meeting is to take place on Friday of this week. As far as the department itself is concerned, of course, we are not in a position either to prevent or do otherwise on the sale.

Our concern has to be and is, basically with the approval of the material in textbooks that are made available, no matter what the source, to the school system in this province. I would go this far, Mr. Speaker, to express a personal point of view; that is, that every effort I believe should be made to retain, to the extent that it is possible, the control of the Canadian publishing business in this jurisdiction. I do not think there is any debate on either side of the House, I would hope, with respect to this.

But, as I say, I cannot within this department prohibit the sale because there is no mechanism by which a sale of this kind can be prohibited. We certainly can, and will, continue to exert a very real influence as to the Canadian nature or the content of those books that are approved for Circular 14 for use within the school system of this province.

Mr. Nixon: A supplementary question: Would the minister not agree that a purchase policy announced by him could, in fact, stop the sale to an American interest?

Hon. Mr. Davis: Mr. Speaker, I do not know what one means by "a purchase policy." We do not purchase. The boards do the purchasing. Of course, this is one of the difficulties, quite frankly, that Canadian publishers are facing at this precise moment. That is, that the volume has decreased in the last two or three years because of the consolidation of the school boards and the procedures now being used by the boards.

It has led to savings in actual textbook purchases, which is one of the pressures, I believe. I am just guessing at this, but I believe this is one of the pressures the textbook industry is facing. Certainly we can, and we have, and will continue to exert influence related to the content and the origin of the material that is available within the school system. Whether that, in fact, can inhibit or prohibit, shall we say, the sale of a Canadian publishing house to some American or other interest, Mr. Speaker, I really am not qualified to say at this point.

Mr. Pitman: A supplementary question.

Mr. Speaker: The hon. member for Peterborough has a supplementary.

Mr. Pitman: I wonder if I might ask a supplementary question, Mr. Speaker? In view of the fact that one of the reasons given for the sale was that there was such a great cost for educational research in Canadian textbooks—

Mr. Speaker: Perhaps the hon. member would ask his question rather than make a statement.

Mr. Pitman: Would the minister tell us whether it will be possible for The Department of Education to make such grants to a textbook company and thereby save these costs and thereby, perhaps, save the Canadian textbook company?

Hon. Mr. Davis: Mr. Speaker, it is a very involved subject. I think one would have to determine to what extent the development cost of a textbook is relevant to the economic welfare of a publishing house that is not doing specifically educational textbook work; and whether, shall we say, a grant from the department or from the government for X thousand dollars to develop a text, say, in mathematics, would enable a publishing house in this jurisdiction to maintain its total operation. Mr. Speaker, I am really not competent, once again, to say. From our standpoint, we are quite prepared to discuss, as my colleague will be, ways and means by which we can, with integrity, help to maintain the industry in this jurisdiction. We have no desire to see it go elsewhere.

Mr. Pitman: If I might just ask a further supplementary, is there any relationship at all between the Ontario Institute for Studies in Education and work being done in that institute and the textbook industry, which might involve some kind of a solution to this problem?

Hon. Mr. Davis: Mr. Speaker, I think here we would get down to a determination, shall we say: Personnel in the institute might be commissioned by a publishing house to prepare a textbook which in turn would be in some form an indirect subsidy because of the moneys allocated by this House to the institute. I just raise the question, Mr. Speaker, and I have not the answer as to whether or not that type of assistance would in fact make viable some of the publishing houses in this province. I cannot answer that question for the hon. member.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick (Riverdale): By way of a supplementary question, has the Minister of Education discussed with his colleague, the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence), whether either under The Corporations Act of Ontario or any other Act under the jurisdiction of his colleague, it would be possible to prohibit the sale or the transfer of these shares from residents to non-residents? If not, will he undertake to do so?

Hon. Mr. Davis: Mr. Speaker, I am quite prepared to discuss this with my colleague. I will not give an off-the-cuff opinion which is basically very legal in nature, but I would guess that two or three of the companies, at least, probably come within the scope of the federal legislation. But I am only guessing at this, and I would be delighted to discuss this with the Minister of Commercial and Financial Affairs.

Mr. Singer: By way of a supplementary, Mr. Speaker, in view of the minister's announced principles in this matter, is he or anyone in his department doing anything about the financial difficulties in which Co-operative Book Centre of Canada Limited presently find themselves and the apparent danger to many small textbook publishers that they may go under as a result of these financial difficulties?

Hon. Mr. Davis: Mr. Speaker, here again there is a problem. Not to get into great detail about the Co-operative Book Centre, which is a mechanism whereby the publishers, shall we say, get together on the marketing of some of their materials, it gets down to the question of whether or not financial assistance to the co-operative would in fact resolve what I think may be a more basic problem, and that is the viability of the Canadian publishing business. And not to become at all controversial—because to me this is a very important issue—part of this must relate to the attitude of the federal jurisdiction in these matters, and I think this is abundantly clear. To date it would appear that their attitude is that they really are not opposing some of these things happening.

Mr. Singer: But by way of further supplementary, in view of the fact that there is a meeting of creditors scheduled on October 13, which might well result in the disappearance by reason of financial pressures of several Canadian publishers, is the minister not going to make some move to help prevent this?

Hon. Mr. Davis: Mr. Speaker, I am not sure that the meeting on October 13 will in fact lead to the disappearance of several Canadian publishers. I think the problem will be in the marketing of some of the material.

Mr. B. Newman (Windsor-Walkerville): It is the same thing.

Hon. Mr. Davis: I am not sure that it is exactly the same thing, Mr. Speaker. But as far as the department is concerned, of course we are concerned and interested about it. I am not sure at this point whether in fact we can be of assistance, whether legally we can become involved, but of course we are concerned about it.

Mr. Speaker: There have been numerous supplementaries; I will permit one more. The hon. member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, could the minister not place on Circular 14, books which were published by firms that were predominantly controlled by Canadian interests, rather than allowing books to be on that list which are from straight American firms?

Hon. Mr. Davis: Mr. Speaker, once again one must look at this from the standpoint of certain textbooks that have been prepared by Canadians, by Canadian authors, that are being published, I guess technically, by American firms. Surely the hon. member is not suggesting that these books that are very basically Ontario or Canadian should not be available to the school system in this province. This has happened over the past number of years.

Mr. Martel: But the Canadian content—

Mr. Speaker: Does the hon. Leader of the Opposition have a further question? If not, the hon. member for Scarborough West.

EXPORT OF NATURAL GAS

Mr. Lewis: Mr. Speaker, a question of the Minister of Energy and Resources Management:

Has the Ontario government made a study of Ontario's future natural gas requirements prior to the sale of 6.3 trillion cubic feet of natural gas last week?

Hon. Mr. Kerr: Mr. Speaker, I think this question would be more logically referred to the Minister of Mines and Northern Affairs under whose jurisdiction the petroleum industry now is lodged.

Mr. Lewis: If I may so refer, Mr. Speaker.

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Yes, we have a series of studies taking place. These are on-going studies. The position of the Ontario government has been made known at the Energy Board hearings, and hopefully we will be able to make stronger and more vigorous representations as a result of certain governmental reorganizations that are taking place right now. Certainly this government has got a position on behalf of the people of this province to make at a hearing such as those of the National Energy Board.

In the past, some of these representations have not, perhaps, been made as vigorously as they should have, but in the future this will certainly be rectified. Our main concern in this province must be to make sure that the energy needs of this province are looked after, and looked after in a way in which an inflated price because of competition from other jurisdictions does not influence that price. These are certainly concerns and worries of this government.

I am sure my hon. friend is aware that the National Energy Board is a body that has to take in view the national picture as a whole and not just those views of any provincial government. But certainly the views of this government have been made known to the National Energy Board and will continue to be made known in a more vigorous fashion than they have been in the past.

Mr. Lewis: Mr. Speaker, a supplementary: I am unaware of the vigour of the previous positions so could the minister tell the House whether that position encompassed opposition to the sale of the gas?

Hon. A. F. Lawrence: We presented an alternative position. My understanding was that the position had been made known in the House. I shall check into that. If it has not been made public, I will make sure it is made public.

Mr. Nixon: But the minister knows what it is.

Mr. Lewis: Then the minister would table the report? His submission to the National Energy Board will be tabled in the House then?

Hon. A. F. Lawrence: Well, I am not so sure that it is a position that is in the form that should be tabled in the House. I certainly agree that it should be made public one way or another.

Mr. Singer: Have we got no right to know?

Hon. A. F. Lawrence: There are verbal representations made as well, as my hon. friend would agree.

Mr. Nixon: You mean oral.

Hon. A. F. Lawrence: Oral. I am sorry.

Mr. Speaker: Does the hon. member for Scarborough West have a further question?

LAYOFFS AND SHUTDOWNS

Mr. Lewis: Yes, thank you, Mr. Speaker. I have a question of the minister of Labour.

When does the minister intend to proclaim the regulations under Bill 96 which pertain to layoffs and shutdowns?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, the main provisions of Bill 96 were proclaimed as of October 1, including the garnishee clause and others. At the time I dealt with the bill in the House, I said that we would welcome representations in reference to matters of notice. We received a great many and those have been analysed and the regulations are being dealt with. I hope that I shall have the final draft on my desk very shortly. We have had a number of drafts and there are still problems, but it will be dealt with very shortly and proclaimed just as soon as we can.

Mr. Lewis: A supplementary, Mr. Speaker. I want to elicit a definition of "very shortly" since Karco Frigidaire, Quality Springs and several other plants have been affected since the debate in this House. How many more plants is the minister prepared to allow to shut down arbitrarily without the regulations being promulgated?

Hon. Mr. Bales: Mr. Speaker, I said I wanted the regulations proclaimed as quickly as possible, and I meant just that.

Mr. P. J. Yakabuski (Renfrew South): That is a good answer.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

SALE OF BEACHES TO NON-RESIDENTS

Mr. Lewis: Just one last question, Mr. Speaker, of the Minister of Lands and Forests.

Does the minister intend to introduce legislation dealing with the sale of private beaches to non-resident ownership during the course of this session?

Hon. R. Brunelle (Minister of Lands and Forests): This matter, Mr. Speaker, is under study, and there will be information on it as this session progresses.

Mr. T. P. Reid: A supplementary, Mr. Speaker: Could the minister indicate when this report will be ready—that it has been under study for some three years that I have been here now?

Hon. Mr. Brunelle: I do not know which report the member is referring to, Mr. Speaker.

Hon. Mr. Randall: The member will not have to wait long the way he is driving—

Mr. Speaker: The hon. member for Sudbury is next.

SALE OF NATURAL RESOURCES

Mr. E. W. Sopha (Sudbury): Thank you.

I should like to direct a question to the hon. minister of Trade and Development which I would otherwise have directed to the Prime Minister if he were here; but in light of the question asked by the leader of the New Democratic Party of the Minister of Mines, I should like to ask him whether this quotation in the *Globe and Mail* of Thursday, October 1, attributed to him, is correct.

I should like to ask him something about it. He is quoted as saying:

> "I firmly believe that when you have saleable resources and commodities, you sell them as quickly and as profitably as possible to the guy who has the need for them.
>
> "And you should create that need too," Mr. Randall said, in a speech prepared for delivery to the Union of Quebec Municipalities in Montreal.

I should like to ask him, first, if that is a correct quote; second, is that an expression of government policy; third, does he really believe that in respect of that statement?

Hon. Mr. Randall: Mr. Speaker, the hon. member should get a copy of my speech that I made in Montreal. I would be glad to send it to him. I covered not only the comments we are talking about here but many others.

I firmly believe that; and I am quite sure my colleague, the Prime Minister, voiced an opinion, yesterday I believe, that we should make sure that we sell our natural resources

that we cannot consume ourselves. And if there is any doubt in the member's mind as to whether we have a surplus—

Mr. Lewis: Well, that conflicts with what he said.

Hon. Mr. Randall: If there is any doubt in the member's mind as to whether we have any surplus, I think he should take a look at uranium—

Mr. J. E. Stokes (Thunder Bay): There is a cabinet split over there.

Hon. Mr. Randall:—potash, iron ore, wheat; take a look at it and ask yourself what you are going to do with it.

Mr. Sopha: A supplementary question: In light of what the minister has said, has he ever heard the aphorism attributed to the Duke of Wellington, when a man described him as Mr. Smith – he said: "If you could believe that, you could believe anything."

Hon. Mr. Randall: I do not get that other fellow's name. I presume he is dead, is he? I did not even know he was sick.

Mr. Speaker: The hon. member for Sudbury East.

DISPUTE AT LAURENTIAN UNIVERSITY

Mr. Martel: A question of the Minister of Education. Is the government of the Minister of Education willing to stand behind the mediation proposal of OCUFA in order to resolve the dispute at Laurentian University?

Hon. Mr. Davis: Mr. Speaker, a few moments ago I visited with members of the university community of Laurentian; I anticipate I will be meeting with another group tomorrow and I will have something further to say after the discussions are held, but not prior to that time.

Mr. Martel: If I might ask the Minister a supplementary question, if the board threatens to, or is going to resign over the mediation, as is being hinted at now, would the minister be willing to appoint a new board of governors so that the negotiation of all the problems can proceed forthwith?

Hon. Mr. Davis: Mr. Speaker, I am sure the hon. member knows me well enough now to know that to become involved in hypothetical situations at this particular moment in history is somewhat ridiculous. I have told him exactly what I intend to do and I really shall not have anything further to say until these meetings are over.

Mr. Speaker: The hon. member for Huron-Bruce.

DISCONTINUANCE OF PASSENGER TRAIN SERVICE

Mr. M. Gaunt (Huron-Bruce): I have a question of the Minister of Transport.

Does an appeal lie with the Ontario government with respect to a decision of the railway transport committee of the Canadian Transport Commission respecting the discontinuance of the passenger train service in the northern part of western Ontario?

Hon. I. Haskett (Minister of Transport): Yes, there is provision under The Railway Act for appeal from the Transport Commission to the Supreme Court of Canada in matters of law and jurisdiction and there is appeal as of right to the Minister of Transport for Canada. The copy of the decision and order of the Canadian Transport Commission railway committee on the Owen Sound-Toronto discontinuance applications of CN and CP reached me only yesterday. It is now being studied by our legal officers and if it should be decided that action, if any, should be taken, I would be happy to inform the House.

Mr. Gaunt: A supplementary, Mr. Speaker: Is it a correct paraphrase then to say that the department is presently studying the situation and will know within a day or two whether in fact it will appeal to the Minister of Transport in Ottawa or to the Supreme Court?

Hon. Mr. Haskett: Yes, that is exactly what I have said. We are reviewing the decision and order now, and when we decide what action shall be taken on it, I will be glad to inform the House.

Mr. Speaker: Any supplementaries on that? The hon. member for Grey-Bruce.

Mr. Sargent: By way of supplementary to the Minister of Transport, is there any doubt in the Minister's mind that he will not appeal this ruling?

Hon. Mr. Haskett: Mr. Speaker, it is premature for me to say. I would like to have time to look at the decision and order.

Mr. Sargent: Mr. Speaker, will the minister advise whether the whole matter was not a *fait accompli* before the hearings were even

started? The whole thing has been a joke on the Canadian people. What is the minister's feeling on this?

Hon. A. F. Lawrence: That is the federal government for you.

Mr. Sargent: It does not matter. It is a fact that this is a joke; nothing happened from the hearings at all.

Hon. A. F. Lawrence: Who appointed Mr. Pickersgill?

Mr. Sargent: It does not matter. Nothing happened as a result of the hearings.

Mr. Speaker: Order.

Mr. Sargent: And the minister made no representation on our behalf. We are cut off; we have no communication at all now.

Mr. Speaker: Order. The hon. member for Kenora.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Sargent: Let the minister answer.

Mr. Speaker: The question is improper. Are there any further—

Mr. Sargent: It is not improper.

Mr. Speaker: In my opinion it was improper.

Mr. Sargent: I asked the minister—

Mr. Speaker: I heard what the hon. member asked, and I rule it was improper.

Hon. Mr. Grossman: The member did not ask. He told the minister.

Mr. Speaker: The hon. member for Huron-Bruce has a supplementary.

Mr. Gaunt: A supplementary: Is there a cutoff date for an appeal with respect to the Act?

Hon. Mr. Haskett: Mr. Speaker, I am sorry I cannot answer that. I will let the hon. member know.

Mr. Speaker: Are there any further supplementaries on that question? If not, the hon. member for Kenora.

MERCURY CONTAMINATION OF WATERS

Mr. L. Bernier (Kenora): Mr. Speaker, I have a question of the Minister of Lands and Forests.

Will the minister publish information concerning the extent of mercury contamination in all waters where testing has been undertaken during the past few months? And will this include the Lake of the Woods and Lac Seul, where higher levels of mercury have been reported recently in the Kenora *Daily Miner and News*?

Hon. Mr. Brunelle: We have gathered considerable information during the past few weeks, and there is a possibility that sometime in the near future a public statement may be made giving information as to those bodies of water where the fish have been analysed, and it will probably contain information as to whether the species contain average levels over or under the accepted tolerated level of 0.5 parts per million. Of course Lac Seul and Lake of the Woods, being very important bodies of water in northwest Ontario, certainly will be included in this statement.

Mr. T. P. Reid: By way of supplementary, Mr. Speaker, may I ask—

Mr. Speaker: The hon. member for Rainy River may direct a supplementary.

Mr. T. P. Reid: Thank you, Mr. Speaker. By way of supplementary, can the Minister of Lands and Forests inform the House why there was a delay of some three weeks to a month before the Fishing for Fun posters, outlining the danger of eating contaminated fish, were posted in the Kenora district and those areas that were contaminated?

Hon. Mr. Brunelle: I believe it was due partly to the mail strike, Mr. Speaker.

Interjections by hon. members.

Mr. T. P. Reid: They had it in the office.

Hon. Mr. Randall: They dislike playing post office.

Hon. Mr. Brunelle: To my knowledge, Mr. Speaker, those posters were sent early last summer.

Mr. Speaker: Did the hon. member for Thunder Bay have a supplementary?

Mr. Stokes: Yes.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. I would like to ask the minister if he would undertake to get compensation for commercial fishermen who are adversely affected by

the mercury contamination from those responsible on behalf of the commercial fishermen or through the Fish Marketing Board?

Hon. Mr. Brunelle: I missed part of the question, Mr. Speaker. If the member is asking me if commercial fishermen can get compensation, as the hon. member knows, compensation is available in those areas that had been closed and application forms are in the hands of district offices.

Mr. Speaker: Are there further supplementaries? The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a supplementary: Why was the district supervisor of the fish and wildlife service branch in the Kenora area given orders during July that these signs warning against the eating of catch were not to be posted?

Hon. Mr. Brunelle: My understanding is that some signs were posted and that some local tourist operators felt that the signs did not meet with their approval. So, therefore, new signs were made and I understand that these new signs have been posted and that everyone is quite happy.

Mr. Nixon: So it was not the federal government that was responsible?

Mr. Speaker: Any supplementaries? If not, the hon. member for Downsview is next.

LLBO RULINGS ON WORDING OF OKTOBERFEST POSTERS

Mr. Singer: Mr. Speaker, I have a question of the Provincial Secretary in his capacity as the cabinet minister responsible to the House for the Liquor Licence Board. Does the minister agree with the efforts made by former Chief of Police Mackey, now Liquor Licence Commissioner Mackey, to preserve the morals of the Province of Ontario by reason of banning that horrible word "beer" from public posters and by reason of his ruling to exclude the picture of pretty girls on posters designed to advertise the Oktoberfest in Kitchener?

Mr. Nixon: Bring back Judge Robb.

Hon. Mr. Welch: Mr. Speaker, as usual the member for Downsview has a question loaded with all kinds of opinions and misconceptions.

Interjections by hon. members.

Hon. Mr. Welch: The chairman of the Liquor Licence Board does not consider himself the defender of public morals any more than I would think that the member for Downsview could assume that position.

Mr. MacDonald: But the minister has assumed it.

Hon. Mr. Welch: Let us get one or two things straight—

Mr. Singer: Yes, let us.

Hon. Mr. Welch: —about what happened in respect to the poster.

Mr. Singer: Yes, let us.

Hon. Mr. Welch: Why did you not return my telephone call? You called me.

Interjections by hon. members.

Hon. Mr. Welch: You were trying to make such political capital up there you forgot to answer the call.

An hon. member: He was afraid you had the facts then; he did not want the facts.

Hon. Mr. Welch: Let us get down to the facts about Kitchener-Waterloo.

Interjections by hon. members.

Hon. Mr. Welch: In the first place, the one group of people that is not disturbed with the ruling of the board happens to be the Oktoberfest committee in Kitchener.

An hon. member: Hear, hear.

Hon. Mr. Welch: Secondly, let us understand that nothing was done without full consultation with the committee who came to the board. Let us get that straight.

Mr. Singer: Consultation among equals?

Hon. Mr. Welch: The committee came down—I must say fairly late in the day—with the poster. I think you might well want to ask whether it was even their poster.

Mr. Singer: What has that got to do with it?

Hon. Mr. Welch: Just let me finish. You asked the question. I will be here in the House before too long with some amendments to The Liquor Licence Act and The Liquor Control Act and then the member will be able to exchange some views with respect to the policy. But in all fairness to those who have to enforce the Act—and you

would realize this if you had read it lately—the Act has a specific prohibition with respect to outdoor advertising.

Mr. Singer: Oh, oh.

Hon. Mr. Grossman: Well it does.

Hon. Mr. Welch: Whether or not you agree it should be there or not, it is there.

Mr. Sargent: It is pretty stupid.

Hon. Mr. Welch: It may well be.

An hon. member: And the minister probably voted for it, too.

Hon. Mr. Welch: You are not, surely, going to criticize an official of the board for, in fact, interpreting the law as it is presented to him to interpret at the moment?

Mr. MacDonald: No, we are criticizing the government.

Hon. Mr. Welch: Number 4, there was nothing about the girl in the decision at all. I have not even seen the poster.

Mr. T. P. Reid: Where is she now?

Hon. Mr. Welch: I have not seen the poster. I understand from the newspaper report that it is a very attractive young lady—

Hon. Mr. Grossman: A good-looking chick.

Hon. Mr. Welch: —urging people to come to what the poster says is an October beer festival.

An hon. member: Oh, that is terrible!

Hon. Mr. Welch: The people running the festival in Kitchener resent it being called a beer festival in the first place because it is a harvest festival known as Oktoberfest, and to pluck out one particular activity—after all they eat sausages, they have special foods, they have dances, ethnic clubs—why all of a sudden do we zero in and talk about it as a beer festival?

All I want the hon. member to understand, in answer to his question, is that we will have an opportunity to discuss whether or not the regulations and the legislation should be changed.

Mr. Singer: The minister is supporting advertising without any resort to appropriate statutory authorities.

Hon. Mr. Welch: No, we are not.

Mr. Singer: Sure you are.

Hon. Mr. Grossman: The member has not read the Act. He had better go to a QC and get some information.

Hon. Mr. Welch: It becomes a very interesting matter of exchange of opinion as to how far you want to amend the present regulations to permit outdoor advertising of beverage alcohol. It is as simple as that. The posters are up in the licensed establishments, the hotels and clubs, of Kitchener. They are not out on the streets and they are not in store windows because The Liquor Control Act talks about outdoor advertising.

Hon. Mr. Grossman: The hon. member for Downsview used to give the chief commissioner hell for not cracking down on the advertising. I will prove it to the hon. member.

Hon. Mr. Welch: I am looking forward to going to Oktoberfest. I can assure you that through the courtesy of the Liquor Licence Board of Ontario they have received $500,000 worth of free publicity by the exchange that has gone on; therefore, far more people now know about Oktoberfest. We are going up there, and I am meeting with the mayor because I think the point that should be made is that with all of the new Canadians coming to this particular jurisdiction and bringing with them many of the customs of their former lands, we should have a look at our regulations to make sure they accommodate this type of festival.

When the member for Waterloo North (Mr. Good) says that I had better travel incognito, I do not have to travel incognito because I am quite satisfied that the Oktoberfest committee in Kitchener thoroughly understands and agrees with what has happened up to now, and we are looking forward to a most successful Oktoberfest in Kitchener.

Mr. Singer: Mr. Speaker, by way of supplementary, I wonder if the Provincial Secretary could advise me of the date and the order-in-council number of the regulation to which he referred, because I do not think there is any such one. Was the minister listening or was he looking at the poster?

Mr. Nixon: Hold it up and let us have a look at that girl.

An hon. member: Very pretty!

Another hon. member: Even the beer looks good.

Mr. Singer: Mr. Speaker, I am going to have to repeat my supplementary for the

benefit of the minister. Could the minister advise the number and the date of the order-in-council? Is he going to listen or is he going to display the poster?

Hon. Mr. Welch: I am looking at the hon. member.

Mr. Singer: Could the minister advise the number and the date of the order-in-council that passed the regulation he refers to, the one about controlling outdoor advertising?

He keeps those at his fingertips at all times.

Hon. Mr. Welch: It is not a regulation. It is a statutory section in The Liquor Control Act.

Hon. Mr. Grossman: And you probably voted for it.

Mr. Singer: Is the minister not aware that the control of liquor advertising is not done by the statute but by the threat not to keep stuff on the shelves in the liquor stores?

Hon. Mr. Welch: Mr. Speaker, it is section 93(1)(c) in The Liquor Control Act which has a specific prohibition with respect to outdoor advertising.

Advertising a beverage alcohol in Ontario, which rightly or wrongly, is a matter of opinion, is restricted at the moment to radio and television, which comes under the jurisdiction of the federal broadcasting authority, and to printed material such as newspapers, magazines, and periodicals and other indoor advertising. There is a specific prohibition for liquor advertising on billboards or what I refer to as outdoor advertising.

Mr. D. A. Paterson (Essex South): What about trucks?

Hon. Mr. Welch: The Liquor Licence Act allows the tavern to have its sign and, of course, the breweries to have their own particular corporate signs on their vehicles. But that is it.

Is it to be extended and, if so, how? I assure the hon. member that he will have ample opportunity to discuss this. What is far more important to me is the meeting I am going to have with the mayor of Kitchener.

In view of this, I think it is very interesting that this matter has developed, to have this type of public discussion. I only wish that the public discussion was based on the facts as they are, rather than attempting to hold up the chairman of the Liquor Licence Board as if he was a great defender of public morals. The man simply has to enforce the Act which this Legislature gives him to enforce. I think we should be fair to him in that regard; and think in terms of the changes which are being made in our social customs and in the introduction of festivals such as these and in our whole attitude toward this, to make sure that our laws and our regulations reflect that. I think this is what we constantly have to satisfy ourselves that we are doing. I can assure you that as long as we can have that type of discussion in that light, that is fine, but let us keep things as facts.

Mr. Breithaupt: A supplementary if I may, to complete this tempest in a beer stein: Could the minister convey to Mr. Mackey the thanks of the citizens of Kitchener and Waterloo for the marvellous publicity he has given us because of having to enforce this unfortunate regulation?

Mr. Speaker: The hon. member for Thunder Bay.

TRANSFER OF TIMBER LICENCES IN QUETICO PARK

Mr. Stokes: I have a question of the minister of Lands and Forests.

Would the Minister of Lands and Forests inform the House whether it is mandatory, in transfer or sale of timber rights from one company to the other, for the department to be brought in on these negotiations or made aware of them? To what extent does the department become involved?

Specifically, in the case of the proposed transfer or the finalized transfer of timber licences in Quetico Park from Domtar to Ontario-Minnesota paper, will the minister table in the House that agreement of the transfer of timber licences, if such has taken place?

Hon. Mr. Brunelle: Mr. Speaker, the transfer of licence depends on each licence. Some are short-term licences; some are long-term licences; some do not require approval. In this particular case, we are looking into it. The matter is still being studied by our people as well as by the two firms that are represented.

Mr. Stokes: As a supplementary, is it possible to transfer the timber rights in a provincial park without some degree of participation by The Department of Lands and Forests which has a very rigid policy with regard to timbering in provincial parks?

Hon. Mr. Brunelle: We are usually consulted, Mr. Speaker. In this particular case we have been consulted and we are studying.

Mr. MacDonald: By way of supplementary—

Mr. Speaker: There are numerous supplementaries, I believe, over here.

Mr. T. P. Reid: By way of further supplementary to the minister, is it possible to provide sufficient limits outside Quetico Park to guarantee the on-going working of the mill at Sapawe, under the name Jim Mathieu Lumber? In other words, can timber be found outside the park to guarantee the progress of the mill at Apawe and thereby do away with lumbering in Quetico Park?

Hon. Mr. Brunelle: I would say, Mr. Speaker, this matter is also being looked into. If it was possible to find timber outside of the area, I am sure that we would consider a modification of the present licence.

As the hon. member knows—he is a member of our advisory committee—I am sure that this is one of the matters that his committee must be dealing with in the near future.

Mr. T. P. Reid: I raised this two years ago with the minister's department.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: By way of a supplementary question, when I checked with the department last week I was assured that if there was any trafficking in licences—that is my phraseology—that it cannot be in terms of the timber limits themselves, as opposed to improvements that the previous holder might have put on, it must have the approval of the department. The minister indicated that it might not always be required. Who is right; the word I got from his department last week, or his suggestion now?

Hon. Mr. Brunelle: Mr. Speaker, supposing there are no assets? If it is just a transfer of limits from one company to another where no assets are being transferred, it is practically automatic. When there are assets—if there is a saw mill and equipment—then, of course, we are very careful to see that there is no trafficking of the licence and that is why, in this particular case, we are looking into it.

Mr. MacDonald: Mr. Speaker, by way of clarification, the assets that the minister is concerned with are the timber limits, not the improvements, that may be subject to a deal between the present owner and a prospective buyer? The assets that he is concerned about are the timber limits. Does he not intervene and make certain that those timber limits sales are approved by himself or his department?

Hon. Mr. Brunelle: Mr. Speaker, we charge stumpage use and ground rent and these are the revenues that we obtain. If we feel that there is trafficking going on—suppose that the assets are worth $100,000 and they are being sold for $1 million, 10 times the amount—then we feel that there is trafficking, of course, we step in, and we do not allow this.

Mr. Lewis: By way of supplementary, Mr. Speaker, in light of the early discussion around Gage, does the minister not think his department might intervene on the basis of the transfer of the licence limits from Domtar to Ontario-Minnesota, which is a wholly owned subsidiary of Boise Cascade, another multi-national corporation in the pulp and paper field?

Hon. Mr. Brunelle: As I mentioned, Mr. Speaker, this whole thing is being given careful review. It is quite possible that we may change the existing licence. There could be modifications, and we may provide, say, a volume agreement. In the northwest end of the park Ontario-Minnesota has a volume agreement.

The other licence in question is, I believe, a five-year licence that was given to Jim Mathieu and the assets were taken over by Domtar. I understand now they are in the process of transferring to Ontario-Minnesota. If we feel that this is detrimental to the values of the park, whereby recreation is the main purpose of that park—if we feel that it is detrimental, we can easily modify, we can cancel a licence, or we can issue a volume agreement, or we can try to find wood outside the park.

We must keep in mind at the same time that these licences were given in good faith—that there is a $40 million mill expansion at Fort Frances; that there is another community at Sapawe that has a sawmill, where the people of that area depend on this, so that is why all these things are being considered.

Again, I must repeat that recreation, of course, is the prime value of the nice recreation area of Quetico Park. I am sure with the knowledge we have of the park, with the advice of the advisory committee that was established about two months ago, I am quite confident that we can find a satisfactory solution to this contentious matter.

Mr. Speaker: This completes the oral question period.

Hon. Mr. Grossman: On a point of order, Mr. Speaker, I think there is a stranger in the House. Would you ascertain whether the gentleman sitting in the seat of the hon. member for Windsor West, is in fact the member for Windsor West (Mr. Peacock)?

Mr. Speaker: I determined that earlier.

Petitions.

Presenting reports.

Hon. Mr. Welch presented the following reports:

The 1969 annual report of the Hydro Electric Power Commission of Ontario.

The 23rd annual report of the Liquor Licence Board of Ontario, March 31, 1969.

The 1969 annual report of the Civil Service Commission.

Hon. Mr. Yaremko presented the 39th annual report for The Department of Social and Family Services for the fiscal year 1969-1970.

Mr. Speaker: Does that complete the reports?

Motions.

Introduction of bills.

THE VITAL STATISTICS ACT

Hon. Mr. Welch moves first reading of bill intituled, An Act to amend The Vital Statistics Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Welch: Mr. Speaker, it is proposed to make a number of amendments to this particular Act which would serve to remove certain redundant provisions, and at the same time to change others in the interest of some improved administration.

THE DAY NURSERIES ACT, 1966

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Day Nurseries Act, 1966.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, by that bill, Indian bands are placed upon the same footing as municipalities for the purposes of grants respecting day nurseries.

THE GENERAL WELFARE ASSISTANCE ACT

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The General Welfare Assistance Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, that bill provides that an Indian band may form part of a county for the purposes of administering assistance under the Act.

THE DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, under the bill, provision for the administration of welfare services by a board may be extended to an Indian band, and further provisions of the bill relate to the expenditures of a district welfare administration board generally.

THE JUDICATURE ACT (1)

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, this bill implements the recommendations of the Rand report concerning labour injunctions.

THE JUDICATURE ACT (2)

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill requests the appointment of one additional judge for the high court, which will increase the number from 30 to 31.

Mr. Singer: Only one? That is not much room for us.

Hon. Mr. Wishart: We asked for four earlier in this session, Mr. Speaker, and that bill was passed, so this is five altogether.

THE STATUTES REVISION ACT, 1968-1969

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Statutes Revision Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, I think perhaps a word of explanation is necessary here in connection with the revision of the statutes, which is the 10-year revision to bring the statutes, all the law, together, for the period since RSO 1960 up to the end of this year, December 31, 1970.

It would have been possible to have done that and have that law compendium complete and printed except for the fact that we are carrying on with legislation in this House and this session will probably carry on and pass legislation well up toward the end of the year. So it is not possible to have RSO 1970 containing the law to December 31, 1970 printed by December 31, 1970. So that at the session next year, which it is anticipated will carry on legislation, it will be necessary to make reference to the yearly statutes—the Statutes of Ontario—between the years 1960 and 1970 and refer to a certain Act, for example, as Statutes of Ontario 1965 or 1966.

It is anticipated that RSO 1970, due to the fact that we legislate to the very end of the year, will not be printed perhaps until the middle of 1971. Therefore, Mr. Speaker, to enable the persons charged with the revision of the statutes to make the necessary changes in our legislation in 1971, this bill is presented.

THE REGULATIONS REVISION ACT, 1968-1969

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Regulations Revision Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, the same or similar explanation applies to this bill as to the previous one. The Statutes Revision Amendment Act will enable the commissioners doing the revision to make the necessary changes in legislation we may pass early in 1971.

THE MILK ACT, 1965

Hon. Mr. Stewart moves first reading of bill intituled, An Act to amend The Milk Act, 1965.

Motion agreed to; first reading of the bill.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, the purpose of the amendment is to clarify the authority of the Milk Commission of Ontario in order to make certain moneys are paid for the minimum prices on milk.

Mr. Speaker: Orders of the day.

THE LABOUR RELATIONS ACT

Hon. Mr. Bales moves second reading of Bill 167, An Act to amend The Labour Relations Act.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, I would like to make one or two brief comments at the outset of this debate to assist the hon. members in their discussion. I would like to deal with matters of procedure, at this particular time.

It is my intention to refer this bill to the standing committee on labour at the appropriate time. This is a complex document and its detailed ramifications, in my view, require this kind of consideration that may be given to it in the standing committee.

Mr. R. F. Nixon (Leader of the Opposition): Was it ever considered that it would not be referred?

Hon. Mr. Bales: Not in my view, it had not. I wanted to make it clear.

Since introducing the bill I have received a number of representations and seen various people expressing their views. I will look forward to receiving the views of the members of this House, that they may join with me in making the final decisions, in this significant piece of legislation. I do not propose to go into details in reference to the bill at this time because I will do so at the end of the debate after the various comments have been made.

I do want to indicate now that I am planning, at a later stage in the bill, to introduce certain amendments designed to ensure that the meaning of certain sections of the bill is clear. There are certain other matters that will remain under consideration and may be dealt with at a later stage in the debate or in the process of the bill.

In making these brief remarks, I want to emphasize that the bill, in the government's view, should not be interpreted as anti-union, or pro-labour, or vice versa. The bill is a result of a most careful study of reports and representations made on our industrial relations system, together with an analysis of specific problems that have arisen, many of them being types that affect the rights of individuals.

The bill throughout takes its cue from the proposed preamble in that it does support and facilitate free collective bargaining between employers and trade unions.

Mr. Speaker, I would like to hear the debate as it proceeds and I shall speak again at the conclusion of the matter.

Mr. C. G. Pilkey (Oshawa): Mr. Speaker, on a point of order.

Mr. Speaker: Yes.

Mr. Pilkey: Could the minister tell us what amendments he proposes before we go into the debate? I mean, we are going to be debating—

Mr. Speaker: This is not a point of order. If the minister wishes to—

Mr. Pilkey: Well, point of information.

Mr. Speaker: Does the minister wish to make a further statement?

Mr. Pitman: The debate becomes irrelevant.

Hon. Mr. Bales: Mr. Speaker, there are a number of procedural or interpretive amendments which will come forward. There may be others, and there may be amendments of a general—

Mr. J. B. Trotter (Parkdale): Do you not know what you mean by "may be"?

Mr. Pitman: The debate becomes irrelevant.

Interjections by hon. members.

Mr. Speaker: Order, please! Second reading is debating principle of the bill, so there is no change in principle.

Mr. S. Lewis (Scarborough West): Mr. Speaker, on a point of order. The minister stands to lead off and says there will be specific amendments. He now concedes there will be general amendments and he expects us to discuss the principle of the bill.

Can he not indicate, at least where the amendments will fall?

Hon. Mr. Bales: Mr. Speaker, there are certain specific amendments which are being drafted, as I said in my original remarks, to make sure that the meaning in the sections as it is presently written is clear.

Mr. Lewis: Like affecting a legal strike, I suppose.

Hon. Mr. Bales: Those do not affect the principle of the bill. There are certain other amendments which are under consideration and on which a final decision has not been made which may tend toward the principle of the bill. On those I wish to hear the views of the members of this House, as well as others.

Mr. Speaker: Order, please! On second reading it is the principle of the bill only, not the specific details. Therefore, if there is no amendment affecting the principle of the bill, it is not appropriate to mention those at this time.

Mr. J. Renwick (Riverdale): But, Mr. Speaker, on the same point of order, if I may!

This is a bill which is amending a lengthy statute in a number of particulars. There is no such thing as a single principle of this bill; there are a number of principles incorporated in the bill.

The members in this party, and I am sure the members in the party on my right, have spent a considerable amount of time trying to understand the meaning and effect of certain sections. We had great difficulty in understanding them because of the lack of clarification. The minister now stands up and says that he is going to clarify the very sections to which we are going to devote a considerable part of the debate, if my guess is right.

Now surely it makes perfect sense for us to ask, as a point of order in the expeditious work of this Legislature, that the bill be stood down until the minitser is prepared to furnish us with the amendments which he well knows are going to be introduced. Otherwise, as the leader of this party has said, we are just engaged in irrelevant talk and we have not got the time. We might adjourn now for an hour until the minister can come and bring them back.

Mr. Lewis: Tom is under the gallery there.

Mr. Nixon: I must support—if I may speak to the point of order, sir, with your permission—I must support what the hon. member for Riverdale has said.

It is extremely peculiar and irregular for the minister in his remarks introductory to second reading, to indicate that the bill we are going to discuss for the rest of the day, is not in fact the bill which eventually he is going to put before the House for our final consideration and approval.

I would agree that if he is considering certain amendments, we might very well proceed with other business until he is prepared for us to consider the bill that he, as a responsible minister, wants to take to his ministry for administration.

Mr. Speaker: Order, please. There has been nothing done so far which is out of order. The debate should continue on second reading of the bill, which is the debate on the principle of the bill.

I will hear the speaker from the Liberal Party. The hon. member for Dovercourt.

Mr. J. Renwick: Mr. Speaker, we in this party wish to challenge the ruling on the bill.

Mr. Trotter: Which ruling?

Mr. J. Renwick: That we proceed with second reading of the bill.

Mr. Nixon: Well, surely, Mr. Speaker, before you proceed with the challenge, on a point of order, it lies within the power of the Minister of Labour to clarify this. What we are asking for is simply his description, as the responsible minister, of the changes which he expects to bring in.

I consider it highly irresponsible for him to suggest that certain changes may be made without describing them. I would hope that as a result of arguments put forward in this House, certain changes would be made. But if he has accepted changes already then we should know about them and then we could proceed.

Hon. Mr. Bales: Mr. Speaker, I said at the beginning of this discussion there were certain amendments which we would draft and bring forward, at the standing committee or at later stages in the bill, which would simply clarify, if they needed to be clarified, the existing or remaining sections. I am not dealing with changes in principle. I have not said to you: I am bringing in amendments where a change in principle is involved.

All that is involved is certain changes in wording and additions to wording, but nothing to do with a change in principle. If there were, I would tell you now, but it is not the case. Those changes are not finalized. We wish to go ahead, and in this discussion we will deal with matters of principle.

Mr. Lewis: Mr. Speaker, on a point of order, what, may I ask through the Chair, is the meaning of the conspiracy? If you have simple amendments now drafted, as you have indicated to the House, then why not simply reassure the members of the opposition and tell us which sections they are applied to. We will take a quick look at the bill—it will not interrupt proceedings for more than three or four minutes—and be satisfied on these matters.

Our problem in debating the principle is that every section contains a separate principle, much of it without clarity. And if you are not willing to introduce that clarity we would like to know about it in advance; otherwise why the debate?

Mr. Speaker: Order, please. The Chair is not convinced that there has been any point of order. No change in the principle of the bill has been announced and therefore the debate should continue as called.

The member for Riverdale did start to challenge the Speaker's ruling. Is it still a challenge or shall we proceed?

Mr. J. Renwick: No, Mr. Speaker. I will withdraw the challenge made in a moment of exasperation about the question of the point of order. But the very heart of the debate for the next two, three, four hours, is going to be on the ambiguous nature of certain of the provisions of the bill.

It is not a question of whether the minister stood in his place and said he was going to change the principle; he did not say that. What he said is that he is going to introduce clarification which will remove the ambiguity. Why waste the time of the members on this side of the House in discussing matters which he knows are ambiguous and which he is going to change?

Is there any way under the rules of the House that we can get this matter settled so we do not waste our time and the time of the House?

Mr. Lewis: Could we not amend the minister?

Mr. Speaker: The Speaker rules that the debate should continue on the principle of the bill as called.

The member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, speaking on this bill, I think the fact that the debate has gone on for the last 10 or 15 minutes just proves the point that I am going to make in criticizing this bill in principle.

Firstly, Mr. Speaker, the bill is unclear as to principle. It is unclear as to its specific applications in the public interest. And when we examine the public interest, Mr. Speaker, we examine the whole gambit of the public. The public consists of labour unions; the public consists of employers; the public consists of people other than labour unions and employees. And when we consider this bill in principle, we must consider the public interest.

I think, Mr. Speaker, that this bill has attempted to solve some very serious problems, particularly in the construction industry; and if I may for a moment, I would like to concentrate on that.

There are many people who seem to think that there is real chaos in the construction industry. Of course they point to a series of lockouts and a series of strikes, and of course they also point to the so-called inordinate wages received by construction workers.

But I submit with respect that as we examine the principle of this bill it does not do what it is attempting to do.

In considering free collective bargaining, Mr. Speaker, we must consider it in the ambit of a free economic system. In Canada and in Ontario we operate in a free economic system, and it goes without saying, Mr. Speaker, that labour and management have the right to operate in a free economic system without interference from government.

I have referred to both sides, Mr. Speaker. I refer both to management and to labour, and that there should be a minimum of interference by government in the free collective bargaining process.

I would like to point out to you, Mr. Speaker, that in countries that are not free there is no free collective bargaining. And this is the very essence of a democratic society—that workers and management get together and work out their problems.

There is no doubt that the dialectic has taken over in many aspects of the labour union movement, but this is part of the game. The dialectic exists in our society and it is there to stay.

There are going to be fights, Mr. Speaker; there are going to be lockouts; there are going to be strikes. But after all, this is part of our free democratic, free enterprise system, and there is no doubt, Mr. Speaker, that both parties must deal from strength. They must deal from the right to lock out, and the right to strike. You take that away from the labour unions and you take out the basic weapon that they have in order sometimes to enforce an agreement on the employers.

There is no doubt that the employers have an economic hammer that they can use to knock people out and they use the fact that the workers are not getting their daily wage in order to force them back to work.

Now if we examine it from that context, Mr. Speaker, it is a battle; it is a fight between two groups. And that is my preamble, that when we consider labour-management relations as of today, there are systems in the world like the Swedish system where they try to alleviate this system. They have employer and worker associations that work closely with government and consider the cost of living and many other factors. They consider closing of plants, the efficiency of plants, and we are unfortunate in that we do not have this system here, but I trust that someday we will.

Mr. F. Young (Yorkview): If you get the right government you will.

Mr. De Monte: Yes, a Liberal government.

I might point out that Sweden, Mr. Speaker, is not a socialist government. It is a progressive Liberal government that deals with all factors of society with an even hand.

I would like to say, Mr. Speaker—

Mr. M. Makarchuk (Brantford): Next election you will be saying look at the socialists in Sweden.

Mr. De Monte: Well, that is a point we should possibly make in this party, Mr. Speaker; we are not socialists, and we will never be socialists. And I am happy, you know, Mr. Speaker, I am quite happy with the man they chose to lead them. I am sorry, they brought it up.

You know, in court if you bring up a point you are allowed to debate it. They have got a leader that is a socialist and that will set up the polarization, and we certainly want to fight that battle in the next election. And we are not afraid of that fight, Mr. Speaker. They may be; we are not.

It might be that the pseudo liberalism that has gone on in the past in that party is going to be replaced by the socialists.

Mr. E. W. Sopha (Sudbury): In fact, there are going to be wholesale defections from that party and at this session.

Mr. De Monte: When we consider this bill, Mr. Speaker, as I said before, we must consider the public interest. I cannot stress that point too strongly. It is in the public interest that there be free collective bargaining with a minimum of interference by government and a minimum of impositions by government or commissions in order to impose arbitration on a particular industrial dispute.

There is no doubt in this bill that the minister is attempting to introduce the Rand report. I do not think he has the guts to bring in the Rand report, because he knows that probably would defeat his government, but he is going to bring it in piecemeal. He is going to bring in the special inquiry commission. He is going to tell the commission what industrial disputes to report on and then he will tell the commission what to do in a particular case when he decides to impose arbitration.

Mr. Speaker, if we are going to have enforced arbitration—and I suggest that this Act is just the thin edge of the wedge on imposed arbitration—I suggest that the special inquiry commission is the device that the minister is going to use when he gets into a bit of hot water in an industrial dispute to impose collective bargaining on an industrial dispute.

Look at the preamble of the bill in principle. It does not say anything; it is a platitudinous statement that means nothing whatsoever. My colleague from Sudbury will expand on that but I trust I can just put one concept before you.

Mr. Makarchuk: And he is quite capable of platitudinous statements if I know him.

Mr. De Monte: That fellow is speaking again, Mr. Speaker. On that other row down there. My friend always has something to say but it never really contributes much to the debate. And may I say—

Mr. Makarchuk: If the hon. member meant his colleague from Sudbury, he is right.

Mr. De Monte: May I say that my colleague from Sudbury at least gets to the crux of the argument, with the incisive mind that he has. Now, the preamble—the hon. member knows what preamble means, I hope.

Mr. R. Gisborn (Hamilton East): That is the Liberal Party, a preamble.

Mr. De Monte: Well, I am on a preamble. I trust the hon. member will have the courtesy to listen to my preamble.

I suggest, Mr. Speaker, that the preamble is a platitudinous nothing. Why? Does it take into consideration the rights of the workers to bargain and be represented by the agent of his choice? All the preamble says is that people have the right to get together and do something.

The Wagner Act in the United States is considered by the labour movement in the world to be just about the proper and most incisive definition of the rights of workers and of employers to be represented by somebody for the purposes of improving hours of work, wages, conditions of work and so on. I think that the minister might look at that Act if he has not done so, or perhaps have his deputy minister take a look at it; I suggest it would be enlightening if he did.

In this party, in the official opposition, Mr. Speaker, we believe that both the workers and the employers have the right to bargain collectively through representatives of their choice.

An hon. member: Is that what the statute says?

Mr. De Monte: In any event, I want to point out that it is important—and I think the labour unions agree to this—that both sides have the power to deal. In other words, unions are not afraid of big, mammoth employers. They like to take on the big people; they like to take on GM. They are sometimes at a disadvantage when they take on a little worker, because they know that the large employers will respect them as unions. There is no doubt that General Motors has great respect for the UAW, and there is no doubt that each side uses all its economic force to try to negotiate an agreement that it thinks is proper for itself.

There is nothing wrong with the concept of employer bargaining units or, as they are called in the bill, accredited employer associations. All the unions are asking is that this concept be properly applied in the case of the construction trade workers. They just want the power on the other side to be able to deal with that power in a proper way. Do you know that the employer wants the bargaining unit to be a viable bargaining unit? The unions have never said, "We do not want employer bargaining units." All they have said is, "We want employer bargaining units that can bargain in good faith; that one man cannot run off and make a separate deal."

The unions are not against multi-bargaining. They are not against bargaining on the same day. They are not against a particular trade union giving up its bargaining to a council of trade unions; they are not against that. But this bill does not ensure that either side can bargain properly, particularly the employer bargaining unit. The minister sets up a great big technique to set up an employer bargaining unit, and by section 103(3) completely destroys the viability of that bargaining unit.

Mr. Sopha: He castrates it.

Mr. De Monte: He castrates the bill. By one subsection of the Act he castrates the bill. Why? I can understand why he wants to amend certain parts of the bill. He says he is not going to amend it in principle, but I suggest that he should amend this principle. He has just castrated the whole tenor and intent of the bill as it deals with the accredited employer associations. And, Mr. Speaker, I simply cannot understand it. Our party simply cannot understand when he gives with one hand and takes away with the other.

His argument is going to be that since the employees have a right to go and work somewhere else, the employers have a right to go on and carry on business somewhere else. But that has been the problem with the employer bargaining units. They have been in existence for about 17 years on a voluntary basis and the problem is that an employer will take off suddenly on the bargaining unit and settle, and that is it. This means the employer bargaining unit is not a viable bargaining unit.

The other aspect of the bill is that the employer can create a union company and a non-union company and could be a member of an employer bargaining unit and at the same time be carrying on business somewhere else with non-union labour. Is this a viable alternative to what exists now? It is not. It is the same thing; we are just giving it sanction in law. We are going to force people to belong to a bargaining unit, and I wonder if the small contractor is going to be able to withstand the pressure.

Companies like Pigott and Foundation have operations all over Canada and sometimes out of the country; those people will not get hurt. The contractor broker who employs about five people and puts up millions of dollars of buildings will not get hurt. But I tell you this: They will insist on certain things going on in those bargaining units. They will not care because they will have other operations in other places.

It is conceivable under this bill that if an accredited employer association in London locks out its people or is on strike, then an employer can come over to Toronto and carry on business. There is nothing to stop him. This bill does not solve that problem. There is no doubt about it. Furthermore, it can create competition between areas.

Why is the minister not considering province-wide bargaining or industry-wide bargaining? Why is the minister not considering multi-bargaining situations? The CIO have been doing that for many years; one union represents all trades in a given plant. There is no doubt that all the trade unions, through their union agents, can sit down at a table and bargain with the employer association. But make them both viable. Make the employer association stay in the association and do not let them bounce off.

As you know, in the construction trades we have bricklayers, plasterers, steamfitters, pipefitters, concrete pourers, ironworkers—we have a trade for every specific thing done on a building. Will there be an association of plumbing contractors dealing with one trade union of plumbers or does the bill envisage all the trade unions in the district dealing with all the contractors in a district? That is not clear in this bill and as a matter of fact, it makes it easier for the splintering into different bargaining units dealing with different unions.

I think the answer to the problem, Mr. Speaker, is, if we could have it, that we have province-wide bargaining or area-wide bargaining with all the trades, every one of the trades, so that they can all sit down at the same time, come to some conclusion, and then settle what is going on. This bill is not going to stop strikes. Take a look at the situation out west. Has that stopped walkouts and strikes? It is obvious, Mr. Speaker, that this legislation has not been clearly thought out.

The minister admits that he has got to amend some of it, to clear up the language, but he is not going to clear up the principle. It is the principle that counts. The principle is that you are going to force bargaining units on the construction industry in Ontario that will not have any effect on the chaos, the so-called chaos, that exists today.

It is interesting to note, you know, Mr. Speaker—and in this party we like to maintain an even balance, we have to look at the public interest so we much maintain an even balance—I suggest that there are certain anti-union people in this province. It is obvious by reading some of the newspapers

but I just wanted to show you one thing. The first excuse is chaos; walkouts or strikes. The second excuse for this type of legislation is the so-called inordinate wages received by the construction industry in Ontario.

You know I do not understand why the construction trades unions do not get down to some hard facts and improve their public image and their public relations to tell the people of Ontario what are facts and not fiction. I say to you, Mr. Speaker, that the newspapers had better start printing facts instead of fiction so that the people of this province will know what the facts are. Some newspaper reporter prints what he thinks are the facts but in some cases, Mr. Speaker, with the greatest of respect to the newspapers, we do not get the facts. Now here is a fact.

In Canada, Mr. Speaker, industrial wages in 1969 were $121.55 per week. I do not know what that works out per month, per year, but that is a fact. The average industrial wage was $121.55. What is it in the construction trades unions and construction trades? In 1969, it was $154.83—a little over $3 per hour. It adds up to about $8,000 per year which is not even sufficient to qualify for an NHA home.

This is the average wage of a construction worker and we have got to balance these things when we consider this type of legislation. We cannot be stampeded. We have to examine legislation in the public interest and we must make sure that what we are sitting here examining and passing is in the public interest. We cannot be stampeded by someone saying "The electricians are making $8 an hour". There are some construction workers who are making $2 per hour. If we let some trade unions take over —and I do not want to mention their names here but I suggest there are many people who know who I mean—they might get less than that. The sweetheart outfits, the unions that do not really care about the rights of labour as long as they become certified and wield power.

Now, the accredited employers' association, what is that? No, pardon me, I am talking about the special inquiry commission. What is that? I think it is defined in one subsection of the Act or two subsections of the Act. All it says is the minister can appoint a special inquiry commission. Does he give it any powers? No. Does he give it any terms of reference in the Act? No. Does he say it is a board to conciliate an industrial dispute? Does he say it is a board to enforce arbitration on an industrial dispute? Does he say it is a fact-finding statistic-grabbing commission? No. He just sets up a commission, without any terms of reference, but I suggest to you, Mr. Speaker, that the commission will do exactly what the minister wants it to do.

He will set it up in every particular industrial dispute that he thinks might be getting in his hair. He is not going to solve it, Mr. Speaker, by bringing in the Rand report. He is going to solve it this way; he is going to say "Well, I do not like that particular strike so I will appoint a special inquiry commission and that commission will do what I say." Then it will make a recommendation that is going to be compulsory arbitration and that will be the end of it. The parties will arbitrate and that will be it. That will be the end of the free collective bargaining system as we know it in Ontario.

There is no doubt in my mind, Mr. Speaker, that the workers and the employers usually like to be left alone in their industrial disputes. They can pretty well handle them and the only thing that causes real industrial disputes, Mr. Speaker, is lack of proper legislation that sets out the terms of reference by which workers and employers can negotiate properly. It should be with a minimum of interference from government. If we are going to live in a free economic system—a free economic system works on the side of the worker, too, and not only on the side of the employer—I say to you, Mr. Speaker, that the special inquiry commission in this Act (and I do not agree that it should be in; I do not agree that is going to solve anything at all) I suggest to you that is just a sneaky method to introduce compulsory arbitration in this province.

If we want to look at compulsory arbitration, we ought to go to Australia where it simply has not worked. It simply has not worked. Do you know, Mr. Speaker, that in Australia they have compulsory arbitration and they have more strikes than we have in Ontario? Not Canada; Ontario. Now it is incumbent upon the minister, Mr. Speaker, to look at the labour relations in the public interest. I am not saying that he has got to take the side of the unions or the side of the employer—as a matter of fact, he should pretty well stay out.

But I am not saying that he should favour either side. There is a vast area of public interest that he has got to consider and not the public interest of either the union or the management. He has got to consider the

public interest as a whole and a special inquiry commission, Mr. Speaker, will not solve anything in labour relations in Ontario. As a matter of fact, I suggest with the greatest of respect that that is his method of imposing compulsory arbitration in specific labour disputes.

You know, it is easy, Mr. Speaker, to sit back and watch a one-week, two-week strike go on. It is difficult to watch a four- or five-month strike go on; I agree with that. It is difficult for both sides. I daresay that the men at GM who came off the assembly line and are sitting at home are having a difficult time and GM is having a difficult time. It is losing profits, and that is the name of the game; loss of profit, loss of wages. But we must admit, and we have got to face this squarely, that it is their fight. The minute it starts to affect the public interest, Mr. Speaker, we have got to suggest that it is the parties that have to realize they are doing this. There is no doubt in the minds of both the UAW and GM that they are affecting the public interest and they are taking that into account when they are sitting down at the negotiating table.

Now I cannot for the world—and I have to go back to this because I think it should be expanded—I cannot for the world figure out the reason for section 103(3). I simply cannot conceive why it is in there. He has completely destroyed the intent and the purpose of the Act. Maybe he is going to have to use his special inquiry commission to solve the problem created by section 103(3). Maybe he has to have it in there to solve that problem.

I think the most vicious part of this bill—and I use the term advisedly, Mr. Speaker—is this next point. You know, it is done in such a subtle way. You look at it and you have to think about it. You go to the section and he says you can have a vote of 35 per cent and you get certification at 65 per cent. Well you know what that does; it makes a vote easy and certification very difficult. For some unions it would make it practically impossible.

You know in this House since I have been here we have passed some pretty important legislation and all we need is 50 per cent plus one. Right? The laws that govern us are 50 per—

Hon. J. H. White (Minister of Revenue): We have got a lot more than that.

Mr. De Monte: Oh yes, but that is all we need—a couple of times we nearly had you, you know that too.

But in any event, we are destroying the democratic principle here though, are we not? I mean in every other thing that we are involved in, if it is a 51-per-cent vote, that is it. My member of Parliament can be elected by one vote—50 per cent plus one—of the votes cast, not of the voters in the area.

So what the minister is actually doing, Mr. Speaker, is making it very difficult. I can see why he wants to clean up some of the wording. If you read the Act, in one place it says, "if the board is satisfied that it is more than 65 per cent", and in another part of the Act it says, "if the board is satisfied that it is not less than 65 per cent". I think he has got a few wordings to clean up there, but in any event the minister is making certification very difficult.

Now why? Do you know that 40, 60, 70 per cent, 67 per cent—am I correct?—about 66 per cent of the labour force in Ontario is not unionized? It is our position in this party, Mr. Speaker, that certification should be made very easy; that most workers really do need to be represented. It is an obvious fact, Mr. Speaker, that the workers that are represented usually have a higher wage than those that are not.

It might be that the minister and his government like to see low wages in order to be able to sell goods and export goods, but I do not think that is the criterion when we deal with people. I think that we should make it mandatory—not mandatory, but we should see that the people of Ontario receive a decent living wage.

As I said before, the average wage in the construction industry is not sufficient to be able to qualify for an NHA loan. I would like to know what the average wage of the non-unionized worker is, and whether he can apply for an NHA loan. Of course, it is very difficult for many people in this province today to buy a home and perhaps that is one of the reasons.

There is also no doubt in my mind, Mr. Speaker, that the greater the purchasing power that we put into the pockets of the worker, the more prosperity we will have in this province of ours. Now this particular part of the Act has disappointed me. I thought that the minister had finally come around and had seen the light, that workers really do need representation. But I see that, well, this bill is anti-labour; it is anti-labour. It is also anti-employer, because it certainly does not solve the problems that it was designed to solve. It just simply will not do it.

Mr. D. C. MacDonald (York South): Do you suppose it was drafted by Norman Mathew?

Mr. De Monte: Could be. Either that, or he was counsel. Well, the only thing that I might say to it is that when you consider the bill as a whole, I would not want to be the man who drafted that blil.

The minister has introduced into his bill a section which is designed to facilitate the settlement of jurisdictional disputes in the construction industry. This is a very laudable thing and I suggest that he was trying to solve a fairly real problem in the construction industry, but my friend and colleague from Sarnia (Mr. Bullbrook) will have more to say about that very shortly.

But, he has also introduced a very insidious piece of legislation—insidious on the basis that he could pretty well destroy the construction trade unions in Ontario. He has introduced the mixed crew bargaining unit, and if you do not think you are going to have jurisdictional disputes in this regard, then the minister certainly has not really looked at the problem.

With a mixed bargaining crew, a man can come in and certify a plumber, an electrician, a cement worker and a carpenter under one unit, and—can you imagine—they can be certified, for instance, by the Teamsters' union. The Teamsters' union could go in and certify all these workers in a given undertaking. Right? They they come along and they do carpenters' work, but they are in the Teamsters' union. Right? What happens when the carpenter comes over and sees a Teamster doing carpenters' work?

You are going to have the greatest jurisdictional disputes in Ontario you have ever seen. There will be thousands of them.

So he introduces a fairly valid piece of legislation and then destroys it by another section in the Act. How can you possibly accept this Act in principle? How can you possibly accept this Act—he giveth and he taketh away.

Mr. T. P. Reid (Rainy River): That is typical.

Mr. De Monte: All he had to do, Mr. Speaker, was ask the employers, especially in the construction trades. The unions want to get together with employers. The unions do not argue with employer bargaining units or accredited employer associations. They do not argue with that; they do not argue with multi-trade bargaining; they do not argue with bargaining at the same time.

They are not fighting the employer bargaining unit, but they want a viable alternative to what exists now. They have had employer bargaining units, they want to deal with employer bargaining units, but make it viable. That is what we have to do, make it viable.

Has the minister considered multi-trade bargaining? Has he considered bargaining at the same time? They do it in the UAW. Perhaps the construction trade unions would want to sit down with the employers, and perhaps the government, and discuss the problems and come to some solution. There is no doubt they can do it. As a matter of fact, Mr. Speaker, in 1968, if I am correct, the unions suggested multi-trade bargaining to the employer bargaining units, but the employers came back and said, "No, we want to set a price, a percentage rate," and they locked everybody out.

I am not saying that the employer bargaining units do not want to deal with employees and are using them as devices, I am saying that to solve the problem in the construction industry we must create a viable employer bargaining unit.

The problem is now that the employers are against the employer bargaining units as they exist in the Act. I want to read you a letter from the Toronto Construction Association; it is addressed to the caucus, and it says:

> As president of the Toronto Construction Association, I wish to draw your attention to a very serious problem that could develop if section 103(3) of the above-noted bill is passed in its present form. If employers in the construction industry are to be responsible for keeping costs of construction on a reasonable level, they must be given strength at the bargaining table and that is equal to the strength enjoyed by the construction unions.

And he goes on, but accreditation does represent a man, right? Section 103(3) specifically takes away that right and as a result it nullifies any benefit that accreditation could give.

In other words, the Toronto Construction Association says the whole Act as regards construction trade unions is a nullity simply because he giveth with one hand and taketh away with section 103(3).

What in the world are we trying to create here? I cannot understand it. Nobody likes it. The unions do not like it. The Toronto Construction Association does not like it. I just cannot understand it. I say to you, Mr. Speaker, the minister must consider some pretty serious questions when he considers

the construction trades in Ontario. He has got to consider multi-trade bargaining, as I said before. He has got to consider same-day bargaining, Mr. Speaker. He has got to set down rules and the employers and the contractors have to get together with the unions, and they have to be able to iron out their problems.

He is not wiping out competition as between unions; he is not wiping out competition as between areas. He is just legalizing something that has existed for 15 or 18 years and which has not worked because it was not a viable concept in the first place and it was not properly applied. There is no doubt the unions are prepared to bargain with an employer bargaining unit if it is a viable unit.

The other aspect of the situation is, Mr. Speaker, that I cannot understand why the minister allows an employer to have a union in a non-union company, and allows the company that is owned by the same principals to carry on business under a union label when it suits them, and allows the other companies with the same principals to carry on business under a non-union label when it suits them.

I suggest, Mr. Speaker, that the minister seriously consider establishing a joint committee of construction trade employees - construction trade employers and government to sit down together. I have spoken to union heads, Mr. Speaker, and spoken to many of them since this Act was introduced, and they are perfectly willing to sit down and discuss the problems that exist among them and come to some conclusion to stop this so-called chaos in construction.

In 1968, the Toronto Building Trades Council arranged to set up a steering committee with the employers to set out guidelines as to bargaining and all that pertains to bargaining, sitting down when they bargain, multi-bargaining, and so forth. It did not work because the employers would not get together.

Finally, Mr. Speaker, I just want to say that this Act has been ill-conceived, badly prepared, and not well thought out. May I tell you that this party will vote against this bill in principle.

Mr. Lewis: Mr. Speaker, we too will be voting against the amendments to the Ontario Labour Relations Act—

Hon. Mr. White: Orders from headquarters, eh?

Mr. Lewis: —in principle. Happily we—

Mr. Pilkey: Something new has been added.

Hon. Mr. White: We know how the votes tumbled in there.

Mr. Lewis: Since the Act was drafted by those who flutter in the halls of the Tory establishment, I would think that other people can have some effect on its contents. We will also vote against it, Mr. Speaker, for a number of reasons which I think are, or I hope are, relatively compelling.

Before I take a quick look to lay out some of the basic principles with which we disagree, I would like to recall to the minister his opening words, when he said: "I want to indicate now that I am planning in later stages of the bill to bring forward certain amendments designed to ensure that certain sections of the bill do indeed mean what they are intended to mean."

Considerable time and preparation! One might have thought that it would be possible to show intent after two years of work. "Certain other matters will remain under consideration during the course of this debate and may be dealt with subsequently," he said.

Well, I reassert, Mr. Speaker—and had you been the Speaker in the Chair at the time no doubt you would have agreed, sir—that it implies that there are major amendments in the offing which will strike right to the heart and the principle of the bill. Indeed, the sheer force of persuasion that will come from all on this side of the House during the course of this debate will compel the minister to make useful amendments to the contents of the bill and, I hope, they will alter some of the sections which discriminate so directly against disadvantaged sections of Ontario's population, which is our basic objection to the Act.

Mr. Speaker, we are voting against the Act, first, because it is essentially class legislation. It is rather interesting that in the year 1970 the Tory party has decided to revert to its doctrinaire forms and introduce class legislation, when one thought that the Progressive Conservatives, having spasms of reform on occasion, might have changed a little. But in the latter part of 1970 they are now instituting class legislation, legislation which very carefully, Mr. Speaker, very deliberately, very calculatedly excludes from the rights of free collective bargaining vast sections of the population, sections of the population, Mr. Speaker, which are largely of a disadvantaged class, sections of the population which are largely in economic difficulty and which therefore suffer most grievously as a result of

the Act. The Act then becomes class legislation. It is not only class legislation in the sense that it removes from its positive sections, if any there are, those who need the protection most, but it is class legislation in the sense that it discriminates so directly against people in the industrial ghetto of the Province of Ontario.

It is a deliberate effort, Mr. Speaker, to isolate a large number of communities, economic communities in the Province of Ontario. The first is the industrial ghetto. There are, of course, half a million to a million Ontarians who work in the industrial ghetto of this province—the minister is well aware of it. He knows that their average income ranges somewhere between $1.55 an hour prior to the government's changes in the minimum wage, and perhaps $1.90 or $2.05 an hour, and that the people in that category desperately need some protective legislation.

There is not a thing in the amendments to the Ontario Labour Relations Act which would give them a sense of the minimum standards to which they are entitled. More important, as I shall show in a moment, and as our colleague from Dovercourt indicated, there are aspects of this Act which disenfranchise these groups from the rights of free collective bargaining, particularly those aspects relating to certification procedures.

It is interesting, Mr. Speaker, that in the case of the construction industry, the minister was prepared to move in to correct what he called an "economic imbalance". He was prepared to impose upon the Construction Employers' Association rights which they were not able to obtain for themselves to correct that economic imbalance. But when it came to correcting the economic imbalance for almost a million people who live in the industrial ghetto, he showed not the slightest interest whatsoever.

Mr. E. W. Martel (Sudbury East): Those are the losses to the Tory party.

Mr. Lewis: Not only did you continue to discriminate against the people who work in the industrial ghetto, but you continued the exclusion, I assume, with careful thought because you even reinforced it, in one or two sections, against all agricultural workers in Ontario, against all the security guards in Ontario. You paid no attention to the civil service provisions of the Little report which said that civil servants should have the right to a union of their choice and free collective bargaining.

You have effectively removed those 47,000 people from the rights under this act. And you have so limited the security guards, trapping them, as it were, into a union purely of their own, effectively isolating them from any serious economic power. You know the results of the Dale Nursery case and the Brampton Nursery case, and you know what you have done to agricultural workers. Take a look around us, Mr. Speaker—

Mr. De Monte: Even when they are not agricultural workers.

Mr. Lewis: Pardon?

Mr. De Monte: Even when they are not agricultural workers—

Mr. Lewis: Even when they are not agricultural workers; even when they are engaged in horticulture or similar concerns. One takes a look around, Mr. Speaker, and sees that the Minister of Labour has ushered into the Province of Ontario, after three years of careful work and consideration, a piece of deliberate class legislation, and for that reason alone it would be sufficient to object to the principle of this bill.

Alas, there are many other principles as well. What the bill does do, and most of its provisions are negative and destructive, is to continue an assault, in the best political tradition now in Canada, on those workers who have been fortunate enough to achieve some degree of industrial organization.

Following in the best traditions of Pierre Elliott Trudeau and Wacky Bennett and Ross Thatcher and Joey Smallwood, you are now attempting to introduce aspects of labour legislation which are completely incompatible with a civilized system of collective bargaining. You have not gone all the way down the road yet, but there are those, Mr. Minister, in your cabinet who would like to; but you have not gone that far yet. Held by one coattail in the hands of Tom Eberlee and stopped in the front, I suppose for the moment, by one or two other members of the cabinet, you have introduced the ferocious aspects of labour legislation which we have seen in other provinces. But there is enough in substance to this Act which is discriminatory, which would make many of us feel very uncomfortable and all those categories are now of the same mould.

It has become fashionable and useful for a political party in government to attack, uncritically and without distinction, the rights of organized workers. Those rights were hard won; they are exercised almost always in honourable and meaningful ways, and it does not become any government to slide into that particular functioning just for the sake of the political expediency.

There is further, Mr. Speaker, no appreciation on the part of this government and in this Act for what free collective bargaining means to society as a whole. There is no sense on the part of this minister that harmonious industrial relations are what we mean when we talk of the public interest. There is no sense in the Tory party of the public interest.

An hon. member: Hear, hear!

Mr. Lewis: There is only the sense of class interest, supported by private interest but never the sense of the public interest. If it were understood for a moment, just for a moment, that the public interest was best served by industrial relationships which were amicable and supportive rather than tension-ridden and destructive, one could see how much we could advance.

I will come to the minister's remarks about strike-breakers shortly as an example of his more enlightened moments, but there have been many other examples. He continues to allow the strike-breakers all the freedom in the world. He makes no effort to support the unorganized worker and continues to enshrine managerial rights.

Mr. Speaker, I think it is fair to say—if I can digress for a moment and, I hope, usefully—if you are serious about introducing amendments to The Ontario Labour Relations Act then the whole question of managerial rights comes right to the core of the Act. There is no legitimacy at all in so many of the functions which management arbitrarily assumes. A different kind of amendment to this Act would remove those prerogatives.

Management has no divine right to make every single decision about the work class. The men who work in the industrial sector or the public service sector or in the building trades sector; the men and women who work in these sectors also have a right to contribute to the decision-making, even around work rules, productivity, pollution, technological change. God knows how long ago it is that justice Freedman brought down his report on technological change. He went so far as to say it is a matter of allowing a strike during the life of the collective agreement. But in this bill there is not the slightest indication on the part of government of recognizing that if you want to have harmonious industrial relationships, you take away some of the managerial rights. You give to working people, who are organized, some legitimacy in terms of their rights, and much greater opportunity to bargain and you will remove a great many of the tensions.

If one wants to remove the tensions in Ontario, Mr. Speaker, then decision-making in the work place becomes paramount. It is no romantic thing; it is just a simple recognition that the rights of workers are equal to those of the employers and that no area of collective bargaining should be prohibited in the process. It is called redistribution of power. It often leads to redistribution of income and that will usually lead to a more civilized kind of society, but not within this bill, which has so many arbitrary and discriminatory provisions that it is calculated to create industrial ferment and the minister knows it.

That is your basic objective, and your hope in 1971 is to see sufficient problems in the relationships between employee and employer to be used as a club in an election battle. Well, you will not get away with it, Mr. Minister; you will not get away with it. There are too many people who will be watching you too closely.

How does it happen, Mr. Speaker? I think it happens in a number of other areas. I will take them one at a time; there are six or seven that come to mind.

First, the whole section on the building trades themselves. This whole question of changing economic imbalance. Look at what you have done for the employers' associations. They are not able to do it for themselves. They are not able in any sense to cohere. You impose upon them and grant to them special privileges to a special interest group in order to correct something which you call economic imbalance but which you know weighs the scales so heavily in their favour that the construction trade worker hereafter will have a very difficult time of it indeed.

My colleague from Dovercourt talks about $8,000 a year; that is $8,000 a year if you work a full year. How many construction workers work a full year in this province, and how much of a disadvantage are you prepared to put them at in order to serve the whims of employers' associations? Rather like professional groups, is it not? Special legislation for doctors, for engineers, for lawyers in certain respects. The same kind of support and protection is being given to employers' associations by way of accreditation so that they will have the power to thwart any effort of collective response on the part of the construction trades workers.

You know, section 103(3), to which the member for Dovercourt paid such attention, is, of course, valid. It really does not change

anything from the existing legislation by which it is still possible to hire scabs. Now it will be done through the normal procedure; I suppose the normal hiring halls procedure. All it does it make an even greater mockery of that part of your Act than exists already. You not only grant certain vested powers to the construction employers' association, you allow them, in the process, additional advantages which some may exercise on some occasions. You will never solve the problems of the construction trades industry that way.

You might solve them if you attempted to bring together, with the support of government, those who were competing in the economic market-place, but you will never bring them together by giving special privileges to one of the sides. You will never improve the situation that way. But then, it is not your intention to improve the situation. It is your intention to make it, I suspect, rather more difficult, and that, Mr. Speaker, is what accounts for the certification provision.

Which brings me to the second point I want to make—certification. You allow for automatic certification at 65 per cent of the cards. You allow for a vote at 35 per cent, and your deputy minister, extraordinarily enough, is on record as saying that there are more votes won that way than there are through automatic procedures.

The minister will know that from the beginning of 1964 to December 31, 1969, the number of votes registered 345 wins and 619 defeats for the trade union movement in the Province of Ontario; the number of automatic certifications registered 3,633 wins and 761 defeats. When they were forced to a vote they won roughly 36 per cent; when they were allowed automatic certification they won 82.5 per cent. And is it not interesting that this minister is prepared to give additional advantages to the vote system but to make it even harder to permit automatic certification?

What is he doing? I think it can be put very simply. It means that in small plants in the industrial ghetto, with 80, 90 or 100 employees—frequently a largely female work force, largely ethnic, unskilled, easily intimidated, especially vulnerable—one of the unions comes in and, at the request of the workers, starts to organize a collective bargaining unit. They will now have to sign up literally 80 to 85 per cent or more of the cards in order to come before the board for the purposes of automatic certification, because you know what happens at the board. I do not have to tell you what happens at the board with the round-robin petitions. The board rejects a few cards because of technical flaws; the company shifts the dividing line between eligible members and supervisory personnel. A round-robin, anti-union petition is introduced; then there is a turnover in the work force in the process. And between the petition and the cards and the normal attrition, unless you march in there with virtually your entire labour force signed up, you will never form your union. Who is that hurting? Who suffers as a result of that? Not the Minister of Labour; somebody working in the industrial ghetto who makes perhaps $1.50 an hour now—and, after your minimum wage, perhaps $1.68 or $1.70 an hour—who tries to form a union and finds that the employer, by encouraging just one anti-union petition, effectively clobbers the opportunity to engage in free collective bargaining.

Automatic certification has worked most appropriately in the Province of Ontario; it has been an extremely effective way to support free collective bargaining. It should never have been as high as 55 per cent anyway; it should have been a simple majority, the way everything else works in a democratic society—50 plus one. Now the minister has raised it to 65 per cent and still more than 50 per cent of the eligible number to vote when a vote is taken. It seems that this is calculated to make certification virtually impossible for those who need it most in the Province of Ontario.

It is a very difficult point for a politician to make, and just for the purpose of exchanging something real with the minister, I do not know whether I can, almost abstract myself from the partisan process and say to him that whether it was Hanes Hosiery, Proctor-Silex, Alpine Meat Products or any of the other individual ghetto situations he cares to name, the reason the unions were destroyed or nearly destroyed was how tough it was to maintain the morale around one or two issues when the industrial ghetto worker is so vulnerable and so easily intimidated. And now he is making it 100 per cent more so.

I do not know what nostrums the minister has in the middle of the night; I do not know what fantasies the members of The Department of Labour have when they think what they are doing, but half a million people will be decisively and adversely affected by this clause. And the minister persists in it. He says proudly that he will not amend it. It is preposterous. The minister is not in this to deny the rights of free collective bargaining to people. Has he read his preamble to this Act? Does he not recall that the Act says, somewhere at the beginning:

> Whereas it is in the public interest of the Province of Ontario to further harmonious relations between employers and employees by encouraging the practice and procedure of collective bargaining between employers and trade unions as the freely designated representatives of the employees.

Talk about empty rhetoric in a statute. The minister puts that kind of thing as a preamble and then every single significant section negates that preamble. How much of a class society does the minister, as a Tory, believe in? How many people is he prepared to alienate and isolate from the rights of collective bargaining who otherwise have no strength at all, and who now are to be denied those they wish to exercise? And what the minister has not denied by way of certification, should they be fortunate enough to gain certification—we move to point 3, which is the industrial inquiry commission—the minister has decided to decree to himself the authoritarian rights of calling at will, of giving terms of reference at will, of engaging on an ad hoc basis with unstated powers.

What has happened to labour relations in the Province of Ontario? Has it moved from a relatively sophisticated exchange between employees and employers to arbitrary government intervention and dictation? Is that what the minister is trying to set up in the Province of Ontario? Why does he need an industrial inquiry commission? Why, in God's name, does he need it? He has conciliation procedures, he has arbitration procedures, he has the Ontario Labour Relations Board. Does he realize when he sets up this industrial inquiry commission that it is a direct indictment of the process of his own department?

Mr. Gisborn: A political propaganda machine.

Mr. Lewis: They say, "Oh, we cannot handle the strikes in this province"—those few that there are, because there are not that many. "We cannot handle protracted disputes since we only come in on one side anyway." I have not seen the government entering the dispute between the auto workers and General Motors; I have not seen your names emblazoned on the front page of the newspapers about the way in which the government went to General Motors and said, "How about a reasonable counter offer so we can get back to the bargaining table?" We know where the minister will set up an industrial enquiry commission, though—in some vulnerable little plant, like Hanes, that has been on strike for six months, and if management is having too much difficulty getting certification he will move in there and impose an agreement on them. That is what it will mean. That is when the minister will use it, by way of compulsory arbitration. The member for Dovercourt was perfectly right about that; that is how you will use it.

When you say to me that nowhere does it say "compulsory arbitration," that is true. But nowhere does it say anything—like so much of this Act. How is one to construe it? It says in the notes which accompanied the handing down of this Act, "Currently there is no effective method of dealing with strikes which linger on after there has been a complete breakdown of the bargaining process."

Do you know why there is a complete breakdown in the bargaining process? Because there is a complete breakdown in the functioning of this department and in the absence of the minister's labour legislation. "To help fill this void, the Act will grant the Minister of Labour the authority to establish industrial inquiry commissions on an ad hoc basis to investigate particular disputes." A little tsarist touch to the Minister of Labour. I suppose he felt put out by some of his colleagues. The Provincial Secretary (Mr. Welch) makes up his mind what forms of outdoor advertising shall be used to induce the drinking of beer. The Minister of Labour, having a certain Bourbon touch in his private moments, decides that for him exclusively there will be the right to decide that industrial inquiry commissions can be put on an ad hoc basis.

> The general purpose of such an investigation will be to present an authoritative statement of the issues which will serve to inform and focus public opinion. It is envisaged that the commissions will co-operate mainly in protracted strike situations, but it is also possible that this approach might be used in dealing with so-called public interest disputes.

It would be nice to have some definition of so-called public interest disputes. Would Honeywell have been considered a public interest dispute? Would the Metropolitan Toronto Police be spending so much time moving back and forth through the picket line? Or are you speaking purely of those areas which are more normally regarded as the indispensable public sector? But you can see the fears and apprehensions that would arise in workers' minds when they see an arbitrary commission of this kind.

And then the other things about the Act which are so vague—I am sure that when you

say you are going to introduce amendments, you must be talking partly about the fourth point, the point about unfair labour practices, or unfair practices which are directed solely at workers and which are meant to fine heavily and to imprison equally workers who have threatened an illegal strike without any definition at all.

I hope I am right, Mr. Speaker, in feeling that the Minister of Labour will be introducing amendments to that section, because no one knows—but no one—what constitutes these threats and what is meant by this vague phraseology about putting people in jail for threats of a collective bargaining agreement when nothing is given to definition.

And then in addition, Mr. Speaker, there is this question of the strike-breaking, or of the invitation to work within six months of the beginning of the strike in a so-called protracted dispute. As we understand it, the objective is to bring workers back into the plant under the whims and conditions imposed by management, in the hope that if it can be done within the first six months of the dispute, they can break the morale of the picket line, undermine the confidence of the union, effect a sweetheart arrangement with management and destroy the strike.

Marty Levinson, who is a well-known labour lawyer in and around the city of Toronto, in discussing the labour code changes, put it this way and I would like to place it right on the record:

> The new section is likely to lead to vigorous efforts by the employer to engage in attempts to have the regular work force join the ranks of strike-breakers. One can foresee the nature of employer propaganda during the protracted strike, especially as its duration begins to near the six months period. The new section will be circulated to striking employees with emphasis on the loss of rights if the strike lasts over the specific period of protection and employees will be invited to make an application for return to work. Strikes of over six months in duration may become almost impossible to wage and the writer believes trade unionists should make strenuous efforts to lengthen this period.

And he is right, because you are strait-jacketing an organized worker. You are saying to him that "We will load everything into management as we narrow down to that six months cone, and we will force you back to work, we will make it impossible for you not to go back to work and what is left of your picket line will be gradually dismembered until you capitulate and the employer has won the strike."

That is what economic imbalance means. It means stacking the cards in favour of one of the parties and everything in this Act stacks the cards in favour of the employers. And surely, knowing that, you must understand what you will do in the year 1971 is to create entirely unnecesary discordance and to make labour relations that much more difficult to cope with. Surely you must realize this, because one of the key things which has not been done in this Act, Mr. Speaker, is to outlaw strike-breaking.

As a matter of fact, the Minister of Labour is having an on-again, off-again flirtation with strike-breaking. When there is a very heated exchange in the House in question period time around the Honeywell dispute, or Dale Biscuits in Kitchener, or one of the other recent occurrences where strike-breakers are used so willingly, the minister stands in his place and says rather reflectively, "Well, maybe strike-breakers are not such a good thing." Then he goes back to his office and he gets 20 phone calls from Pinkerton agency and from Anning agency and from all the other services which provide professional strike-breakers.

He then has a crisis with his Tory conscience and he says, "What in God's name have I been—what heresies have I been uttering?" and in response to a letter which elicits a position on strike-breakers, he says to the Metro Toronto Labour Council, "Have you considered that it could be to the advantage of the strikers in some cases to keep the plant operating with strike-breakers?"

Now, there is compelling and decisive logic from the—what is it—the first citizens of labour in the Province of Ontario.

Mr. MacDonald: The first citizen in labour.

Mr. Lewis: The first citizen in and of labour.

Mr. MacDonald: When he produces that, he is in trouble.

Mr. Lewis: Mental labour and intellectual anguish. That is a paragraph! Here the minister has them coming to him saying, "All over Metropolitan Toronto we have got a really difficult situation," because strike-breakers are taking the jobs of working men and women with families to support. The minister heightens the tension because of his employment of students as strike-breakers, rather than providing jobs for

them through some of his colleagues. In answer to him ah, how you deftly charge down the centre line and demolish the argument. "Have you considered that it could be to the advantage of the strikes in some cases to keep the plant operating?"

The minister does not leave it there, he goes on. "For this and other reasons the government does not intend to infringe on the right of management to continue operations if possible. Nor does it intend to restrict the right of strikers to seek alternative employment while on the picket line."

Well, no one was discussing with the minister the sort of one right or the other. We are discussing with him the specific aspect of strike-breakers in terms of the way they affect the economic balance of power. To withdraw your labour is usually a reflection of exerting economic power and if that is legitimate under The Labour Relations Act, then it is illegitimate to make a mockery of that by encouraging strike-breakers. And the Minister of Labour, who thinks that strike-breakers in the year 1970 are a positive social measure should perhaps try another ministry for a time, perhaps the Provincial Secretary,

Mr. MacDonald: Look after the beer advertising.

Mr. Lewis: Right! Because there are worlds to conquer within the Provincial Secretary's portfolio that can barely be encompassed by this House. You can see with what charm they are handled, as a rule. It would make the minister a new man. He would feel much better about it all round, rather than staying up all night scheming at the way in which he will remove jobs and be stimulated by the posters and all the other things that come his way.

It is intolerable, Mr. Speaker—apart from the asides—it is intolerable that the minister should have allowed The Labour Relations Act to have been introduced without providing a specific amendment against strike-breaking. The minister's momentary aberration, his little poetry on behalf of strike-breakers, was something that is bad enough, but to have enshrined that position in his Act is something that we cannot accept in this House and we could not have voted in favour of the principle of this bill without a clause which took a firm stand.

The final point I want to make, Mr. Speaker, and I have gone on well and long enough, is that the real crux of labour relations in the Province of Ontario, in terms of its positive functioning, is something called bargaining in good faith. Section 12 of The Labour Relations Act imposes on both parties the obligation of bargaining in good faith. If one looks carefully at every dispute which breaks down one can discern that the absence of bargaining in good faith is at the root of it.

I am not pretending that there are not examples in which unions bargain in bad faith. There are. There are equally, and very often more examples and more compelling examples of where the company, using all its economic power, refuses to bargain at all. And, Mr. Speaker, until it is against the law for a company to bargain in bad faith, until it is mandatory that they disclose the financial information, or that they give a counter-offer, or that they give all the necessary details to their workers, until that point is reached, there can never be truly useful collective bargaining in a very difficult dispute and you, therefore, have to give to the Ontario Labour Relations Board the right to order the party at fault back to the bargaining table, to use this phrase, "to cease and desist," and order them back to the bargaining table, and you have to do that with real firmness and some finality.

For all those reasons, Mr. Speaker, we have chosen to vote against the bill. The reasons are countless and we will put forward in the clause-by-clause process a number of fairly major amendments which, we hope, strike at the heart of the bill.

There are many colleagues in the New Democratic Party who will take major aspects of the principle and will discuss it further as this debate continues, the basic position being, Mr. Speaker, that we cannot permit class legislation in the Province of Ontario; that it is not possible for the Minister to so calculatedly disrupt collective bargaining relationship for whatever cynical political reasons may be involved; that it is wrong not to see the merits to the public interest, to this society as a whole, of free collective bargaining, freely and intelligently supported by government, because then one eliminates so much of the tension and anger and mistrust which exists and substitutes for them a far more civilized arrangement in human relations and in labour relations.

Now, that is the basic position, and it is one which we will continue to urge upon the government. We ask the minister, as he is considering his amendments, to think, in passing, of a couple of very substantial amendments which can alter the whole thrust of this bill, particularly in the area of strike-breaking and bargaining in good faith

and the industrial inquiry commission, and he will, within a matter of months change the entire atmosphere which presently exists.

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: Mr. Speaker, I do not know whether we on this side ought to be encouraged or not by the equivocation by the Minister of Labour in his remarks at the outset, where a reasonable inference may be drawn when he speaks in terms of amendments that will be coming forward, that he has considerable doubt about the effectiveness of his bill at this stage of the proceeding. It may well be that he is hoping that from this side of the House will come submissions and suggestions and advice which will enable him to rationalize the structure that he seeks to set up within the bill. Maybe he is grasping at straws. It would not, of course, set a precedent. Over there, they have been the beneficiaries of a good many suggestions from here, from this side, which indeed have been adopted and transfigured themselves into legislation.

Mr. D. A. Paterson (Essex South): They pick our brains.

Mr. Sopha: Some day, perhaps, the public of Ontario are going to come to the conclusion, as indeed they must, that they ought to elect the advisers to replace those who are searching for the advice.

Mr. I. Deans (Wentworth): We are ready.

Mr. Sopha: That, of course, is a political decision whereby the people at an early time will be given their choice. I am an optimistic person and I say I am encouraged, because for reasons which have been very validly and effectively put by my hon. friend from Dovercourt, we cannot possibly support the many principles of this bill.

I want to say this at the outset, as I have said on the floor of this chamber on several occasions in the past, that Ontario came rather late into the field of labour relations by statutory enactment. Now Ontario, as always, prides itself on being the precursor in most legislative realms, and maybe it was in the field of labour relations in Canada, but in the same context, Ontario was a half a generation behind ground that had been broken elsewhere, when it entered in the late Forties with the enactment of the first labour relations statute.

It has been my complaint, and it can be documented merely by reading the legislation that we have had on the books, that our labour legislation has worked toward the promotion of strikes rather than its conciliation. The theme of the several labour Acts and their amendments has been that labour is some kind of an enemy that needs to be harried and constrained and kept within the bounds of statutory enactment.

Now, to be specific, what else is the provision that requires a 65-per-cent participation before automatic certification can be granted? What other group in a pluralist society has imposed upon it that heavy burden that hampers free association? There is not another single group in the whole penumbra of what is called the democratic society. What else, then, is the intent but by legislative stigma to point to workers' organizations and say these are outfits that merely have to be tolerated and they have to be civilized within the constraints of legislative sanction? That has been the theme of the several Acts which have been passed by this House.

Now, to show the converse of that. Again, on many occasions, I have asked for the enactment of a preamble to the statute. Usually, I am a firm believer with the man who invented the phrase, "There is nothing so powerful as an idea whose time has come". Who said that? I forget. Some great thinker said that.

If one is patient enough one's suggestions are eventually adopted here. But this Casper Milquetoast, wishy-washy statement that is se king to be incorporated here, this declaration of faith in motherhood that we, as legislators, believe in, says, it is in the public interest to further harmonious relations between employees, and employers by encouraging the practice and procedure of collective bargaining. No one can quarrel with it, I guess, which is the most charitable thing that can be said.

What I would like it to say, as a matter of statutory enactment and a declaration of social policy that could be subscribed to from all corners of the House, is that we believe as a Legislature that workers have the right, the statutory right, to bargain for their working conditions, terms of employment, through representatives of their own choosing, but such a preamble, you see, would be antithetical to the purpose of harassment in the 65-per-cent provision. The two things do not go together.

Now, let it be said at an early stage in my remarks that what we do believe in in the Liberal Party is the free process of collective bargaining without unnecessary government restraint as far as possible between antagonists of equal strength. History has shown that

labour relations are most harmonious when the parties who face each other across the common table are more or less equal. The trouble results, the chaos results, when the strong face the weak across the table, and, of course, it is the option in favour of the strong against the weak that motivates section 103(3). That is the residuum of the philosophy of this Department of Labour. They want to keep that ace in the hole, giving the facility to opt out, to take advantage of the slightest sign of weakness on the part of those who represent the other side of the economic equation.

Let it be said I do not see things in terms of the dialectic that my friend sees them—the last speaker, the leader of the New Democratic Party—but I see them in terms of the free process with a minimum of government interference, and that interference only where clearly indicated in the public interest. That moves me to comment upon this inquiry commission. Labour, very legitimately, looks upon that as a threat. They have had all summer to think about it, to examine and analyse the verbiage used here, and the vagueness of that section—if my friend from Scarborough West wants to talk about sleepless nights—must give many labour leaders cause for disturbance of the comatose state when they wonder what will be the guidelines—the current popular word—what will be the causes for the initiative of the Minister of Labour?

Will this be entirely a selective process on his part, as hinted by my friend from Scarborough West? What will be the terms of reference of such a commission? What ultimately will be the quality of the advice that they give to the Minister of Labour, or, to put it even more bluntly, will they always recommend to him that he move the Legislature to pass a bill for compulsory arbitration?

What else could be the result if they are not successful in solving the economic problem? They can promptly go back to the Minister of Labour. Are we going to have, we ask legitimately, a series of bills in here where we will be asked to impose a form of compulsory arbitration? The trades union people are perfectly reasonable when they say, "Is this the first stage of the Rand report?"

The Rand report, I think all persons agree, was an impossible document, a document in a sense as Marxian as anything being written. Mr. Justice Rand saw a spectre in front of him, an ogre that had to be dealt with and had to be smitten and had to be contained, and, in the public interest, he was ready to impose the most severe restraints that a Legislature could enact in order to civilize these people.

I really believe—may he rest in peace—that he saw them as a tremendous economic threat that had to be contained. After all, let us never forget he was a jurist, and a jurist thinks in terms of restraint and order. You only had to read his document to see what was the New Brunswick point of view that he brought to the problem and which led him to the recommendation of very fearsome and quite undemocratic and atypical, unsuitable measures that would be employed to restore order to the situation.

The Minister of Labour's copy may be dusty, but I suspect it is within easy reach—he nods. He is somewhat impressed by the power of government and that method of using it which was implicit in Mr. Justice Rand's panacea, placebo, nostrum. My friend says, and quite realistically, we on this side of the House and the labour people, see that section 9 as a dire threat.

Now put it another way, I say to my friend from Stormont (Mr. Guindon)—if I am persuasive at all, put it another way. What business has government to interfere? If, in the words of the preamble, this government believes in the promotion of harmonious relations by the process of free collective bargaining, then what business has government got to interfere on its own initiative?

The interference of government is a matter of last resort. We hope the parties will come to a resolution of their differences. The Act contains all sorts of avenues whereby government can interfere. The Minister of Labour is always present in these difficulties. He can be personally present. The Act provides that he has all sorts of agents and people working under him within his department who can, at any time, use their good offices, girded and supported with statutory recognition and power granted by this Legislature.

What is the reason, then, for another vehicle to permit the Minister of Labour to intervene? He does not tell us. There are no restraints whatsoever, no qualifications, no limits within which this inquiry commission will carry on its work. It will be ad hoc in each circumstance.

Let us say very emphatically that on this side of the House we cannot in conscience, believing as we do in the free process of collective bargaining, we cannot support any legislative device that permits government interference in that process unless we know chapter and verse what are the guidelines

for that intereference. Now that is a matter of fundamental principle. The Minister of Labour, when he takes part in this debate, is obliged to tell us what are the considerations that he has in mind, what his advisers have been telling him about it.

All right, we proceed from and we do not lose sight of the principle that we believe that the working man has the right, through the representatives of his own choosing, to bargain collectively. We also say, and perhaps it had better be said, that we believe that employers have that right also if they want to form. And quite in contrast to my friend from Scarborough West, I say that has been the practice in many areas of the province. That is certainly the practice in my area where they have, as a matter of history, conducted their negotiations collectively, bargained with the various trades through their own representatives speaking for all of them, but not without legislative sanction.

We accordingly, as Liberals, are trying to see these things in balance—and perhaps I had better say a word about that. Being occupied in the position we do as a middle-of-the-road party we have no axe to grind particularly on either side in this. We try to take a balanced approach. I am able, I suggest to you Mr. Speaker, to take that more balanced approach than my friend from Scarborough West who has certain commitments deeply felt and deeply held in him.

Mr. Pilkey: Whether it is the trade union group or the Chamber of Commerce.

Mr. Sopha: I do not have any commitments to the Chamber of Commerce.

Mr. Nixon: Although the NDP has a commitment to the UAW.

Mr. Pilkey: To play that central role.

Mr. Sopha: My friend from Oshawa intervenes. He does not like to remember that all this operates against the broad framework of society and there are many different interests in society and no one interest can claim that it is entitled to have the focus of favour put upon it to the exclusion of any other.

Mr. Makarchuk: Where do you get your election money?

Mr. Sopha: Where do I get it? I get it right from my own pocket.

Interjections by hon. members.

Mr. Sopha: I have not recovered from the impact of the last one yet. We believe—this bothers me, you see—that in a free society, both sides have the right to have legislative sanction for their organization. My friend from Dovercourt dealt with this but I want to underline it. We happen to believe that the process takes place more effectively when there are strong organizations on either side. I do not need to go into the history of that. So the steelworkers are out a long time.

It is painful in our area, but ultimately the steelworkers do not have much trouble with Inco. I suspect my friend from Oshawa and his brethren in that movement ultimately are not going to have much trouble with General Motors. An interesting thing to say about the steelworkers, just to drive the point home, is that when they did settle last November with Inco, lo and behold, to their great surprise, they discovered that they could have stayed out another month with the universal support of their membership and won a better contract; because they had hastened back to work and then they took the vote and suddenly discovered that the rank and file were ready to stay out another fortnight or a month and bring the company to heel to win the very best contract that they could have got.

That is what I say about strong contending parties on either side, and I say it in the presence of some of these union people. It is appropriate to put it in at this point in my remarks; but as an objective observer, with more than a little sympathy for the trade union men, that one wonders how long this archaic notion of the historic and sanctified rights of the craft unions—which they say go back to the 18th century—is going to be rational within our economic structure.

I just toss that out. Might they not consider that ultimately they would effect a better deal if they had industry-wide bargaining? If they really produced the muscle with the accredited employers' association? That is worthy of some mature deliberation and reflection. It is all very nice to point to the history of these crafts, going back to the middle ages and beyond, but rationally, within the realities of the economic picture, one must wonder about their validity and the ultimate benefits that they confer on the fellow who really counts, he who totes lunch bucket, the toiler, the fellow who gives of his sweat.

I want to turn to another aspect. My friend points to a deficiency in respect to strike-breaking. I want to point to another. I had hoped that the bill would go some distance toward setting up some section of the Labour Relations Board or some other agency—I am not much impressed by names—but some vehicle which would have the jurisdiction to

bend its efforts towards the reordering, as far as we are able to encourage it, the difficulties that have plagued the construction industry. I see nothing wrong with that idea and the provision of such a facility, and I am going to be more specific in a moment about this.

No one can argue, there is not a person alive who could argue otherwise than that the construction industry has been unique in that there has been more chaos and more strife and disharmony than in any other single section of the economy. Heavens, I remember the building of the Adams mine plant by the Canadian Bechtel Company and I was told that at that time it set a new North American record for walkouts. It just beat anything that had occurred anywhere else and those Americans that the Minister of Trade and Development (Mr. Randall) likes so well, who come here from California, really were bewildered with what they met here in the way of labour unrest at that time. There were three or four walkouts a day some days, when all of the trades followed each other and fought among themselves about who had the right.

We have had a few around Sudbury where that has been a fact of life. Good heavens, the stack! We are not boastful people in Sudbury, but the smoke stack is the highest structure in the world. We will have to get the Chamber of Commerce—somebody said over here I was representative of the Chamber of Commerce—we will have to get them to start to publicize the glory of Sudbury. I will tell you *sotto voce*, that during the building of that stack, in all its glorious 1,250 feet, as it went up they had a convenience on top, that is to say, an outhouse on top. When it got to 1,250 feet, Sudbury had the unrivalled distinction of having the highest outhouse in the world. Jerry-on-the-Spot. Remarkable achievement!

Well, I was saying, with regard to the stack, they had many walkouts. In fact, when the storm struck, some guy wanted to walk right off the edge of it.

An hon. member: That would be called a dropout!

Mr. Sopha: All right; now to get down to serious business. Relations, to put it in the most mild way again, have been unsatisfactory in the construction industry. It has been well said that there can be no civilized process without order, without an atmosphere of order within it. There can be no order without a respect for law and fundamentally that is what is wrong with this bill. That at least one side, in almost all respects, has no respect for it. Now surely to heaven, in intelligent legislation we ought to be able, we ought to try to our utmost capacities to pass the statutes that will win the esteem and respect of both sides in the economic picture. And this one does not.

To return to my earlier theme that I had hoped there would be some body, some section of the Labour Relations Board or something else that would devote its time exclusively to the construction industry. What I have in mind, specifically, is that during the life of the contract there ought to be one body to which either side could have speedy recourse to make complaints about the activities of the other. And when I say speedy recourse, I have in mind a week at the most. If there is a jurisdictional dispute, if there is a walkout, an alleged breach of the contract if there is a lockout on the other side, then the parties ought to have the opportunity to get before some independent board and have their grievance heard and determined.

I say without reservation, I say with the support of my colleagues, that that facility would have the power to impose penalties on either side, both sides. What I am positing is some branch of The Department of Labour independent, of course of the minister—that is fundamental—that would have the power to decide. What is wrong with the notion, if somebody will not cross somebody else's picket line, or there is some dispute about whether the electric cable that goes through a pipe ought to be under the jurisdiction of the electricians or the pipe fitters, or any one of a myriad of things that happen, that it be good common sense to provide some tribunal to resolve such a thing speedily?

If someone has acted in clear violation of the law, might thatnot be called conduct deserving of punishment? And I emphasize that applies to both sides. Now that might be considered. I made the promise when I met the 2,000 in the arena on September 30 at Sudbury during their study session and, I believe, later met whatever it is called, the Construction Employers' Association, at lunch—and I say "we", meaning my friend from Nickel Belt (Mr. Demers) and my friend from Sudbury East and myself—I made the promise that in the light of the fact that we could not in conscience support this bill, we are ready to pose credible and workable alternatives to it. We will do that at the committee stage with the help, of course, of all those that will come there, representing the various interests, to assist us and engage

in the dialogue to make this into a better statute.

My friend from Dovercourt is perfectly right, and I hope the minister made a note of that when he said that coterminous bargaining ought to be tried. They have never done that.

We know—let us be realistic—we know what they do now. On the labour side they want to play employers off, one against the other, and on the employers side they want to do the exact converse. That is a tactical manoeuvre. Some have found that a very efficacious way of ordering their affairs. But once again, I emphasize, as Liberals, there is the public interest to be respected, and what is wrong with us as legislators saying to both these contending factions: Look, we believe in the free process of collective bargaining, that is fundamental, but we are saying to you people that it is about time that in the month of March or April, or May, or whatever suits your convenience, that you sit down together to see whether you cannot order your affairs for the next year, two years, three years, or whatever period that commends itself to you, and we try to bring out a reign of peace at least over a definable period.

Now, I would like to hear from the minister, what is wrong with that notion as a matter of legislative enactment.

Mr. J. E. Bullbrook (Sarnia): How could you possibly leave it out? How could you possibly leave it out? Having done any work in this field, how could you leave it out? Beyond belief!

Mr. Sopha: Because once again—

Mr. Bullbrook: Absolutely essential!

Mr. Sopha: —I underline that we are seeking to bring order, and within the narrow limits given to us we are entitled to attempt to both rationalize and civilize the process. Rationalize and civilize it—and that word "civilize", in case there be any of the obtuse around here that may think that I am talking about some of the inhabitants that you will find in the Riverdale Zoo, I am not talking about any such thing; I say "civilize" in the sense of making it amenable to order —civil order.

Well, in the light of that, section 103 becomes impossible — unacceptable — because we do not want any anarchistic groups poking their ugly heads up hither and yon, who have the capability, if they are moved by good or bad reason, sinister or beneficent, whereby they are entitled to rock the boat.

Civilized society does not give anyone that option. Once we commit it to a framework of order, we are not going to allow somebody, for his own ulterior purposes, to be able to upset the whole thing. That is what you do in 103—for whatever reason. There is not even any restraint in that provision, just an invitation to anarchy. I do not think those words are too strong—an invitation to anarchy. Well, once again I say to you that we believe in strong contending parties.

Well, my friend from Scarborough West; I know how deeply he feels the misery and affliction of those people whom he knows, whom he has seen, who have to struggle and work for a living in undesirable conditions. He calls them industrial ghettos and I quite appreciate the depth of feeling in him about that, but I say to him, where is the resolution, where is the way out, unless those people are represented by strong trade unions? Where is the path leading to the final and benevolent light?

The only way they can be rescued from it is if they have workers' organizations with muscle that are able to check the employer—the other side, the top of the economic pyramid that is often granted to much privilege—and say to them: This is the way it is going to be — brother from now on. It is going to be this way and we are going to require these changes.

Too often, I say as a matter of my own philosophical conviction, too often it has been the case in the history of this province, this country, that labour has been looked upon as an enemy, an outlaw, something to be fought. It is really an indictment of our economic organization that in this enlightened age of 1970 we still look upon labour as a commodity. It is still a commodity in the same way as the raw materials—the structural steel, the equipment, the hardware; labour is looked upon as being of a common piece with it. It is an item.

Our language has all kinds of phrases designed to inculcate and perpetuate that notion. Good God Almighty, we are dealing with human beings, the most precious commodity that we have got. They are entitled to a different approach and a different attitude. They are entitled to every consideration that enables them to take home to their families a just and equitable share of the goods they produce.

Those are words of Mackenzie King. He is not a hero to a lot of people in the House, but Mackenzie King said that "the true Liberal is he who believes that there ought to be a just and equitable distribution of the

goods produced among those who produce them".

Mr. Makarchuk: And after 40 years, you have not changed it one bit.

Mr. Sopha: First and foremost. Now, if you want a quotation from a leading Conservative, a man my opinion of whom changed a great deal, after reading his biography. Of all the political biographies written in the last ten years—and I have read them all; I do not want to sound erudite or pedantic, but I have read them all; There are not that many—the one that impressed me most was the three volumes on Arthur Meighen.

This man made a remarkable statement one time when he said, "The work of the legislator has always got to be devoted to improving the lot of the man behind"—the man behind, the fellow who does not get his just and fair share. Well that ought to be the philosophical motivation that guides us in statutes like this, and God knows we have to get away from this notion that it is the role of government to constrain trade union people the right to organize.

I have said, and this party supports it, that we believe in certification being virtually automatic, virtually automatic. As soon as you demonstrated that there were 50 per cent plus one, the board would be required to certify them. But what kind of mumbo jumbo and nonsense we have.

I have never been a great admirer of the Labour Relations Board over the years. I have said it, you have heard me and I will not go through it again. It is too lawyer rife; you have too many lawyers on it for one thing. You might have had a few more laymen. Look as the type of nonsense they went through. The case up in the mine near Timmins, was it Kam-Kotia? They threw out the result of a vote because it was proved that on polling day, some members of one trade union came within 100 feet of the polling place wearing buttons of that union. They threw out the vote. Well if that applied to us there would not be one of us here who would not be subject to the controverted elections Act. That is the world of unreality in which they work.

All right, we are dedicated to the principle that workers have the right to be represented; employers' associations, that is fine. We support that aspect in principle. Now, I have covered that; the minister says he wants the views of the members.

There is still time for his salvation; he can make the changes in this bill before it goes to committee. We do not have to wrangle about it. That impossible provision on the inquiry commission ought to come out. Section 5 ought to be completely rewritten in respect of the certification. I do not even suggest that he needs to rewrite the preamble if he does not want to; that is a matter of choice. It is not a fundamental part of the bill except that to me it is the expression of the legislative intent that I would like to embue in those who do me the courtesy of listening to me.

I would like to get through to them what we mean, the friendly attitude we have to both parties in this economic struggle and I might say I am tired of struggle. I am tired of struggle. As a legislator, I want to create the optimum environment; that is a very heroic task that we have. We should be very wary of doing anything that perpetuates or stimulates the notion of struggle.

Now, these people have had over the summer to consider this bill; the Minister of Labour should bear that in mind. That they have had the chance to analyse this bill over a full three month period and they come to the universal almost unanimous conclusion that they are opposed to it; that it is unsuitable for very trenchant reasons and that, you see, is the greatest argument that can be put that it is deserving a very far-reaching change.

If I have not touched on some of the other things, it merely means that they can wait until we come to committee. But I join with the leader of the New Democratic Party in saying to the Minister of Labour that he would do us all a great service — I appeal to him; I sincerely appeal to him — that tomorrow at 2 o'clock when we meet that he come in here and tell us what the amendments are going to be, just what he has in mind. He owes that to us — to let us in on his thinking and that of his advisers. We might be able to save a lot of verbiage if he were to do that and perhaps we can get about the constructive task of improving this bill to the point where it is acceptable to both sides in the dispute. It is our mission to do that, and it does not really serve the people of Ontario very well in such an important area of their affairs to have government and opposition contending the one against the other by their votes in this type of legislation, one opposing with the votes and the other supporting it. It is far more in the public interest that the reality of the legislative process crystallize and translate itself into a common effort. Let us remember that. The longer I am here the more I become impressed with the notion that the legislative process is a totality of this House. It is not

a case of faction and factional strife or deriving advantage but by a common intelligence and goodwill on all sides of the House that we try to devise something that is a synthesis of the desire by the people of Ontario, to do the very best we can for them. We are dealing with a very large group of people here and we owe it to them to come up with something much better than this.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I want to join in the appeal that has been made by the member for Sudbury, and particularly the appeal made by the leader of this party that now that the minister has left his options open, he think very carefully about what he is going to do in the next few hours because we are placed in a position of opposing this bill whatever it is. A number of us sat down this morning and reminded ourselves of what was in this bill. We went through it clause by clause and we came to the same conclusion which obviously the minister and his advisers have come to: that there is so much in this bill that is confusing, that invites contention, that he will have one morass if he leaves the bill as it is, in its existing condition.

It comes back to the very point of trying to retain the respect not only of all of the members of this House, but those who are outside of this House, when we find ourselves apparently carrying on a debate that will go on for several hours on issues which may not be issues at all by the time the minister comes into this House and tells us exactly what changes he is prepared to make.

Mr. Speaker, for that reason I would hope the minister might even consider moving much more quickly than the member for Sudbury suggests, and that before this debate finishes — perhaps this afternoon or as soon as it opens again in the evening — he tells us exactly where he is going; what areas he is prepared to change. Indeed, perhaps even in those changes there are principles involved at least to some extent.

More than anything else we want to stop unrest in our society. But in order to stop unrest we must have good labour legislation. And the labour movement is not coming to this government or to any government asking for advantages. It would never come asking for advantage because it knows very well that any government that gives advantages can take those advantages away, and asks rather that there be an equilibrium, that there be a fair chance. I suggest to you that no party has a right to place before this Legislature a labour policy for labour alone, a policy simply to strengthen trade unions. Rather, there must be a labour policy which is for all of society. It is ridiculous to have an education policy for teachers, or a Medicare policy for doctors. We must have a labour policy which is in the best interest of the whole society. I suggest to the minister that the representations he has had from the Ontario Federation of Labour, the representations he has had from several groups, would indicate that this is not going to be to the best interest of this province and of industrial development in this province. And so I hope that over the next number of hours he will think very carefully of what changes he wants to make.

Now we can be very cynical and say this is part of a whole coast-to-coast view that there must be fewer strikes and there must be less unrest. Yet this legislation does not promise to do this. I remind you, sir, Mr. Speaker, that I come from a city where there has been labour unrest. In fact, the Rand report, which came forth from this government and which was totally rejected by the Labour Department, at least a part was rejected by the Labour Department, came as a result of what took place in my community, where there was not only unrest but there was violence. And, indeed, as a result of that situation on that picket line, some 14 or 15 men went to jail. These were leading citizens of the community who were in jail, and some of them were in jail for several weeks.

I know what can happen to a community where that happens and the effect upon the people in that community. To the extent that this Legislature is concerned with humanizing our society, I say to the minister that anything in this bill which is going to dehumanize, make it less civilized, will certainly be detrimental not only to my community but to every community represented in this Legislature.

So we do look at various aspects of this legislation which simply are not good enough. The minister knows and every member knows that when you have violence so often it is simply because there have been strikebreakers injected into a situation, into a strike where they are taking the jobs, they are taking the future security of people working in that plant or that factory. It would take very little for any one of us if we were faced by the same situation to take action against those who were indeed stealing our jobs and our security and the food from our table and the security of our families. It is simply that straight-forward.

Why is there not, in this piece of legislation, the stipulation that there shall be no strike-breaking in the Province of Ontario? That is not giving an advantage to the trade union movement. That is simply retaining an equilibrium, because surely what happens in a strike is the strikers go out on the street. They circle the plant and they suffer. They suffer because they lose their wages, because very rarely can a trade union with the resources it has provide for anything like the needs of all those members of that trade union. Even the largest and strongest international unions can scarcely provide this.

But there must be suffering inside that plant, that is, those who are in charge of the economic process in that plant must realize that they must suffer as well and the shareholders of that company must suffer. Out of the total suffering on both sides there is an equilibrium; there is a recognition of the needs of both sides and an agreement is reached.

One hopes and one prays that The Department of Labour is able to give some assistance. The minister constantly stands up in this House and says it is not the right time. We in this Legislature accept that statement when he says he cannot intervene because it is not the right time. The right time is when both sides recognize out of their suffering that there must be an agreement. The best agreement comes when there are strong forces on both sides, and that is why we attack this legislation. That is why we are concerned.

It is indeed the principle of this legislation to which we turn in the last analysis. Why is there nothing in this bill which clarifies the problem of good-faith bargaining. Probably one of the most frustrated debates we have had in this Legislature involved the whole question of what we mean by "good-faith" bargaining. When a company sets out to give a lower standard of living, lower wages to the people in that plant than they are already receiving, surely that is bad-faith bargaining. When the company refuses to come to the bargaining table, surely that is bad-faith bargaining. And yet what real opportunities does the trade union have to bring to the public attention, indeed to the attention of this Legislature or the minister, when a company is really not prepared to bargain in good faith? Yet there is nothing which clarifies and gives some kind of context in which good-faith bargaining can be carried on in the Province of Ontario. That is a major lack which we see in this piece of legislation.

One can go through the various aspects of this bill. The release which The Department of Labour put out last June when this bill was introduced in this House, says: "The desire is to create a balance between labour and management." And I say to you, Mr. Speaker, this does not create a balance. It is a lack of balance that we complain about. The other statement in that same release is that it will include provisions to make it easier for unions to organize. I do not need to say to the minister, after all that has taken place in the last number of months, that the trade union movement in this province is not willing to concede one iota that this particular piece of legislation will make it easier. It will make it harder, most definitely harder. Yet surely the people the minister should be most concerned about—perhaps even more than those who are in trade unions—are the two thirds of the working force who are not in trade unions and who work for wages that have a standard of living far below what is acceptable even to the Economic Council of Canada. These people have no protection and the minister gives them no further protection in this bill—and perhaps that is what is worst of all. Here you have two thirds of the working people of this province who have no way by which they can bargain collectively and so we have to give them all kinds of support—minimum wages. We have to try to set up some means by which the working conditions are not so outrageous that they are an affront to our whole civilization.

I say to the minister that what we should be doing is accepting the concept that it is normal, that it is natural, that it is to be expected, that men and women who work in this province will have some way of bargaining collectively. There should not be the restraints; the emphasis should not be on finding ways by which people have to go around legislation in order to bargain collectively. There should be every assistance given; indeed, I would suggest to the minister that his department should have as its main contention that it is the normal thing that people should bargain collectively in the province of Ontario.

He knows as well as I know, that there are all kinds of companies and small plants, so often branch plants of American corporations —the industrial ghetto perhaps is the way to characterize it, as the leader of this party has this afternoon—where there are people who cannot bargain effectively, and for these people their conditions of work are horrendous. I should be the minister's concern not to make it more difficult by putting a 65-per-cent number on to secure certification by vote; his effort should be to encourage and

develop policies in this department which would make it easier.

I am not going to go into a number of other areas which certainly bother many people. I would hope that one of the clarifications the minister will make will be in that section where action can be taken against a union which threatens to strike. What does he mean by "threatening to strike"? Are we going to have a parade of trade unions in the courts of this province or coming before The Labour Relations Board because some member in some union hall has threatened to strike? This is a section of this bill that is totally unacceptable and I say to the minister that unless he is prepared to make some specific amendments to that piece of legislation he is going to spend a great deal of time in this House and in a committee explaining what is meant by that particular section of this legislation.

Mr. Speaker, I have only a moment left but I want to say this. Surely we should be moving in this province toward making or creating a system of management-labour relations which are a source of pride to us. Obviously they are not a source of pride at the present time. I suggest that this legislation will make the situation worse. The word "harmony" has been used. The word "sensitivity" has been used. There is nothing in this legislation which leads to greater harmony or traces a greater sensitivity of one group with another.

Strangely enough, at the present time in the educational system of this province we talk about turning out young people who are curious, who are sensitive, who want to make more decisions. Yet there is nothing, and the minister seems to be prepared to do nothing, to provide various means by which members of unions can take a greater part in the decision-making in various areas of the industrial plan. Why not?

Is it not time that we began to provide evening courses, as a result of this minister's department? Certainly in the companies in this province which are publicly owned—Ontario Hydro—we could begin to develop some meaning to the words industrial democracy. We could begin to map out, bit by bit and step by step, areas where workers have a right to discuss and to make agreements with management as to what kind of conditions of work they must operate under and to deal with the prices of products and the kinds of products that are being produced and the effective technology—a whole series of areas—where workers should be playing some part, some very real part.

Mr. Speaker, the time is approaching when I must end my remarks, but I come back to what I began by saying: we want to see a civilized relationship between people. We do not ask for favours for any group of people. We have a right to ask—every right to ask—that there be an equilibrium in our industrial system which allows trade unions to operate effectively and, indeed, in a particular situation, to create an equilibrium we must encourage the development of bargaining units so that they are an expected thing in our society.

I suggest to the minister that he think very carefully. I would suggest to the minister that if this bill passes in the way in which it is now set before us, that we will have over the next number of months a number of industrial disputes which will not be a source of pride to us in this Legislature who have passed this particular piece of legislation.

Mr. Speaker: Is the hon. member finished with his remarks? I must point out to him that the hour does not mean he must cut his speech off. We are going to resume—

Mr. Pitman: No, I will have to finish my remarks.

Mr. Speaker: Right. The hon. member for Parkdale; we will recognize him first when we reconvene at 8.00.

It being 6 o'clock, p.m., the House took recess.

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No. 116



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Evening Session

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

THE LABOUR RELATIONS ACT
(*continued*)

Mr. Speaker: We are continuing with second reading of Bill 167.

The hon. member for Sarnia, please.

Mr. J. E. Bullbrook (Sarnia): I want to direct my remarks, if I might, to the Minister of Labour (Mr. Bales), Mr. Speaker.

Mr. W. Ferrier (Cochrane South): Where is he?

Mr. Bullbrook: I think it is absolutely essential that we be permitted to direct our remarks to the appropriate minister. I am not sure that we are going to have any effect upon him, but I can assure you of this, we are not going to have any effect if the minister is not here.

I do not know whether there is any rule in the House. I resume my seat for a moment.

Hon. R. S. Welch (Provincial Secretary): Members speak to the House through the Speaker.

Mr. Speaker: I believe, if the hon. member needs direction, that the debate should continue. The hon. Minister of Labour will be here shortly. Whatever he misses, he can pick up in *Hansard*.

Mr. Bullbrook: Thank you, sir.

Mr. I. Deans (Wentworth): It shows his concern for the people.

Mr. Bullbrook: Mr. Speaker, I think I can be brief because, in fairness to the House, I believe the majority of us who are concerned with the true reciprocal aspects of collective bargaining in this province as it affects management and trade unionism but much more importantly the public good generally, will want to have something to say about this piece of legislation. But the fact of the matter is that my colleague, the member for Dovercourt (Mr. De Monte), and perhaps more extensively my colleague, the member for Sudbury (Mr. Sopha), have touched upon the essential principles of the bill, which leaves us as a party without reservation to advise you, sir, that we are going to vote against the bill in principle.

The tragic circumstance, as the minister now enters the House, is that there was afforded to this minister an opportunity through this legislation to rectify a manifest difficulty in the economic situation in the Province of Ontario and a difficulty that translates itself to an unbearable economic burden on the public generally, and that is the weaknesses in the collective bargaining situation in the construction industry in this province.

I had the opportunity, as have many members, to have the benefit and advice of both my local construction association and, the very next day, the executive members of the Sarnia Building Trades Council. The way we operated that was in harmony; we met with the construction association, and at the same meeting there were two members of the executive of the Building Trades Council. The next day when we met with the Building Trades Council, there were two members of the construction association there. So I had an opportunity of getting their viewpoints.

What astounds me—first of all, let me say this, as others have said—is that the minister makes mention of the fact that he has already entertained the propriety of some amendments in connection with this legislation. We read in the Toronto *Daily Star* of this afternoon the headline that "Bales won't make labour Act change," and I read therefrom:

> Labour Minister Dalton Bales said yesterday he will make no major changes in his controversial proposed amendments to The Labour Relations Act despite the personal protest of 11 top officers of the 600,000-member Federation of Labour.

You see, there are some changes which have to be made in this legislation. I brought to the attention of the minister a rather picayune detail. One section, in calling for compensation payable to the arbitration board, calls that compensation "renumeration" rather than "remuneration". That is a small detail but it is an example of the fact that this is an extremely sloppily drawn bill.

As my colleague from Dovercourt said, it is ill-conceived. How the minister can feel—and we have to dwell upon this for a moment—that he is going to rectify the problem in the construction industry in this province without coterminous contracts escapes me entirely. And I am going to say to you, Mr. Speaker, if I might, that one of the problems that has faced the construction industry throughout the province is the fact that the public could never say—and for that matter contractors themselves in bidding on public jobs could never say—at least for a defined period of time, "We are going to have stability within the industry from an economic point of view." That is what the public not only should ask for, that is what the public has the right to demand.

We, as a party want in no way to restrict the collective bargaining process, but it is not too much to say as a party, on the public behalf, that after you have bargained collectively as an industry the people are entitled to know that there is going to be a certain period of stability in that industry and unless you accept the premise of concurrent termination of contracts in the industry, then you cannot assure the public at any time of the stability that they must demand. Of course, then, it comes to mind that this is such an essential ingredient, so absolutely a foundation and need for that stability in the industry, that how you could possibly consider giving a bill to us of this nature without doing something to rectify that obvious problem staggers us. We have to demand of the minister why he did not consider it? It takes no great genius to see the problem and some of the solutions to the problem.

Basically, though, the bill does not grapple with the real problems of the construction industry. Take, even, the accreditation proceedings—the principle of accreditation I accept. We must do something to see that reciprocity of bargaining ability that the member for Sudbury spoke about. We have to do that, but the principle of accreditation here does not go far enough. It invites the very problem under 103(3) that was so well pronounced by my colleagues in this party and by the leader of the New Democratic Party (Mr. Lewis), but aside from that I invite your consideration of this.

Within a defined region or area as established by the Labour Relations Board you can have a multiplicity of employees' associations. The problem that the industry will point out, Mr. Speaker, to the minister, is the fact that if you do not have some type of concentric and coterminous bargaining among the accredited associations within the defined area you still do not solve the problem that you are trying to come to grips with.

In point of fact, if the mechanical contractors decide that they want to apply to the board for accreditation and the right to bargain with the appropriate trade union with whom they are dealing, then they, having the tremendous overhead responsibility in the industry, might well be called upon to settle prematurely, and so the general contractors who do not have that heavy overhead position in effect can sit back and bear a longer strike.

We in this party want to see eventually what must be, I would think, a province-wide accreditation, so that in point of fact we have one set of bargaining done in this industry and, as that terminates, so does the collective bargaining aspect for a defined period of time. Let them define the period of time; we, as legislators, should have nothing to do with that.

But I must say, Mr. Speaker, to the minister through you, I am very pleased that he sees fit to change his attitude in connection with referring this to committee. I want to refer the matter to committee. As I understand it, he has now agreed that it will go to committee.

Hon. D. A. Bales (Minister of Labour): It had been my intention all along, but I wanted to announce that here.

Mr. Bullbrook: Yes, surely. Well, I hope then, in committee, that two things happen. First of all we have the opportunity of having come before us those people knowledgeable in the construction industry itself—those people from OFCA, the people from the Council of Trade Unions, the Ontario council, to give us the benefit of their advice. These are complex matters, but there are solutions available to these matters. I think that on the basis of the experience that I have been able to have in my own riding, we, as a committee, can have a similar experience which will be to the advantage of the public and to the advantage of the union and the advantage of the construction companies or the contractors themselves.

I am more concerned, I must confess, from a parochial point of view, with the aspect of this legislation that involved the construction industry, because we have been racked with unrest in the past in the Sarnia area, having such a high volume of heavy construction in our area because of the nature of our industry. We must have some stability.

We have had the happy circumstance that there has been a great deal of co-operation in our area between the construction association and the trade unions themselves, but these people require protection.

When we get into second reading, we are going to be talking about specific sections that are so blatantly devoid of true meaning that I am sure we will be able to show to the minister at that time, either in committee or on third reading, that his advisers have not really assisted him in coming to grips with the problem. But in connection with the other matters, they were covered in detail by the member for Dovercourt and the member for Sudbury.

Before I take my seat I just want to say this. The concern I express is this basically. It has been my attitude, my personal attitude, both when acting in a capacity as counsel for trade unions in the past and for management in the past—and I voice it to the minister, through you—we, as a party, and it was stated by the member for Sudbury, have as our main concern that there be as little interference with the collective bargaining process as possible by government, that basically we put people in a position of equal strength as much as possible.

This legislation does not do that. It gives contractors the right to opt out of the association. It gives the employees themselves the continuing insidious right, while they are on strike, to go and work elsewhere and come back and vote on the acceptability of a contract while they are working elsewhere. Section 24 gives them that continuing right.

Mr. M. Makarchuk (Brantford): What are they supposed to live on? What are they supposed to eat?

Mr. Bullbrook: Well, let me say this to the hon. member just so we have no reservation. If the position of the New Democratic Party is that during the course of a legal strike one of the employees is entitled to go and work elsewhere and still vote on the acceptability of the collective bargaining agreement, then how in heaven's name can that party take such strong issue with strike-breakers? I am dead against strike-breaking myself, but the point is that you will never get a collective agreement if the employee is working and the employer is shut down.

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): What is the member's alternative?

Mr. Bullbrook: The alternative is that during the course of a legal strike, the employee does not work. If he wants to go and work elsewhere—

Mr. C. G. Pilkey (Oshawa): What about the employer?

Mr. Bullbrook: I will get to that. If he wants to go and work elsewhere, all well and good, that is his inalienable right to do so, but he cannot come back and vote on the acceptability of the company's offer afterward. No more can, of course, the company continue to do business while it has the man on strike. There has to be complete reciprocity in this.

Of course, the problem in this legislation is that until you get province-wide accreditation I do not see how you are going to solve the problem. But I want to have the opportunity in committee of getting into a direct dialogue with Mr. Cohlgren and the other people who represent the trade union movement on this.

I say without reservation, in reply to the member for Brantford, that it has to be a two-way street; that is the way I look at it. As much as I am in favour of the principle through statute of abolishing strike-breaking, at the same time we must be fair.

Do you know what happened in Sarnia? The whole construction industry has shut down and the greatest part of the labour force is working at Talbotville, while they are on strike at Sarnia. Did you expect they were going to arrive at some type of acceptable contract while they were making money over there? They were just laughing at the employer.

Mr. R. Gisborn (Hamilton East): What would the guy at Talbotville do? Shut down if they did not work?

Mr. Bullbrook: The guy at Talbotville?

Mr. Gisborn: The contractor.

Mr. Bullbrook: I do not follow what the member means. Well, I take it they probably took a job from some pipefitter in Sudbury. I really do not know.

Hon. A. Grossman (Minister of Correctional Services): Did you discuss this with the member for Dovercourt?

Mr. Makarchuk: May I, Mr. Speaker, on a point of clarification on this—

Mr. Speaker: Order, please!

Mr. Bullbrook: I wanted to, if I might, Mr. Speaker, clarify the position of this party in that connection.

Mr. Makarchuk: The woman who has a family to support and she cannot get a job—

Mr. Speaker: Order, please! The debate should continue through the Speaker. The member for Sarnia has the floor.

Mr. Bullbrook: I am prepared to listen to the question for a moment. What is the question again?

Mr. Makarchuk: By way of clarification, Mr. Speaker, in a situation where an individual is living on a minimum wage, and the only income they have that comes from the job they are receiving, they are not getting any strike pay or they are cut off from strike pay—

Mr. Speaker: Is this a question of clarification?

Mr. Makarchuk: They have no income whatsoever. What do they do then?

Mr. Bullbrook: The simple answer to that, of course, is that everybody has the right to go to work where he wishes. The point I am making is this, that if a person is working, he should deprive himself of the right to vote on the acceptability of the company's offer afterward.

I use that purely as an example for you, under section 24 I believe it is, that the bill is deficient. It is deficient in so many sections other than 103 and 24. Goodness gracious, section 39; the definition of an employer in section 39 in my opinion completely negates national contracts or international contracts, if you look at the definition of employer in section 39. There are so many sections in this bill that are full of holes, but the problem is we are talking about principle.

Mr. Pilkey: Fundamentally flawed.

Mr. Bullbrook: I would exhort the minister to reconsider some substantial changes in the legislation at the committee stage.

Mr. Speaker: The member for Hamilton East.

Mr. Gisborn: Mr. Speaker, speaking on the principle of this bill and, of course, supporting our party's position of opposing second reading, one has to say that in regard to the philosophical approach to the problem of labour-management relations, much has been said, so one has to relate to some of the particulars in the bill to point out the fallacies of the principle involved.

Of course, repetition is needed when you try to impress some one, and in this case particularly the Minister of Labour, that some changes must be made, that the proposition he has put before the House is not going to rectify the ills of labour-management relations that he has also put forward for reasoning.

I would just deal for a moment with the concern of the member for Sarnia in regard to the construction industry and the balance of power that is needed, as he puts it. He relates the case of craftsmen in the construction industry where, when they strike one contractor they go to work for another contractor. Of course, this particular reason as it has arisen over the last two years is why the contracting industry has now decried the imbalance of power; it is simply because they have not been able to get along together.

They have practised a dog-eat-dog procedure for many years where certain contractors wanted to grow bigger and make sure that they weeded out all of the small contractors. That is what brought about the question of employees going to work for another contractor. This has happened and we have kept good track of it.

I have cases in the electrical field of a small contractor where you have 17 employees. When the electrical employees struck one contractor, or the contracting industry, in a particular area, that small contractor was able to move in and pick up some of the work because he had already a signed agreement. He enlarged his contracting business by three times within three months and he emerged then as an on-coming contractor in the construction field.

This is what has bothered the major large contracting industry to the point that they lobbied to their wits' end in the past few months to bring about this legislation. I am sorry that the minister has fallen for the lobby of the construction industry in this case.

No request was made by the construction trades for amendments, even though they were the people who suffered the 101-day strike last summer. If we look at the situation that affected Hamilton as well as other parts of the province, we also had the steelworkers on strike at the Stelco plant for three months and that was an economic battle between two adversaries in the labour and management field. They came out of that strike—particularly those in the steel industry—with a favourable contract, one that has proved to mean very much to the employees and even to some that were on pension.

All of those involved in Hamilton, including the public and the city council, declared that

although the strike did do some damage to some small businesses, in the long shot it was a well-conducted, a well-carried-on strike, a fight between the two sides, and that the results were that there were people with more money. They started to pour it into the economy and we now find that most people are satisfied and even the construction trades have got some of their problems ironed out.

If we are going to talk about province-wide accreditation, if we are going to talk about multi-trade and construction industry bargaining on a regional or zone basis, that is fine, if we find that that is desirable. But I would think it would be proper to call in the construction trades with The Department of Labour officers and have a dialogue with them as to what they think is desirable.

If they feel it is desirable to go into this kind of collective bargaining, then we could start to iron out a reasonable and orderly method of reducing some of the conflicts that come about, not because of the clear-cut adversary between the contractor and the industrial trades, but because of the conflict in overlapping excessive negotiations which brings about the situation where one contract is signed and they cannot go to work because the other one is open and they strike.

In the minister's opening statement in his press release of June 22, he says:

> The series of amendments to The Ontario Labour Relations Act are designed to promote industrial peace and give additional protection to the rights and freedoms of workers.

I would suggest that he should have said, "designed to promote and give additional protection to the contracting industry," because there is no place in these amendments that has given anything to the construction craft industry. It is all weighted in favour of the construction industry.

When he talks about freedoms, of course, and protection to workers, there are one or two areas where he does it for a very small minority, a minute minority. He is going to make it possible for one to opt out of his responsibility to his organization on limited grounds. He is going to provide for an appeal by the individual because of disciplinary action taken by his organization.

Now that may be all well and good. It depends on the clarification and the regulations governing those particular moves. They could be chaotic, in some cases, if we are not very careful, because if the person in this province who has advocated such a move as one individual having the right to opt out of his responsibilities is one who has, in my opinion, ultra disastrous motives in so doing. His objective is to create dissent in one particular union.

I hope that we are very careful in the regulations and the clarifications of that particular section, the section that provides the right of one to not pay his obligations in union dues to an organization and be able to give it to a charity of his choice.

The other one, I think myself, personally, is so insignificant, it happens maybe once in five years, where individual dissidents will claim that they have been treated unjustly by their local union and complain and want a further appeal. If one studies the constitutions of the basic, well-established unions he will find that their constitutions provide adequate democratic protection for the individual's rights in case of appeal, and I think this is an imposition by the government on the internal workings of the union. Now, I just want to deal with one or two of the amendments in principle at this point to try to elicit some idea of what the minister means. We will take section 4 of the amending bill which amends section 1:

> Where, in the opinion of the board, associated or relative activities or businesses are carried on, by or through more than one corporation, individual, firm, syndicate or association, or any combination thereof, under common control or direction, the board may treat the corporations, individuals, firms, syndicates or associations or any other combination thereof as constituting one employer for the purpose of this Act.

Hon. Mr. Bales: Section 4?

Mr. Gisborn: Now, I cannot find anything particularly wrong with that. That section may be very useful if it is used on a joint basis where both the union and the industry have the choice but that section should not be imposed in any fashion. The principle involved here is one that is going to relate to the construction industry. It is a follow-on of the whole—

Hon. Mr. Bales: Mr. Speaker, could I just have that section again? Section 4?

Mr. Gisborn: Section 4, yes.

Hon. Mr. Bales: Of the new bill?

Mr. Gisborn: Yes, amending section 1 of the Act. It is a follow-on of the whole idea of accreditation.

Now, if that principle is sound, as I said, until I get more clarification of it in committee or in standing committee—where I hope it will go—it could be a good clause. But what strikes me is the principle, when the industrial unions in this province tried for many years to get provisions that would allow the industrial unions to bargain for master agreements. The Steel Company of Canada is one of the best examples where they have, I would say, 12 other small plants in Ontario as well as the large plants. But they could not bring about the master agreement even if the management and the industry so desired because of the provisions of The Labour Relations Act demanding that they certify a separate local in each plant. Then, of course, they had to go through some months of negotiations in each plant even though at this time they had been able to arrive at a position of an agreement carrying on in certain instances the wages and pensions—those key issues, that are negotiated by the major plant.

But the principle that you are now applying to the whole question of accreditation in the construction industry now will apply, I hope, to the industrial plants, and I wonder if the minister in his closing remarks on this second reading would tell us that this is the principle involved: to allow the master agreements and this kind of certification and negotiations in the industrial plants.

The other section that strikes me as needing some clarification as to principle, and I would like to state my own, is the addition to section 4 in the amending Act. It is the amendment to subsection 2 of section 6 of The Labour Relations Act which adds—and the section itself provides for the certification of the related trade as a bargaining unit with the contractor and the addition is:

> Or where the group of employees is exercising a combination of technical skills or is required to perform the skills in whole or in part of more than one craft as part of a work crew or team, the other members of which are also required to perform in similar fashion.

I do not know whether it is right or not but the craft trades feel, and I have got that suspicion myself, that this is the first step, the first toe in the door, of diluting the craft trades. It certainly will cause a great deal of conflict in their own ranks for small contractors who are not organized; who feel that they want to tie up a group and then will compete with the organized contractor. They can get these multiple tradesmen and they can ask for certifications and they can go ahead and put up any kind of a building that they so desire. That is the first diluting of the craft trades and it will cause such militancy that the minister will be sorry he ever submitted that kind of resolution.

If this kind of thing is desirable, I say again if we are going to get something, as some editorial writers and some labour experts have suggested, we have to do something. I am not convinced yet that the situation is that bad. If we have to do something by that time, we have to come to province-wide bargaining, regional bargaining, on a zone basis, on a craft basis, on a multiple-craft basis; I do not know. But if that is desirable, if it has some element of reasonableness in it, then call in the trades, have the dialogue with them and find out if this will work. Give them the opportunity to take back some ideas and talk over among themselves so they do not have the chaos that this kind of thing is going to give to us.

On the whole philosophy of the setting up of a commission of inquiry, it has been said before that will be just an extension, an ad hoc procedure to the conciliation procedure. All it really is, is a step toward compulsory settlement of disputes in this province, and you know the feeling of the trade union movement in that regard, because that will abridge the fundamental right of unions to use the strike weapon in case of a failure to negotiate agreement. It will certainly, without a doubt, weaken the whole collective bargaining procedure. We have found that. It has been said that The Hospitals Labour Disputes Arbitration Act has done that, even though we can claim some success in certain areas of organizing. But it certainly has weakened the free collective bargaining situation.

We talk about it being necessary. Someone has related to the situation in Sweden. He did not relate very well because he did not explain that the whole industry, the government atmosphere to the trade union movement, grew up together in Sweden. It was not something that you had to breach in a country that has been practising the free enterprise system for 150 years. To start to develop that kind of atmosphere in a country like Canada, and particularly a province like Ontario, would take a democratic socialist party with its approach to units of our society. It would take many years for a party like ours to even bring that about.

Hon. Mr. Grossman: Is your party a democratic socialist party?

Mrs. M. Renwick (Scarborough Centre): Pardon?

Mr. Gisborn: But let us relate to Australia. Australia banned strikes.

Hon. Mr. Grossman: Are you a democratic socialist party?

Mrs. M. Renwick: That is right.

Hon. Mr. Grossman: Why do you not call yourself that?

Mrs. M. Renwick: We do.

Mr. M. Shulman (High Park): As soon as you call yourselves the party of big business, we will call ourselves the democratic socialists.

An hon. member: Do you call yourself a capitalist party?

Mrs. M. Renwick: Do you call yourselves the fascists?

Hon. Mr. Grossman: We would then call ourselves the Democratic Party.

Mr. Gisborn: We are leading this province into a situation of compulsory settlement for industrial disputes. We are talking about banning strikes. Some of us forget that they have had this situation in Australia for some two or three years now, and last year they had more illegal strikes in Australia, involving more people than we have had legal strikes in Canada.

Just a couple of months ago they had a general strike in Australia with 750,000 workers out, and they have a no-strike plan. They started off by putting a few of them in jail, and when they got 10 or 12 in each of the little county jails they threw up their hands and let them all out.

When you talk about increasing penalties for failure to do this and failure to do that you are not using common sense. I appeal to the minister to give great consideration to the amendment to The Labour Relations Act, rather than impose further restrictions because some time or other, business in this province, the government, all politicians have to realize that we are not going to correct the ills in the industrial relations field by more restrictive legislation. We have got to develop more understanding, and we have got to listen to some of the propositions made by the labour groups.

The minister surely has read the brief from the Ontario Federation of Labour. He sat and listened to them. They are not asking for more. They are not asking for power. They are asking for the implementation of some of the things that they have been asking for for the last 15 years.

Hon. A. B. R. Lawrence: Have you listened to Cohlgren?

Mr. Gisborn: Yes, I have listened to him very well. He is one of the officers of the building trade union.

Hon. A. B. R. Lawrence: He builds a whole speech on suspicions and hypothetical questions.

Mr. Deans: You must admit, though, that most of them are well-founded.

Mr. Pilkey: He had some foundation.

Hon. A. B. R. Lawrence: Some.

Mr. Pilkey: Sure.

Hon. A. B. R. Lawrence: But the whole speech is built on hypothetical questions.

Mr. Pilkey: He had some foundation for it.

Mr. Gisborn: His men are listening to him nevertheless.

Mr. Deans: He is going from past experience.

Mr. Gisborn: His men are listening nevertheless—

Mr. Pilkey: He has had some pretty bad experiences.

Mr. Gisborn: Instead of making this a piece of legislation designed strictly to enhance the construction industry—I would not be opposed to legislation that was trying to correct a problem in a special segment of our society, whether it be a business plant or whether it be one segment of the construction industry—but this is going to help that part of the construction industry which is determined to become the power in this province by weeding out and destroying all of the small contractors.

Hon. J. R. Simonett (Minister of Public Works): Who pays the bills?

Mr. E. Dunlop (York-Forest Hill): I thought it was the life insurance companies.

Mr. Gisborn: That is my interpretation of it, and we do not want to see that. If that is the objective of those people, we cannot give them that weapon. It has been said by the government they like to see the small

businessman grow, but watch very closely this imposition because that is what it is going to do. I appeal, and I feel sure that the minister will be sending this bill to the labour committee. Can I have that assurance at this point?

Interjection by an hon. member.

Mr. Gisborn: All right, I am sorry I did not hear. We do not want any comment from the Minister of Public Works at this time.

Hon. Mr. Simonett: No, you would not want any because I might tell you something you did not know.

Mr. Deans: Who would tell you that—

Mr. E. W. Martel (Sudbury East): What do you know that anyone else does not know?

Mr. Speaker: Order, please!

Hon. Mr. Simonett: I could tell you many things that you do not know as yet.

Interjections by hon. members.

Mr. Gisborn: On that point, Mr. Speaker, if the Minister of Public Works wishes to participate in this debate, we would certainly like him to get up and give us his opinion of this Act.

Mr. H. Peacock (Windsor West): Who is going to speak for the construction employers over there?

Mr. Speaker: The member for Rainy River.

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker. I will try to be brief in my few remarks. I would like to reiterate that the Liberal Party is going to vote against this bill in principle on second reading. I would like to inform you, sir, that the entire Liberal-Labour Party is going to vote against this bill as well. We have had a caucus over the dinner hour.

Hon. Mr. Grossman: Do you have a separate caucus?

Mr. T. P. Reid: Mr. Speaker, in the past few months we have seen a lot of legislation brought into this House which was ill-conceived and ill-drawn. Surely this bill that is before us today must serve as a model for those other bills. Seldom have we seen one that is so hazy or so murky as this one.

Some time ago I was speaking to a lawyer friend of mine and kidding him about lawyers being parasites on society. That is for another debate. In any case, I stated to him, sir, that lawyers often dragged out legal matters and that they really serve no useful purpose in society. He turned on me with the remark that it was not lawyers that caused all the problems, it was poorly drawn legislation and laws that were ambiguous and that the responsibility, if any, lay with the particular legislatures and parliaments that were responsible for bringing that legislation forth.

I submit to you, sir, that this is a prime example. This bill is a prime example of legislation that is unclear in many respects, most of which have been underlined already. We have heard a great deal, particularly instructive, from the member for Dovercourt and the member for Sudbury in regard to this bill.

It has been pointed out that for the economic system that we have to work efficiently, both sides in a labour dispute must be of equal power. This is a theory, of course, that had been developed to a fine art and presented by John Kenneth Galbraith in his book "American Capitalism—the Concept of Contravailing Power." It is something that I think that this bill, in a very indirect way, is trying to get at and is trying to legislate into practice.

Of course, as in most cases, this government is five or 10 years behind in all these matters. Perhaps finally somebody in the Labour department has got around to reading some of the experiences of other countries and has come up with this bill. But surely this bill does not serve the purpose that is intended and that is to avoid the confusion and chaos of the kind of strike that we have had in the construction industry.

It has been pointed out, Mr. Speaker, that there are three partners, or three people, mainly concerned in any industrial dispute: the unions involved, the companies involved, and the public. We claim our objections to this bill, sir, in the framework of the concept that the public interest must be protected and that the public are a part of any dispute and it is the public at large that we are mainly concerned about in this bill.

We think that the way to solve many of the labour problems is to have both sides bargaining on an equal basis and preferably on an industry-wide basis with all the employers in one union, if you like, and the unions bargaining as one unit on the other side, such as has been pointed out is the case in Sweden where it has worked very well.

Unfortunately, section 103, subsection 3, of the bill does not provide for this. In effect, it contradicts the whole aspect of that section of the bill. It already has also been pointed out that the board that is provided for in this

Act is perhaps a way of getting the Rand report in the back door through legislation. We have stated unequivocally before that we reject the Rand report as a too-authoritarian document and we would not support such legislation brought in in that respect.

We are also pressing, Mr. Speaker, for coterminous contracts, so that bargaining can take place around the table on the same day to avoid the kind of whipsaw tactics that have gone on between union and management and management and union in the past.

In closing, Mr. Speaker, I would reiterate that this bill is an insult actually to this Legislature and to the people of the province because of the way it is presented before us today and because of the fact that the minister has the nerve to stand in this Legislature before the debate on the principle of the bill and inform us that perhaps some of the ambiguous clauses which we were supposed to be debating in principle will perhaps be clearly explained in the future. I say this is an insult, Mr. Speaker, to all the members of the Legislature. I hope that before this debate is finished, the minister will rise in his place and make clear to this House just what those changes will be.

Mr. Speaker: The member for Oshawa.

Mr. Pilkey: Mr. Speaker, obviously this party opposes this bill.

Mr. E. W. Sopha (Sudbury): Are you the leader tonight?

Mr. Pilkey: I am the leader tonight.

Mr. Sopha: You have four leaders in that party.

Interjections by hon. members.

Mr. Pilkey: It only takes one New Democrat to match 10 Tories.

Interjections by hon. members.

Mr. Speaker: Order, please! The member for Oshawa has the floor.

Mr. Pilkey: Mr. Speaker, obviously this party opposes the amendments to The Labour Relations Act designed, as the minister outlines, to provide harmonious industrial relations in the Province of Ontario.

Mr. Makarchuk: Discordant harmony.

Mr. Pilkey: I want to suggest to this House that this bill's real intent is to put the worker in an economic straitjacket and, equally important, to weaken unions in this province. This is the total intent of this bill. The aim is a veiled form of compulsory arbitration and an infringement on the historical rights of workers—the right to strike.

Ontario, with Bill 67, is now in the same ball game as British Columbia with Bill 33, Bills 2 and 35 in Saskatchewan, and Bills 290 and 38 in Quebec. When you put in the federal government's wage guidelines, you have the anti-labour picture in this country revealed before your eyes as dramatically as possible.

Obviously this or any other government does not want the stigma of anti-labour, but was it not ironical that the minister was on the defensive immediately he rose in his place in the House today by stating the bill was not anti-labour? The minister, when he introduced the amendment, spelled out a preamble which would depict him as a friend and colleague of labour, but when one carefully analyses the contents and substance of the bill, one can only say, "Who needs enemies when you have friends like that?"

Hon. Mr. Grossman: At least he is here and your labour leader is not.

Mr. K. C. Bolton (Middlesex South): We are not a one-man show.

Mr. Pilkey: The preamble states:

> Whereas it is in the public interest of the province of Ontario to further harmonious relations between employers and employees by encouraging the practice and procedure of collective bargaining.

Interjections by hon. members.

Mr. Pilkey: Well, in a moment I want to get into a number of the sections related to this bill, but first of all I want to just quote a few paragraphs from this document. I think that as I relate the contents, I am sure that we will understand who was the author. If I could just read some of the excerpts from this speech.

It says that "many members of the public, if I can judge the public reaction accurately, were misled and firmly believe that our industrial relations are in a state of chaos." As a matter of fact, the member for Rainy River made that point just a moment ago. This is where the real danger lies, because they also seemingly believe that order could only be brought about by getting rid of our free collective bargaining system.

On the other hand, our view—and, we believe, the majority view—is that free collective bargaining is an essential element in our

labour relations. Moreover, our industrial relations are not in a state of chaos. The records show that time lost in strikes and lockouts in the past few years was less than half of one per cent of the time worked. That is less than was lost in occupational accidents; I am sure the 'flu and the common cold cost us a great deal more.

Let me quote some more from this speech. It goes on to say that:

> Among the documents produced by our research branch was a fairly complete listing of the negotiations situations that will arise this year. This bargaining calendar gives such details as the date of expiry of each contract and the names of the parties involved.

It goes on to say:

> I sincerely hope that the mass media will utilize these services. Perhaps more emphasis on peaceful settlement would have helped to clear the bargaining environment and this in turn would lead to more peaceful settlement.

Well, in addition to that, he went on to say:

> Here we have an area in which almost constant coverage of controversial situations by the press unwittingly distorts the true situation.

He went on to point out:

> Let me give you an example of what I mean. Last year there were 3,000 contracts negotiated in Ontario, and about a half of them were settled in direct and peaceful negotiations between management and the unions. Of the remaining 1,500, more than 1,200 were settled peacefully with the assistance of the conciliation services. The remaining 286 were strikes and lockouts. Therefore, we have a situation in which peaceful settlements outnumbered strikes and lockouts nine to one, and by and large the mass media concentrated the reportage on strikes and lockouts. In the process, an impression of almost constant labour-management turmoil is created.

Well, I do not have to tell the minister who made that speech. The minister made that speech. And yet with the amendments to The Labour Relations Act, you would think that the industrial relations in the Province of Ontario were in total chaos, and you had to do something about it. But this is the true situation and those are the minister's own words in his presentation during the estimates in 1969.

I want to suggest to this House that the industrial relations in the Province of Ontario are not in total chaos. I want also to suggest to this House that it is big management, or big business, and the reactionary management in this province who are making that kind of claim. I want to quote for a moment a speech made this year by Mr. D. A. Machum, who is, I understand, a vice-president of the Algoma Steel Corporation of Sault Ste. Marie. What does Mr. Machum say?

> Collective bargaining in Canada today is a very sick situation. A lot of intelligent people think it is dying. They point to many signs. Since 1963 the number and duration of strikes in Canada have both been increasing sharply. Last year, an all-time record of 7.3 million man-days were lost due to work stoppages.

You would think that was a great deal of time. The minister pointed out that that was a half of one per cent of the total man-days worked in the Province of Ontario, and very insignificant in terms of the total man-days worked.

But let us just for a moment digress and take a look at the question of unemployment. You know, you do not get the management groups in this province talking about that, when 120 million man-days were lost because of unemployment in this province. This government and the federal government do very little about that, but they want to correct that kind of situation where a half of one per cent of the man-days worked were lost as a result of strikes in the Province of Ontario.

He also goes on to point out—and I want to make some observations on this because Mr. Machum does make the observation that there is an imbalance of power between the unions and management in this province. I suggest very strongly, Mr. Speaker, that the Minister of Labour has adhered to that premise because he stated in the introduction of this bill that this would restore, if I—

Mr. Martel: Did he mention 32-per-cent increases?

Mr. Pilkey: Yes. This is what he said, "To help correct an economic imbalance of power". I want to suggest that in my briefcase I have a number of speeches that were made by industrialists in this province who are suggesting that there is an imbalance of power. Let me tell you: the CMA; president of Denison Mines; Mr. Machum; the Ontario Chamber of Commerce, as well as the Canadian Chamber of Commerce.

All of these people are saying that there is an imbalance of power in the collective bargaining field. If the minister is going to help

to correct this economic imbalance of power—which obviously I do not subscribe to, because if there is an economic imbalance of power, it is weighted on behalf of the corporate elite of this province and not the trade union movement—I want to suggest that Bill 167 is in favour of the employer and it will not in any way promote harmonious labour relations. The opposite will be true.

You continue also, I suggest, the exclusions of thousands of workers of this province, while on the other hand you provide legislation for the employers to organize, and this is through the accreditation programme that you have initiated. I notice, Mr. Speaker, that in the bill, on accreditation also, that 50 per cent, a majority if I could use that term, would allow the employers to organize under your accreditation scheme. And yet, ironically, the employees, if they want to form a union, need 65 per cent for automatic certification of a union.

Hon. Mr. Bales: You are wrong.

Mr. Pilkey: You say I am wrong but that is how I read the bill. Sixty-five per cent.

Hon. Mr. Bales: For automatic certification.

Mr. Pilkey: Right, and that is exactly what I said. For automatic certification — 65 per cent. I would like to know what the rationale for that is.

What I am really saying is that you are giving more strength and power to the employer. This is nothing more that the continuance of the policies of this Tory government. Protect big business even at the cost of the working people of this province.

I want to suggest also that the organized workers of this province had better understand why this government have made the building trades the first target for their anti-labour legislation. The workers in the building trades have been able to negotiate better pay levels and better working conditions and organization has been on the upturn. Management could not arrest the gains being made by the building trades and who do you think is going to come to their rescue? The Ontario Tory government, because management do not have the will and the courage to organize themselves.

Mr. D. M. De Monte (Dovercourt): Nor the organization.

Mr. Pilkey: Nor the organization, right. And so—

Hon. J. P. Robarts (Prime Minister): What about the establishment?

Mr. Pilkey: I do not know about the establishment, but the Ontario government has surely come to the rescue of the management in the construction industry.

Hon. Mr. Grossman: Man the barricades!

Mr. S. Lewis (Scarborough West): No, just man the management.

Mr. Pilkey: I want also to suggest to this government what the workers had better understand in this province — that the building trades are first, and the industrial workers will be second and no union will be immune from this kind of legislation. This government did not introduce the Rand report in terms of its many recommendations, but I sense, as I read Bill 167, that the government took the Rand report and then just watered down that report in every area and introduced the legislation.

Let us take the powerful labour courts that were proposed by Rand. The alternative of this government was to appoint an industrial inquiry commission. But do you know what that really means? That means compulsory arbitration in this province. It was the first step in the door, in my opinion, toward compulsory arbitration when Rand called for unions to be made legal entities. I want to suggest that this bill does provide inquiries that are tantamount to courts and I also want to suggest that, as a result of making them legal entities, the government increased the penalties from $100 to $1,000 for individuals and from $1,000 to $10,000 for unions. That was another veiled way of adopting the Rand commission report.

Also, it is obvious under this bill that strike-breakers do not get the right to vote in the strike settlement, as I understand it, but the government does propose that 35 per cent can apply for decertification. They are giving some impetus to those people who want to smash a strike in this province. This government knows that there have been many unions smashed as a result of reactionary management who refuse to bargain in good faith, and this government has sat idly by and watched the workers' organizations totally destroyed. There is nothing in this bill that provides any penalties on the employer who refuses to bargain in good faith.

I want to suggest through you, Mr. Speaker, to the minister, that the 90-day provision that he makes in this bill — and says

that this will allow the union and the management to negotiate at least 30 days prior to what it was previously — I want to suggest to him that those additional 30 days are meaningless unless this government enforces the good-faith-bargaining proposals in section 12 of The Labour Relations Act.

There were other sections of the Rand commission report that were dealt with in this bill in my opinion, but the other thing that really bothered me was the right of employees to opt out for religious reasons. I remember my good friend, the member for Eglinton (Mr. Reilly), making this proposal on a number of occasions—out of a great sense of conviction, I suppose—but it seems to me that all the workers who participate in any collective bargaining goal ought to be required to pay their way. The very same people who will opt out for religious reasons will be the very first in line to get their share of the economic gains made by that trade union. Yet this government provides a section in this new bill that allows workers to opt out on the basis of religious objection.

Mr. Speaker, I want to make another observation on the basis of the deficiency of this bill. There is nothing in the bill that assists the organizing of the unorganized so that they can gain union agreements with decent wages and working conditions. It seems to me that if we are really going to make this province's slogan meaningful—a place to stand, a place to grow—then all the workers in this province ought to have the right to organize and ought to enjoy the fruits of collective bargaining agreements. I want to suggest that there is nothing in this bill that provides for organization for workers; if anything, the government has provided language and legislation that will retard the organizing of the unorganized in this province.

Also there are no provisions in the bill, as I see it, guaranteeing the right of all employees to join a union of their free choice. As my colleague and leader pointed out, you have a number of exclusions under The Labour Relations Act. You have not allowed the civil service the right of free choice of a union and so in this area there really is not much for those workers who want to be organized.

I want to conclude by saying that this party obviously will oppose this bill in principle and I would urge the minister to re-examine the whole of the legislation. And I would hope through the re-examination of his proposals that he would bring in amendments that would be beneficial to workers. I think the most insidious part of this whole bill is the section that is going to charge workers or unions that even threaten a strike. This government is really going to put the screws to the workers in this province and this bill meets all of those requirements. I just do not understand what this government is attempting to do when it says in the preamble to that it is attempting to create harmonious labour relations in the Province of Ontario. As I said, this party will oppose it in principle and I just hope the minister does make meaningful amendments to the bill when we meet again tomorrow.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, there are just two things that I would like to state personally with regard to the amendments that are before us. As you know, the bill is a compendium of amendments to a basic statute and I do not choose to deal with each one of the amendments; they have been dealt with by my colleagues. But I do want to say something about the approach the government is taking toward the building trades and particularly concerning the associations of employers.

I have listened with interest as government spokesmen have tried to indicate that the NDP speak only from the labour point of view, and certainly I have been impressed with NDP spokesmen pinning the big business mantle on government. We, of course, in the official opposition realize the special position of both labour and management, but paramount over them both is the public interest and this is of course what we are trying to put forward.

The system as it now is and, unfortunately, as it would be if this bill were approved in principle and carried through the various stages in this House, is one that leads to a situation in the building industry which perhaps my colleague from Dovercourt would not like me to call chaotic, but which appears to me on occasion to be chaotic.

The fact that the trade union interests bargain sequentially on many occasions with management simply means that there is always a strike or some substantial negotiation going on, which frequently disrupts the efforts of the workers and management to accomplish what they all want. They want to be able to make a profit.

Now the circumstances often develop that those people who are employed in the building trades, through the sequential method of bargaining find themselves frequently laid off. I think it has already been pointed out that when the present hourly rates are ex-

trapolated to a yearly figure it is a substantial income indeed.

Yet most of the building tradesmen are not employed for a full year. There are, of course, seasonal layoffs, but more frequently even than that, they are involved in labour negotations and embroiled in labour problems not of their own doing, but of their fellow tradesmen who are bargaining for different rates and under different circumstances.

So unfortunately the present system as we now understand it—and unfortunately the way it would continue if these amendments were enacted — would mean that the working man would be troubled by much more labour dispute than really is caused by his own demands, and so he is laid off more than a workman in another field of industry would normally expect to be. The alternative, of course, is that when the building trade union member may find himself embroiled in a strike that it is not always to his complete detriment.

We know of cases — certainly in my own community this often takes place — that when the building business is closed right down because of a strike in one of the trades or the other, the tradesmen who are prevented from going to work in our own community simply go to another community where building is progressing at an even faster rate. So they may be on strike, but in fact they are not seriously affected by it, at least for short periods of time.

Now the other part of this situation is that the contractors, because of the disorderly state of collective bargaining in the building trades, find themselves faced with very onerous contractual requirements on the finishing dates for a building. They find themselves involved with labour disputes which they themselves are perhaps willing to settle, but they are in a position of paying the heavy penalties because of the delay in the contract time which is completely unforeseen by them.

Just as the labouring man who finds himself on strike does have an alternative of leaving his community which is still on strike and working at his trade in a nearby community, so frequently the contractor, while he might be in a position to be shut down, if he is in certain circumstances even in a specific community has been known to be able to continue. Now how they do this is really a mystery. I have heard people say, "Well, it is very difficult for small contractors because they do not have the capital or the economic strength to weather a strike and unless they make some sort of a special agreement they simply go bankrupt."

I think it is true that certain small contractors who are not bound by what you might call a lockout or a uniform lockout approach associated with a strike in an area will make some special agreement in order to keep working at smaller jobs. But by the same token, at the other end of the scale we should be aware of some of the very largest contractors in this province who seem to be able to weather almost any kind of a building trade strike and meet their building deadlines simply by entering into some kind of an agreement with those members of the trade union assuring them that they will meet any increases that the trades extract by the strike which is presently underway.

So there seems to be two aspects to the problems that face both the trade union members and those people who are operating the construction corporations and companies, both large and small. I think it is evident, Mr. Speaker, from the arguments that have been put forward this afternoon and this evening, that the amendment that is before us presently for discussion will not meet the problem that I have tried to describe in terms that I have observed in our own community.

The associations allow any member to act independently under many circumstances. So, in fact, the problem of permitting a contractor large or small to opt out under many circumstances are still found in this amendment that is before us. Other speakers from among my colleagues have been severely critical of aspects other than the building association indicated by the amendment that I have been speaking to most specifically. But I have taken the opportunity, as much as I could, to read expert opinion from both sides of this particular problem. The feeling expressed by those who view the amendment quite objectively, and not necessarily from the standpoint of organized labour or the business interest, is the opinion that this particular aspect of the amendment that is proffered by the minister, while perhaps it does move in some direction to improve the situation, in practice it is expected that it will make it worse rather than better. It will hold out the expectation that we will have a large group of unionized working men opposed by a large and cohesive group of management.

The member for Sudbury made an excellent point this afternoon when he said that

people versed in labour problems and collective bargaining have learned that you get the best results on both sides — the most positive and lasting results — when the two bargaining components are large, or at least of equal substance, in size. Unfortunately it appears that this amendment is not in fact going to achieve that. While on the surface it moves toward this achievement there are those, including myself, who feel in fact it will worsen the situation and not improve it.

I wanted to just state my views on this aspect of the amendment in support of the contention that is put forward by myself and my colleagues that the bill is deeply flawed in the principles that are embodied in the various sections and therefore we cannot support it on second reading.

Mr. Speaker: The hon. member for Windsor West.

Mr. Peacock: Mr. Speaker, the Minister of Labour has expressed in Bill 167 more disdain and contempt for the dignity of the individual in his place of work than has issued from any other minister of that cabinet save and except the Minister of Trade and Development (Mr. Randall). I refer specifically, Mr. Speaker, to section 24 of the bill, a principle that is so flawed that I venture to suggest to you that the Attorney General (Mr. Wishart) of this province himself would put it before the Supreme Court of this country to test it against the Canadian Bill of Rights.

Section 24 provides that a workman or woman at work may not speak in such a manner as to threaten his employer or her employer with the withdrawal of his or her services if the employer fails to remedy the grievances of which he or she complains. Mr. Speaker, that denies everything that the trade union movement of this country and of any other country around this world has fought for to democratize the working place for the last 100 years.

I cannot conceive how a Minister of Labour in this province could deny to individual men and women the right to say to their employer: "I will strike you if you do not hear me, if you do not sit down with me, if you do not listen to my grievances and complaints, if you do not listen to my request for equity with my fellow employee." Yet, Mr. Speaker, the minister makes this gesture—a vocal one only—an offence against the law and threatens to punish it with fines up to $10,000 against those who are democratically elected to voice those grievances and complaints.

I think before this debate is ended, before this bill reaches third reading, the Prime Minister or the Attorney General of this province will say to this Legislature, "I will not let this pass." We will see before we have given final reading and before the Lieutenant Governor gives his assent, the removal of this pernicious part of this bill.

Mr. Speaker, the Minister of Labour has only to go to a local union meeting, to a meeting of stewards and committeemen, to a meeting of workers in a lunchroom or cafeteria in a factory or on a job site, and listen to people speak about the affairs that they are engaged in at their place of work. They will complain about a foreman or get along with him well and be able to joke with him. They will complain about the employer and they will use all kinds of blue language that is completely offensive to the ears of the Minister of Labour, but basically they will get along. They will use the procedures and machineries of The Labour Relations Act of this province to maintain a reasonable, decent relationship with the man who provides them with their livelihood.

What the Minister of Labour is saying to us in this bill is that the working people of this province are an unruly, disobedient bunch of slobs who must be disciplined, who must answer the order of management and who must do so without resistance or disobedience. It is just that clear, Mr. Speaker. Look at another section of the bill which denies security guards the right to belong to a trade union which is strong enough and sophisticated enough to speak for them, as it can for the hundreds or thousands of other employees in the same plant, where the security guards may be employed.

There is a whole philosophy in this amending bill that says the people who work for wages and salaries as employees are not to be trusted with regard for property, with regard for the rights of management, with regard for all the sacrosanct virtues that we instil in them in our society. But they have such regard.

People who go on strike against their employer, people who threaten to strike their employer, do not go on strike or make such threats lightly. They do so in nine cases out of 10 after outright and unrelieved provocation or absolute indifference to their requests. When you have an employee in an automobile plant who does his job 60 times an hour and the company says, "We are speeding up the lines to 62 or 63 jobs an hour," and that man says, "I cannot keep up," what does he do? He faces a suspension for two

or three days by his foreman or superintendent. What does he do in reply? If he gets the suspension, he waits in some instances for up to three years before he can go to his shop committee man in the plant in which he works and says, "Look, I have had enough of this speedup of the line and I need some relief. Let us get the line slowed down a little bit so that we can catch up, so that we are not following the assembly out into the yard, trying to finish it off, and running back to our station inside the plant, hour after hour and day after day, weekend after weekend." He says to his shop committeeman, "If we do not get this, let us strike the company." Under your amendment, the moment he says that to his shop committeeman on the shop floor, to his local union president in the local union hall, or to the bargaining committee which sits down across the table from management, he is liable to the penalties that are established in this Act.

His trade union is liable to the penalties that are established by this Act, if he complains to his shop committeeman that there are no doors on the toilets, on the plant floor, if he gets no satisfaction through the grievance procedure that is written into every collective agreement by this Act and he says to the shop committeeman, "Let us strike the company over this. This is an issue for which we should hit the bricks. It is the local issues that I am concerned about, not the big wage increases that the newspaper headlines are talking about. It is these inside working conditions that I have to live with day after day for 30 or more years of my life that I want to speak about, that I want to put the company on strike for when it fails to respond."

Oh, yes, there is the arbitration procedure.

Mr. Sopha: It is compulsory.

Mr. Peacock: There is the arbitration procedure. It is a compulsory one. It is final and binding on both the company and the trade unions. Try getting the grievances of several hundred employees through an arbitration procedure covering a plant of thousands before the expiry of a collective agreement. Try dealing with the hundreds of grievances that pile up toward the termination of a collective agreement in a rational and humane way and tell us that you cannot threaten the company to strike over the unresolved matters between the company and the trade union.

Mr. Speaker, this is a complete denial of the essence of free speech on the part of people at their work place to impose upon them a fine of $1,000 or upon their duly elected spokesman a fine of $10,000 for threatening to use the only economic weapon which they have to improve their conditions.

Mr. Speaker, there are so many studies available to the Minister of Labour, made in this jurisdiction, made by the federal government, by Mr. Justice Freedman, by the Woods task force, made in the United States, about the simple human need to give people the right to express themselves through their collective bargaining process, that I wonder at his incapacity to understand it.

We have in this mass society of ours a routine of utter drudgery for thousands of people—hundreds of thousands of people—who each day troop through plant gates at 6:15 or 7 o'clock in the morning, punching IBM card after IBM card to record every minute—not even a minute, every second that they spend in the work place. If they come in one minute late, they do not get paid for that minute, the technology of recording their every movement is so refined. The technology of recording their every movement as they move their arms, their hands and their feet from job station to job station is so refined that that person's movements are better known to the management of his company than if he stood in front of a mirror himself performing his job.

You are saying to him that he cannot in desperation appeal to his trade union leadership on the shop floor at the local union level and at the regional or Canadian level of his union, that he cannot appeal to them, to press the company to settle matters of health and safety and the pace of work in his shop by the ultimate sanction of the strike. That is what you are denying him.

I conclude, Mr. Speaker, by saying to the Prime Minister and the Attorney General: Do not give us another Bill 99 cloaked in these amendments to The Labour Relations Act. Give us a measure which will allow the individual to carry on—whatever you do about management rights, leave them as they are—in the step-by-step, bite-at-a-time process which for the last 30 years industrial workers and their counterparts in the rest of the economy have been endeavouring to use to better their life at the work place.

Mr. Speaker: Does any other member wish to enter the debate before the minister replies? If not, the hon. minister. The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): Mr. Speaker, I have sat here since early this

afternoon listening to this debate and have heard many good arguments on both sides, at least from both opposition parties. I would like to approach this problem that we wrestle with from a different angle.

They speak of strikes and labour having the authority and the right to strike. Nobody quibbles with that. Management has on occasion locked out the worker because it felt it was within its rights to do so. It filters back to the business man naturally where they do their business. It hits the worker especially hard with his mortgage payment that he cannot meet. The economy suffers.

On occasion I have condemned labour, yes, and I have condemned management because I did not think that they could get back or did get back to their bargaining tables as quickly as they ought to have, and yet I do not believe a legislator has a right to interfere with a dispute between management and labour. Our job is to bring about legislation that will assist them to come about with proper and satisfactory contracts to satisfy both parties.

I have heard so many arguments this afternoon that if I were to repeat them I would be saying the same thing that was said many times. I would like, though, to touch on a point or two.

Someone said if you were elected to the Legislature you won by 50 per cent of the vote plus one. Labour has to certify in industry 65 per cent of the people voting to bring this about. It is certainly not fair, and apparently that is in this particular bill. It will be more thoroughly debated when the time comes in committee. I am pleased with one thought that at least management, and especially labour, will have an opportunity to discuss this bill in committee. When I came here this morning I believed that this would not happen. I did not think the government would give these men an opportunity to speak in their own behalf.

I was approached by members of the union in the Niagara Peninsula who asked me to support them in bringing this about with the committee, to have a chance to discuss this bill thoroughly before the government enacted this statute. I immediately assured my people that this would come about. I come from a very highly industrialized part of the province. A lot of people get the impression that Niagara Falls is a tourist area, but we have possibly some of the heaviest industries in the Province of Ontario. We know how people suffer when the strikes come about.

I can recall the Welland chemical plant—Cyanamid—and the problems they had there with labour and management and the problems of property damage and personal injuries. The Carborundum Company has stretched out its particular strike for so many months that everyone suffers through these particular efforts. Recently in the peninsula, McKinnon's and the Norton Company have not done too badly, but it is rumoured that Cyanamid is moving out certain sections of its plant.

But I believe that the time has come that these industries have to consider one other angle. They consider their industries to be competitive industries and if they cannot compete in the world market and sell their product simply because their contracts are not what they ought to be—at least this is their argument—then naturally they cannot sell the product and they must close up shop. Pressure is put on industry, and I can readily understand why unions and people who belong to unions want their pound of flesh simply because of the increase in prices. They must have more money; nobody quibbles with that.

I have looked at this bill that has been in the process of being drafted and brought to us for the last three years and I do not believe that this particular bill has what both labour and management want. The free process for collective bargaining is something that no one quibbles with—especially in the Liberal Party. We have no argument with that particular concept. But we do have an argument with the government if it slants the legislation in favour of some particular group in preference to another group, whether it be, as the New Democratic Party would have us believe, that they lean to management and big business. While the NDP in turn condemns the government, they themselves lean to labour and naturally why not? I understand they contribute to their wages, through their dues and payments, so naturally you have to favour your own.

Mr. Makarchuk: We also publicize it.

Mr. Bukator: The NDP has made its position very clear; it is paid by them, it favours them and it works for them. It is nice to be able to walk down—

Mr. Makarchuk: 100,000 paid last year.

Mr. Bukator: It is nice to belong to a party that can walk with its head high down the middle of the road and is not governed by one group or another.

Interjections by hon. members.

Mr. Bukator: It is nice to be able to meet

the people on the street and say to them, "You have a problem." And I can assure the hon. members that when this supposed party of the people that favours the workers comes into my riding and discusses the problems with them they do not know one thing: when they come to Niagara Falls the member there thinks very highly of the workers and looks out for their problems; he understands them. What we want in the Liberal Party is a statute that we can live with, that labour will be happy with and that management at least will have an equal right with the workers to sit down and discuss their problems.

Mr. Martel: They do not have that right now.

Mr. Bukator: This particular statute, Bill 167, or the amendment, does not provide what is necessary to make that particular thing work, so naturally we do not support the bill. This minister, among the ministers in the cabinet—and now I am going to get a little bit personal, Mr. Speaker—is an exceptionally fine fellow wrestling with a serious problem and trying to do a job, but if he brings this about I think his colleagues have pushed him into a corner. I do not think this is his own thinking; he is not that type of individual.

Mr. B. Newman (Windsor-Walkerville): Too smart for that.

Mr. Deans: Flattery will not do.

Mr. Bukator: I say, Mr. Speaker, that there is no room in our statute books for this particular amendment as it is.

Mr. Pilkey: The minister does not like that.

Mr. Bukator: I can assure the minister—

An hon. member: Looking for an appointment?

Mr. M. Gaunt (Huron-Bruce): Looking for more hockey equipment?

Mr. Bukator: —that when this bill comes to committee and we have an opportunity to debate it section by section and contend with the amendments, at least you will know, if you do not know now, where the Liberal Party is heading for—and that is to bring about a satisfactory statute whereby we can say that we made a good contribution and we did not have to sit on one side of the House and favour management if that is the case, and especially sitting on this side being governed by unions, and in many cases not even being governed by the people of Canada. They are dictated to, naturally, by the ones who pay. That has not happened and will not happen to the Liberal Party.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: Mr. Speaker, having gone through this bill I was convinced that the Prime Minister and the Minister of Labour were convinced that they could not be outflanked by the likes—and I throw this in for the member who just spoke—of the Liberal Party and people like Joey Smallwood and Ross Thatcher, and I wonder who is paying their way.

Hon. Mr. Simonett: Who was there before Ross Thatcher?

Mr. Martel: They had some pretty good legislation before Ross Thatcher mangled it.

Hon. Mr. Simonett: Ask the people of Saskatchewan. They do not subscribe to that.

Mr. Martel: I do not see a Tory member around Saskatchewan, do you?

Hon. Mr. Robarts: Yes, Ross Thatcher. The greatest.

Mr. Martel: The government has managed to get considerable mileage out of a bill that has been labelled as reform amendments—

Hon. Mr. Grossman: Oh, then we have got mileage out of them?

Mr. Martel: —and they are nothing of the sort. We have heard this afternoon and this evening of the problems in the bill. We have heard the minister himself admit that there are some problems in the bill. I do not know why, after three years of study and some three months after the bill has been printed, the minister would be in a position to already have to make changes himself after this careful study. It just seems to me that it was a rush job somewhere along the line.

The whole intent, the thrust of the bill and of the majority of these amendments is to restrict collective bargaining and to favour management. The changes are so many that it is almost impossible to discuss this bill, and that is why the government brought in such a bill with so many principles that were outlined this afternoon. The most glaring part of the bill is not so much what it does but what it does not do. It does not add one additional employee or give one additional employee the collective bargaining rights.

The professions have been after collective agreements for some years; the farm groups,

the security guards or the civil service have not gained the right to choose a union or to go into collective bargaining. Unions continue to be threatened or treated as something sinister under this Act like a harmful force that should be caged like an animal. This attitude is nothing less than a slander on the working class. The construction unions, of course, have been particularly hard hit by the new law so that the government can create a convenient subterfuge for blaming the unions for rising building costs. In fact, as the building tradesmen know perfectly well themselves, they and millions of other people cannot afford to buy a house because of the unchecked land speculation, soaring interest rates or even exorbitant rentals. And there is nothing that I see in this province that is attempting to bring these sort of problems under control.

Contractors will be allowed to form binding bargaining associations. Accreditation of these associations means construction workers who are offered work during a lockout or a strike can only go back to their jobs if they do not work under the protection of a collective agreement. They will have no protection against unsafe jobs. They will not be able to launch grievances when the bosses tell them to carry dangerous loads. I wonder what the reaction of the construction companies will be the first time construction on a new hospital or a school is shut down because they will not let the unions come to work. With the shoe on the other foot we will see who is really unreasonable and irresponsible in labour relations.

Many of the amendments are of a devious nature that leave the real intent unknown. I am referring to the part that makes it illegal to threaten an unlawful strike while a collective agreement is in effect. Just what is threatening? How is the Ontario Labour Relations Board to assess what is a threat and what is a legitimate expression of discontent? I am afraid our union leaders will be harassed mercilessly by applications to the Labour Relations Board for consent to prosecute them for threatening.

The Minister of Labour will have powers under the new Act to appoint an industrial inquiry commission after collective bargaining has broken down or a strike has become protracted. There is nothing in the history of this government to anticipate for a moment that such a commission will ever be assembled to help a union of workers. It could be the beginning of compulsory arbitration in so-called public interest disputes. Very often these disputes do not in fact involve the public interest, convenience or necessity, but only involve the loss of profit for a few big employers. Is this the Tory definition of public interest? As a device for ending industrial conflict the commission is probably worthless. The federal Labour Department has had the power to set up such bodies for years but almost never used them.

I said before that Bill 167 is most notable for what it does not do. It does not, for example—and I consider it a priority—make strike-breaking illegal. Those of us who visited Picton and the Proctor-Silex plant saw at first hand what we are driving at. It is too bad some of the government members, or in fact the Minister of Labour, did not get involved before that union went down the drain.

The Minister of Labour himself says he is in favour of having the parties to the disputes settle their differences, yet he allows strike-breaking to flourish, this insidious third party that tips the balance in favour of the boss every time. Instead of banning scabs the government has come up with the potentially dangerous and devious section that purports to protect the job of strikers for up to six months from the start of a strike. What it really does is encourage strike-breaking. The man on the picket lines will be badgered endlessly by management to throw in the towel and return to work before his six months are up. If strike-breaking were illegal, few disputes would have to last anywhere as long as six months. Now the government sanctions union-busting by guaranteeing the striker a job in return for giving up his union and then negotiating on his own the wages and conditions for his return to work. He may then have to negotiate his job back at a lower wage and worse conditions than those who enjoyed and took his place while he was on strike. Instead of the cooling-off period we now have when companies stand idle during a strike, we will see more and more small industrial ghetto factories hiring scabs and encouraging picket-line violence.

Another devious section of the bill is the membership evidence for certification, and the reason for the government introducing this is quite obvious. Instead of 45 per cent of a bargaining unit to force a vote, only 35 per cent is necessary. More important though, instead of 55 per cent for automatic certification of a new union it will take 65 per cent. There are good reasons for this from the Tory point of view. The reasons are right on the labour relations record. Unions won only 345 votes between 1964 and 1969 but lost 619. That means two thirds of all votes on whether

to have a union or no union have failed. That should help you understand why the government wants more votes and why automatic certification without a vote is going to be much more difficult.

In the same five-year period 3,633 applications for automatic certification of new unions succeeded at the board and only 761 failed. That means automatic certification succeeded in 82 per cent of the applications and I was interested in reading in the *Globe and Mail* today that The Department of Labour went all the way back to 1968-1969 and made its decision on one year to bring this particular amendment in. The minister shakes his head and the deputy minister must be erroneous in what he reports to the press, because he indicated that that in fact was the only year in which the figures were looked at to see about certification.

I think these certification changes are just attempts to stop organizing, especially in the small plants and the service industries and the white collar clerical groups where organized labour has the biggest job to do. It seems that employers still will be able to interfere at will with organizing by starting petitions, and I do not see anywhere in the bill where this is going to be prevented. The passing of such a petition is used frequently to intimidate employees from signing with a union. I do not see anything in that to protect them as they attempt to organize a plant. Possibly the minister could indicate if there is going to be anything included which would prevent this sort of practice from continuing in the future.

In summing up, I had hoped that in this bill we could develop a system where collective bargaining was not fettered by reams of laws. This, as you know, occurs in Sweden where nearly 100 per cent of the workers are in trade unions and where industrial conflict is virtually unheard of. Expanding the role of employers' associations will go a long way toward giving every person in this province his share of the dignity and the reward of Ontario's enormous wealth.

Mr. Speaker: The hon. member for Parkdale.

Mr. J. B. Trotter (Parkdale): So much has been said in regard to Bill 167 this evening; I assure you that I will not be long. There are a few things I would like to see emphasized and I would like to have the opportunity of going on the record, of giving my views of what I feel is wrong with this labour legislation.

I think the first thing that is wrong, Mr. Speaker, is the general approach that the government has to the problem of labour relations in the Province of Ontario, and I cannot help think mostly of the problems we have in the construction industry at this time. I realize that this bill just does not necessarily deal with the construction industry, but this is really one of the major problem areas that we have.

There is no question in my mind, Mr. Speaker, that the bill is, in many aspects, badly drawn and badly worded. When we have the opportunity to go over it section by section we will be able to dissect the bad wording. I think the bill in principle is typical of the government which really is staggering from expediency to expediency when it attempts to deal with the problems that face the public today.

I think that one thing that the public have in their own minds is a misapprehension of the problems of labour and just how well they are paid. I know that there were some statements in the press not too long ago that a crane operator could earn $25,000 a year. Now, because of some calculations such as this there is no doubt that many people have thought that the pendulum has swung too far.

In the old days, the pendulum was all for management and because of the growth and strength of labour some say, well, now the pendulum has gone the other way and labour is far too strong. And there is no doubt that where some of the negotiations have taken place in the construction industry, labour has had an opportunity to gain wages which normally they might not have received. But, in most cases, the wages are justified, and this is why I wanted to point out that the estimates of what a crane operator makes are a complete misapprehension of what actually does happen.

Figures may have been used earlier in the debate, Mr. Speaker, I cannot recall, but I have two examples to emphasize that there is really not a tremendous difference between what a person in the manufacturing industry earns or what a person in the construction industry earns. Back in 1963, the average weekly wage of a person, a workman in the construction industry was a little under $95 and that of a person in the manufacturing industry was just under $85, or you might say that an individual was earning $10 more in the construction industry.

In 1969, only a year ago, a man in the construction industry was averaging, while he

was working, slightly under $150 per week. Well, there is one thing that is not pointed out and it is this. In the construction industry, the average worker is employed about 36 to 40 weeks in the year, so that it simply does not balance out that he is making $150 a week times 52. It is more like times 36.

So that people in the construction industry—which, I believe, is far more dangerous than the manufacturing industry or most other industries, probably with the exception of mining—are entitled to more money. The crane operator has the good fortune to be better trained and he is few in number. There are relatively few crane operators, so that even when you do have an individual that is highly trained, it is not as if a great mass of people are receiving a very large salary. It is almost as if the exclusive specialists in the medical profession, or one of the very top-paid lawyers in the country, is an indication of what all doctors or lawyers are getting. It is just not a true picture.

Because of the exaggerated statements on the earnings of men that are working in the construction industry, I feel that there is a very strong and a very unfair swing against the interests of the working man. You just cannot back up financially what these individuals' take-home pay is to justify strong action against them at this time.

Now we in this party are most certainly interested in decent working conditions and decent pay for the working man. We are interested to see to it that the construction industry, and industry as a whole, have every opportunity to prosper, because as old Sam Gompers, one of the great founders of the labour movement, said, "unless you have a company that is making profit, you have a company that is not a friend of the working man." And under the system in which we live, we simply have to see to it that business has a fair opportunity.

But what is even more important, Mr. Speaker, is that the public interest must be predominant at all times. In my view, this bill does not serve any of the three interests in which we are mostly concerned. I feel that really the right of the individual, both as a working man, especially as a working man, and even the business man, is not given the proper opportunity that he should have for free collective bargaining in the Province of Ontario.

I think there are two suggestions I would make to the government on what they should do. These have been mentioned before and I think they are essential in industry today and more particularly in the construction industry. When the unions and management bargain, they should bargain so that all contracts of the various segments of the construction trade will end at the same time.

A few years ago, the unions themselves tried to do this. They seemed to have no objections in getting together and saying, "We will have our contracts end at a certain time"—what they call coterminous contracts—and industry would have no part of it. Now I understand industry is saying, "We want the contracts to end at a coterminous time."

My own personal belief is that the vast majority of union leaders would have no objection to this. Under this legislation, some of it is so arm-twisting that I think it would turn off both labour and management.

The second thing that is needed, and particularly in the construction industry, is the opportunity for a speedy decision. It seems to take so long, even when dealing through government services, for the various parties to get together. Yet I feel there is really no legislation that attempts this and I think mainly because of the atmosphere that exists in industry today both between management and the various unions involved. This atmosphere—the type of atmosphere that has been in the construction industry—is in large part due to the government of this province, who I feel has not created an atmosphere in which satisfactory negotiations can take place

Mr. Speaker, how can you expect a proper atmosphere when you have such sections as you have in Bill 167, like sections 5 and 6, where a union is told that before it is certified, it must have 65 per cent of the vote, at least? Before they are automatically accredited, they must have 65 per cent of the vote. Even when they have 65 per cent of the vote, the way the section reads at the present time, the government may still call for an election.

I think if you are going to exercise a democratic principle in a union, 50 or 55 per cent should be all that would be needed. I think the 65 per cent factor injected into this bill is completely unfair. It is a pernicious section and I would hope to see that it is ripped out of this bill before it finally becomes law.

At the beginning of the debate on second reading of this bill, the minister left everybody in a haze because we really do not know what he is going to withdraw or amend. I hope that is one of the amendments that will take place because I would far rather see the amendment come from the government side; then we would know the amendment would pass. Again I would emphasize that, in my mind, section 5 of the Act creates

among the working men today an atmosphere that they are the unfairly treated, that the government is prejudiced against them. I believe they are justified in that belief.

There are many principles involved in this bill, but the other one, to me, that is most offensive is involved in section 9 wherein the government would create an industrial inquiry commission and, of course, all this government is doing is bringing the ghost of Mr. Justice Rand out from under its bed. The government is letting him in by the back door. This is really what he wanted; he admired what they had done in the Commonwealth of Australia by creating such a commission. I think it should be borne in mind that there have been more strikes in Australia than in any other western jurisdiction and, of course, in the eastern part of the world they just do not permit strikes. I ask the government why in the world it copies a suggestion when it can see from the experience of Australia that it is only going to get labour negotiations in a far greater mess.

The power that a minister of the Crown is given in section 9 is almost complete and dictatorial and I cannot see even a company being happy with that section, because even if we did happen to get a minister biased in favour of labour—which is not likely under the Tory government, but I could see at some future time you might get a Davey Croll or someone like that who might be very biased in favour of labour—it might be rather hard on a large firm.

Hon. Mr. Grossman: Yes, and look what Mitch did to him. Mitch got rid of him, fast.

Mr. Trotter: No minister, no matter who he is, should have the power to be given in section 9 and no organization, be it a company or be it a union, should want to see a government, and particularly one individual, have the power that section 9 gives to a minister of the Crown. We know there is a Conservative administration in this province and we are afraid that section 9 would be used very heavily against the union movement in this province.

Hon. Mr. Grossman: But you fellows expect to be in power after the next election. Then it will be a Liberal administration.

Mr. Trotter: It certainly will, and in dealing with the interjection I quite agree that there will be a Liberal administration. But I do not think that any minister of government should have the power that section hands out. The important thing is to make the legislation fair, to create an atmosphere that collective bargaining is free, so that neither labour nor management may fear that the minister has too much power. As it is, by creating what is really an ad hoc committee the minister can do pretty well as he pleases.

There is one particular section that, if I were a man in business, I would be extremely concerned about—and my leader dealt with this. It is section 103(3) where, although the companies may form together to bargain, any one company can go its own way. I know from practical experience that on one or two occasions there have been fly-by-night companies that will break away from the industry and pay as low wages as possible simply because they make their money quickly and then fold up. If the companies are ever going to bargain as a group, I think they are going to have to be in a position where neither a large company or a small company should be allowed to break away.

Of course, where it is open to the greatest abuse—and again this has happened—is where a large firm like Pigott says, "All right, you go ahead and bargain, but keep working with us and whatever the settlement is we will pay five cents an hour more." This again put most of the industry, particularly the construction industry, at the mercy of one large firm.

These reasons, I think, are in essence what is wrong with this bill and if you are going to sum up and say what is one principle involving all these sections, it is basically that it amounts—and such an example is section 9—to too much government power. Surely in our society today public interest will still be best served by a genuine free collective bargaining system in our labour relations. I think that basically, to me as an individual, and this party, we are going to have to protect the rights of the individual; we are going to have to protect the rights of public interest simply by coming out strongly and supporting free collective bargaining in this province. This is one of the freedoms where this province is going to find its greatest security and its greatest opportunities for economic growth. For these reasons, we oppose this bill.

Mr. D. Jackson (Timiskaming): Mr. Speaker, my comments will not be long but I have several points I would like to make.

In section 13 of the new Act, it says:

> No trade union that is a party to a collective agreement containing a provision mentioned in clause (a) of subsection 1 shall require the employer to discharge an employee because—

Then it goes on to give several reasons why this employee should not be discharged. And one of them in section 2 (d) says: "has engaged in activity against the trade union or on behalf of another trade union."

Mr. Speaker, I would like to put it to the minister, through you, that if he were to find someone in his department who was actively engaged in work contrary to the job that he was assigned, would he keep him on if he found that that person was actively working against the Conservative party? If he found that he was passing information to one of us, would he keep him on? I would like to point out to you the comments of the Minister of Correctional Services when he found out that some of his employees were passing information to the member for High Park because he would like to know who it was. Surely, if he found out, he would discharge that employee as of that moment.

Does the union not have the right to protect itself in the same way? Does the union not have the right to discipline a member of that union who does not follow through with the constitution of that union? And surely if the union agreement calls for membership in the union and the member is put out of that union for just cause, then he should be discharged, the same as the minister would discharge an employee who was unfaithful to the ministerial directions.

It goes on in section (g) to say "has been required to pay initiation fees, dues or other assessments to the trade unions which are unreasonable." Well, who decides that? Do you, Mr. Speaker, through your wisdom, or does the minister through his wisdom decide that $15 is unreasonable? It could be unreasonable in both ways. It could be too high or too low. Does the minister decide that? Does he say that a member is not paying enough and therefore it is an unreasonable initiation fee, or does he say that $15 is an unreasonable fee? Surely the minister has to clarify that point. It is unreasonable for this clause even to be in the bill unless it is clarified.

I suggest to you that either one of those clauses, used in their present context, say to the union, "You have no powers and you really do not have any right to discipline any member of your own union." In most cases, both of these clauses apply only to craft unions because under the industrial union setup most companies cannot discharge an employee. It is not in the contract and, therefore, they have no right and they have no obligation to discharge an employee. It aims directly at the craft unions.

I can assure you that unless a union has a right and a privilege to discipline its members, we will end up not only with chaos in the union but far more chaos within the bargaining system because we will have union members challenging the union. When they challenge the agreement day after day after day, unless that union has the right to discipline its members and is backed up by The Labour Relations Act, then we will only add to the chaos that already exists, as the minister says, in the craft union negotiation.

Earlier, my colleague from Windsor West spoke on clause 24 that says that a person cannot even threaten to strike illegally. When I was a child, and when I first learned to understand the spoken word, I was told, and I have been told many times since, that experience is the best teacher. One of my experiences over the years has been working for several large firms. When working for these companies, I find that when you have a grievance against the company, you may go through the arbitration procedure—in fact, you are obligated to go through the arbitration procedure—but it might go on for two or three years.

In the meantime, what do you do about your problems? How do you solve them? Will you have a lunchroom that is unfit for human habitation? My colleague suggested washrooms with no doors on them, or when you are working out in the bush some place where there is no drinking water or where there is no adequate transportation, or an unreasonable work rule.

How do you fight that? How do you stick up for your rights under the law without waiting two or three years? I suggest to you that after four or five months of frustration you learn to fight back with the only means available to you. That is to say to your employer, "If you do not cure the problems, I am not going to be here." And like many workers in this province, I cannot afford to say to the employer, "I am going to quit my job." I say to him that I will withdraw my services until my frustrations are removed, until my problems are solved.

I am sure that many of the employees who say this have no intention of going on strike. But the only weapon they have is the threat that they might go on strike; whether it is illegal or not, it is the only weapon that is left with them by any of the statutes of this province. It becomes much worse when a person is working in one of the craft unions. In a plant you know you have a union contract that extends over a year or two years. If you are working in a craft union—

Hon. Mr. Grossman: Does the hon. member say it is okay to do it if it is illegal?

Mr. Deans: Do not make it illegal.

Mr. Jackson: I have not said, as the minister would like to have me say, that it is all right.

Hon. Mr. Grossman: Just do not make it okay if illegal.

Mr. Jackson: I am saying to this minister that you do not give us much choice under the arbitration procedures that exist today of at least threatening the employer with closing him down—at least threatening him.

Hon. Mr. Grossman: That is not what I heard.

Mr. J. L. Brown (Beaches-Woodbine): Well, you have to clean those ears out. You are hearing the wrong things.

Mr. Jackson: If the minister will listen for a moment.

Mr. Speaker, it is much worse in the craft unions. They are tied to jobs that might last three months, might last six months and might last one week. How then do they cure their problems? How then do they go through the arbitration procedure and get relief, knowing full well that arbitration procedure will take much longer than the duration of the job?

They will be out of work before their frustrations are removed, before the employer takes the necessary action to correct the inequities on the job. And when you are working outside at 35 or 40 below zero, and I have, how then do you say to your employer, "You are not heating the lunchroom properly"? Are we supposed to go and sit at 35 below zero while arbitration procedure drags on for six or eight months?

I say to the minister, whether it is legal or illegal, that he, under those circumstances, will say to his employer, "You better do something about it or I might be on strike." It might be said in the heat of the moment. It may be said just out of frustration or aggravation, but it will be said and to place a heavy penalty on such a minor thing is completely out of line with any democratic procedure. I just do not understand the minister's thinking on it. It has always been a part of The Labour Relations Act that if an illegal walkout takes place, the persons taking part in that walkout are subject to prosecution. But for the very utterance of the statement that, "I shall take part in the strike," in the heat of a very difficult situation, to be prosecuted for such a statement, and to face such a stiff penalty, is simply ludicrous. I am sure the minister is not even considering leaving that phrase in there. He will very definitely change it, I am sure.

In reading through the bill, I find one other clause that bothers me somewhat. That is section 3, which states that, in my own words, if a company makes an agreement with a union, albeit there is no certification, that no union can make application for certification within one year. By doing so, I suggest to the minister through you, Mr. Speaker, that what he is really doing is encouraging sweetheart agreements, agreements between the company and not unions, but company associations, made up of persons—I hesitate to put on names, because I only have one name for them and that is scabs.

They are persons who have already sold their rights to the company, have already sold their rights as workers, given them away. Yet they, as representatives of the workers, without any vote, without any certification, can become party to a contract that will bind the workers for a year. They can do so without signing a collective agreement.

I really cannot understand how this can be in line with the minister's thinking that we have to have 65 per cent of the workers in order to have automatic accreditation. If he insists on 65 per cent in one clause, then why does he not insist on a vote under section 3? Why does he not insist that no agreement can be signed between company and employees' representatives, whether it is a union, whether it is a company association or whatever it is?

Why does he not insist that there be a vote? He does not under section 3. He says that for one year they can make an agreement and no union shall have the right to sign members in that area.

Well, if it is the minister's intention, as he says, to promote harmonious industrial relations, surely that is the wrong way to do it. Surely it is one of the worst ways, because over that period of one year, at which time the workers are bound by law to agree with the management without any real representation, what does he feel the attitude of the workers is going to be toward management? What does he really feel the management attitude is going to be toward the workers, knowing full well that they cannot do anything about what management is going to do anyway? I suggest that when the year is up those workers are going to be ready to strike, and they will strike much quicker than they

would if they had reasonable relations over the previous year.

To have reasonable relations over the previous year I am sure you would have to have some dialogue with management, and you are not going to have that through company unions—and that is just what the minister is promoting: company unions.

I have here, Mr. Speaker, an advertisement which came out of the *Northern Daily News* on November 26, 1969; it was put in by The Department of Labour. If there is anything that has been misleading that I have read in the paper, I am sure this is it. There is a picture of a bunch of children dressed in work clothes, and it says, "It is 1908 and there are still children working in the mines." It goes on to say, "Your holiday is Christmas, one day; you need more but nobody is going to pay for it." Let me ask the minister, "Who pays for them now if they take them off?

Hon. Mr. Bales: Read it all.

Mr. Jackson: Under The Employment Standards Act that now exists in this province, no one is paid if they take off a day on holidays. They are entitled to overtime pay if they work, but they are not paid for a day if they are off. What I am trying to point out, Mr. Speaker, before you cut me off as irrelevant, is that this legislation—

Mr. Pilkey: He would never do a thing like that.

Hon. Mr. Grossman: Well, is it irrelevant?

Mr. Jackson: This legislation, along with things like this coming out of this department, is completely misleading. It says one thing and means something else.

Hon. Mr. Grossman: That is irrelevant.

Mr. Jackson: Is it?

Hon. Mr. Grossman: The member said it.

Mr. Jackson: Under section 3 the worker has only one right of appeal, and that is The Employment Standards Act. He has no grievance procedure; he has no collective agreement; he has absolutely no agreement with the company. He is therefore bound by the provisions of The Employment Standards Act, and the only reason I can see for the inclusion of such a clause in this Act is to make sure the employee has no right. We are talking about giving him something. We make it difficult for him to become accredited; we make it very easy for the employer to set up a company union.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I am just wondering if the hon. member has much more and if so, he might want to adjourn the debate and carry on when we resume this sitting.

Mr. Jackson: Yes, I have quite a bit more.

Mr. Jackson moves the adjournment of the debate.

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, may I indicate that tomorrow we will, in the House, consider the estimates of The Department of University Affairs, which are just about completed. We will carry on with the consideration of the estimates of The Department of Treasury in the standing committee and—

Mr. Nixon: When will we finish this bill?

Hon. Mr. Welch: —and we will resume this debate on Thursday afternoon.

Hon Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock p.m.

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No. 117

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Wednesday, October 7, 1970

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, OCTOBER 7, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: We have guests with us today: in the east gallery students from Sarnia Central Collegiate Institute; in the west gallery students from St. Monica's Separate School of Toronto.

Statements by the ministry.

Oral questions.

The hon. Leader of the Opposition.

MERCURY CONTAMINATION OF WATERS

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Speaker. I have a question of the Minister of Energy and Resources Management:

What is the connection between himself and his colleague, the Minister of Lands and Forests (Mr. Brunelle), where his officials and experts have the responsibility to determine mercury content in the waters, fishing waters particularly, in the province, but his colleague has the responsibility to impose a ban on fishing?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, my department, and particularly the Ontario Water Resources Commission, are doing a great deal of analysis and sampling of those areas where there may be industrial loss of mercury into various bodies of water in the province. As the hon. Leader of the Opposition will remember, when it was ascertained that chloralkali plants and pulp and paper plants were the main source of mercury contamination, it was incumbent upon the commission to issue orders against those industries to eliminate that loss. Both departments are working together as far as analysis is concerned. They compare analyses and any decision banning certain waterways in the province is really made in consultation between three ministers—Lands and Forests, Health and myself.

Mr. Nixon: A supplementary question: Since of the triumvirate only the Minister of Energy and Resources Management is here, how can he account for the fact the Minister of Fisheries for Canada has reported a mercury level dangerously high to the government of Ontario and there has, as yet, been no ban on the fishing in the areas covered by the report?

Second supplementary: Do the officials in the minister's department agree with the findings that have been made public from the federal level?

Hon. Mr. Kerr: One of the areas that the federal minister is recommending that a ban be imposed upon is the Lake of the Woods area. Our latest figures regarding mercury levels in that lake do not indicate any necessity of a ban. However, the hon. Leader of the Opposition should realize that the federal minister's concern is with the export of fish to the United States and the United States does adhere to a certain level that the federal minister feels that he has to comply with as far as the export of catches from that area. However, our latest statistics, and our latest findings and our latest readings from the Lake of the Woods area do not indicate that there is fish of the median level above the 0.5 parts per million reading.

Mr. Nixon: Just a further clarification, Mr. Speaker, with your permission: Is not the 0.5 parts per million of mercury the level that the Americans insist on as well? That is, coming below that maximum?

Hon. Mr. Kerr: There appears to be no definite criterion. As the hon. Leader of the Opposition knows the World Health Organization criterion is 0.05 parts per million, the Swedish, for example, is 1.0 part per million. There seems to be a rather indiscriminate decision as to what catches or what areas will be banned from import in the United States by United States authorities but we in the Ontario government have been certainly sticking to the 0.5 parts per million, and the bans that we have imposed have been based on that criterion.

As I say, as far as the Lake of the Woods is concerned, the median reading for that area

does not exceed that level. We must remember that there is substantial industry in that area. There is also expert opinion that the natural level of mercury in many areas where there is no known source of pollution sometimes goes as high as 0.2 and 0.3 and this is the area in which the Lake of the Woods is at the present time.

Mr. Speaker: Does the hon. member for Thunder Bay have a supplementary?

Mr. J. E. Stokes (Thunder Bay): How does the minister reconcile the statement he just made with a directive sent out from the Fish Marketing Board to commercial fishermen in Lac Seul and Lake of the Woods saying that all fish were being detained and those that were found contaminated would be destroyed and the commercial fishermen would not be compensated for such losses after September 25?

Hon. Mr. Kerr: As the hon. member says, Mr. Speaker, catches are being detained and are being inspected. When they are satisfactory to the marketing board they are released. There are occasions when there is a large catch for commercial use or export with one or two fish that may be as high as 0.5 parts per million and the whole catch is condemned. We do not know if we should agree with that policy or not.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a supplementary: When did the OWRC and/or the government receive the report from Dr. E. D. Bligh of the federal fisheries department in Winnipeg to the effect that fish in the Clay River in the Kenora district had mercury contamination three times greater than that which caused deaths in Japan in 1965? When did the government receive that report?

Mr. Speaker: I am not at all sure that that question is supplementary to the original question. I am not aware of the particular area. If it is, then the hon. minister may answer.

Hon. Mr. Kerr: Mr. Speaker, I will attempt to answer it by saying that it is my understanding that that report was received about the time we imposed the ministerial orders and closed Clay Lake. In other words, early this spring, I think around February or March.

Mr. Nixon: Mr. Speaker, I have a question on a similar subject of the Minister of Lands and Forests. Has any partial ban on fishing in the east end of Lake Erie and the beginning of the St. Lawrence River been imposed by Ontario after officials of the Ontario Water Resources Commission reported publicly that mercury levels were dangerously high in that part of Ontario?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, some time in June I announced in this House those areas where fish were banned for commercial fishing purposes. I would be pleased to send to the Leader of the Opposition a list of those areas.

Mr. Nixon: A supplementary question: Is the minister aware that following the publication of that list, which was an extensive one, officials of the OWRC following the release of American tests indicated that from their point of view the level of mercury in Lake Ontario—that is at the end with pollution probably coming in from the Oswego River from the United States—should result in a ban on certain types of fishing there? They were waiting for the ban to be issued by the Minister of Lands and Forests.

Hon. Mr. Brunelle: Mr. Speaker, I made two announcements about the only areas that we closed to commercial fishing. The first one was in this House on Lake St. Clair, the St. Clair River and the Detroit River, I believe, and the second announcement was other areas. We have not closed commercial fishing since that time.

What the hon. Leader of the Opposition says is quite true. We have received numerous figures. I must say that there is a wide variance in the analysis of tests that have been conducted from those laboratories in the United States as well as our own and, therefore, we have issued warnings. I will be making a statement in this House in the very near future. I believe it will be our policy to issue warnings as to the species of fish and also the average levels of mercury of those species in certain areas.

LIAISON WITH OTTAWA IN WELFARE PROGRAMMES

Mr. Nixon: I have a question of the Minister of Social and Family Services, Mr. Speaker:

Has he been in consultation with the federal Department of Health and Welfare as to the more extensive use of the Canada Assistance provisions for providing special assistance and more extensive and comprehensive welfare programmes in this province?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, our department and The Department of Health and Welfare in Ottawa are in continuous communication. The Canada Assistance Plan, both the Act and the agreement are in force, and we extend our jurisdiction from time to time within the terms of that Act.

If the leader of the Opposition is asking whether there has been any special recent attention to this, there has not been. Over the years since we signed the agreement, we have been expanding our programme under the terms of the Act.

Mr. Nixon: A supplementary question: More specifically, can the minister say whether or not the provisions of the federal statute would provide federal assistance in financing the programmes announced in the Legislature by the Provincial Secretary (Mr. Welch) yesterday since, according to the statement, they are closely related to the budgetary predictions brought down in February or March of this year; at which time there was some doubt expressed in the Legislature as to whether or not the federal government might, in fact, participate in the additional payments?

Hon. Mr. Yaremko: Mr. Speaker, my understanding is that the federal government will not be participating in relationship to that $17 million which was related to the recipients of the guaranteed income supplement.

That programme, as announced yesterday, was beyond the scope of what is contemplated within the Canada Assistance Plan. There is a broader range of persons being brought in and as the statement announced there was no relationship between the recipients and a needs test. This was part of the Treasurer's (Mr. MacNaughton) and the government's programme in assisting in terms of tax relief.

Mr. Nixon: A supplementary question: Since the minister himself, in answer to questions earlier this year, indicated that there might be a possibility of federal assistance if the programme had proceeded as it was originally announced—that is special assistance for those persons in receipt of pension to pay taxes and so on—can the minister assure us that since this change has taken place it simply precludes a continuation of federal assistance?

Hon. Mr. Yaremko: Mr. Speaker, during the working out of the programmes, the three departments were in close consultation and The Department of Social and Family Services checked out in detail that the programme as developed would not be sharable under the Canada Assistance Plan.

Mr. Speaker: Are there further supplementaries?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, perhaps I could add to that. I can assure the Leader of the Opposition that this subject was explored most fully and what it really boiled down to was that to make these funds eligible under The Canada Assistance Act it would be necessary for the people involved to fill in forms, declare their assets and liabilities and so on, and it was not the intent of the government to put these people to that sort of effort to do so.

Mr. Nixon: A supplementary question to the Minister of Municipal Affairs on this matter: As we understand the payments that were announced in the Legislature yesterday, there will be no forms nor qualification at the provincial level, except they will not be payable to any person who does not qualify under the federal test. Obviously there would be no additional test since a needs test is already established for the payment of the guaranteed income supplement.

Hon. Mr. McKeough: You can own a $20,000 home, for example, but not have any income; this would qualify you for the GIS. To get into something supplemental above the GIS and have it shared with Ottawa under the Canada Assistance Plan would necessitate further forms, declaration of assets and perhaps find there was no eligibility.

Mr. Speaker: Further supplementaries? The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): In the continuous negotiations with Ottawa, would the minister tell us if there have been negotiations for a pilot project for a guaranteed income above the GIS supplement but pertaining to actual guaranteed annual income in the province?

Hon. Mr. Yaremko: No, Mr. Speaker.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Mr. B. Newman (Windsor-Walkerville): May I ask a supplementary to the last one?

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman: I wanted to ask of the Minister of Municipal Affairs if an individual receiving only $1 GIS would be entitled to the same dollar amount of assistance as one receiving the full GIS?

Hon. Mr. McKeough: That is correct.

Mr. Speaker: The hon. member for Scarborough West.

PURPOSES OF INCO DEBENTURE ISSUE

Mr. S. Lewis (Scarborough West): Mr. Speaker, a question of the Minister of Financial and Commercial Affairs:

When the Ontario Securities Commission approves an International Nickel debenture of $75 million at 9.25 per cent to finance further investment, does the commission take a look at the purposes which such financing will serve?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): I would believe so, in that the objects of the financing as set out, whether it be in a prospectus or other notice, would be irrelevant to those who were involved in the financing. The two would go together, I would think. Beyond that I cannot answer the question.

Mr. Lewis: In the—

Mr. Speaker: Is this a supplementary?

Mr. Lewis: Supplementary; sorry, Mr. Speaker. In the $75 million debenture that has been approved, effective October 1, does the minister know how much of that money will be invested in Canadian projects as distinct from those undertakings which Inco has in other parts of the world?

Hon. A. B. R. Lawrence: I personally do not know, and basically the collateral section of policy, which I think is buried in the NDP leader's question, does not seem to me to relate to the jurisdiction of the Ontario Securities Commission per se.

Mr. Lewis: A further supplementary to the collateral question which was peeking through, quite evidently: Does the minister not question the possibility of large amounts of investment money being raised in the Province of Ontario for investment in Guatemala and New Caledonia, given the profit picture of the Inco corporation last year and this?

Hon. A. B. R. Lawrence: As I suggested, the question of international investments reflects on Ontario economic policies but these do not, I would also suggest, fall within the jurisdiction of the commission. International investments, whether they be from Japan, Germany or the United States, and the outflowing of capital from the province itself—as long as the transactions are performed with full disclosure and within the constraints of honesty—I think are not the concern of the commission.

TRANSFER OF TIMBER LICENCES IN QUETICO PARK

Mr. Lewis: Okay. I have a question of the Minister of Lands and Forests:

What specific constraints does the Minister of Lands and Forests intend to place upon Boise Cascade should it acquire all the timber licences which it presently seeks within Quetico Park?

Hon. Mr. Brunelle: Mr. Speaker, the timber belongs to the Crown, the assets belong to Jim Mathieu and probably Domtar at the moment. We cannot prevent the company from selling their assets to another company. Where we have control is over the timber rights. As I mentioned the other day in the Legislature, we are looking into this and we are making sure that public interest is served and, as for the transfer of the timber licence, this will come under our inspection and control. But we have no control over the transfer of assets from one company to another. Why should we?

Mr. Lewis: By way of supplementary, does the minister think it is in the public interest that Boise Cascade should have a licence extending to 888 square miles of a 1,750-square-mile provincial park or more than half the park? Does the minister think that is in the public interest in terms of the way multinational corporations work in the Province of Ontario?

Hon. Mr. Brunelle: Mr. Speaker, if the member was listening yesterday, I also said that we are looking into this. There could be a possibility that we could modify the licence, that we could decide to issue a volume agreement like the volume agreement that Ontario-Minnesota are supposed to have in the northwestern end of the park. It could well be that we may be able to find wood outside of the park. These are the things we are looking into, and I can assure the hon. member that this matter is being given our most careful consideration. We have an advisory committee that was established a few months ago; timber operations is one of

the main points that they are looking into and you can rest assured that we certainly will not do anything that would be detrimental to the recreational value of Quetico Provincial Park.

Mr. J. Renwick (Riverdale): A supplementary question: Does the minister agree with the principle that, regardless of the device which is used, the fundamental question is who has the cutting rights at any given time and that that is a matter which should require the consent of this government?

Hon. Mr. Brunelle: In this particular case the cutting rights were given in 1967 for a five-year period to Jim Mathieu with the option, I believe, of another renewal after five years. In other words, by the year 1977 there is no further guarantee of any cutting rights on that particular licence. In the meantime it could well be that we may—

Mr. Lewis: In the meantime you will have no park. You are giving them seven years. You know the record of Ontario-Minnesota in this province.

Mr. Speaker: Order!

Hon. Mr. Brunelle: Mr. Speaker, at the present time, for the last I do not know how many years, there has been less than one per cent—I repeat, less than one per cent—of that total 1,750 square miles of area that has been cut. There is no cutting within a minimum of 400 feet along the shorelines of the lakes and rivers in some cases up to the skyline.

Mr. D. C. MacDonald (York South): Except when Jim Mathieu did it and you had a fait accompli. I documented in this House four or five years ago that Jim Mathieu was doing this and you did not even know.

Mr. Lewis: Now you are dealing with Boise, not Jim Mathieu.

Mr. Speaker: Order, please! This topic was pursued quite extensively yesterday. There have been numerous supplementaries. It is becoming a debate on this particular topic and I think we should not use the question period in this manner.

The hon. member for Wellington South.

UNIVERSALITY OF REASSESSMENT PROPOSALS

Mr. H. Worton (Wellington South): Mr. Speaker, I have a question of the Minister of Municipal Affairs:

This is due to an inquiry from the town of Fergus as to whether he will make available to the municipalities that have been reassessed the same proposition as he has given to the counties of Peel and York?

Hon. Mr. McKeough: Those provisions are available to anyone under the Act.

Mr. Speaker: The hon. member for Downsview.

AUTHORIZATION OF BYELECTIONS TO FILL ALDERMANIC VACANCIES

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Minister of Municipal Affairs:

In view of the fact that there presently exists in the council of the borough of North York a vacancy for the position of alderman in ward 4; and in view of the fact that this Legislature did pass a private Act for the city of Toronto, 1968-1969, instructing them to hold a byelection in a similar case; and in view of the fact that the council of the borough of North York is apparently having great difficulty in determining how they are going to go about appointing the new alderman, which is the only alternative they have, the only authority they have under the present situation; will the minister bring in legislation allowing the borough of North York and any other municipality in similar circumstances to have a byelection when such a vacancy occurs?

Hon. Mr. McKeough: Mr. Speaker, it is true that the city of Toronto applied for and received approval from a private bills committee for private legislation along these lines. I would have to say that in the three years that I have been minister there have been no request from any municipal associations, nor from any of the municipalities to deviate from the appointment practices under the Act.

There are a great number of reasons as to why the municipalities feel this way. I, of course, would be interested to know if the member feels that this would be desirable, whether this should be done or not, and as to whether it should be done in the case of North York.

I think the simple answer to his question is that we always have these matters under consideration. But specifically I have no intention at the present time of bringing in an amendment to The Municipal Act along the line which the member suggests.

The avenue, of course, is open to North York to bring in a private bill at the appropriate time at the beginning of the next session. I am sure that they will be able to find someone in that great borough who would sponsor that bill before the private bills committee.

Mr. Singer: Mr. Speaker, by way of supplementary, in view of the fact that I am in favour of having a byelection if the council so desires, would the minister not agree that it would be in furtherance of the true democratic process that the voters have a voice in choosing the next alderman?

Hon. Mr. McKeough: The point the member makes is, of course, a good one. That was the view held by the good citizens or the good council of the city of Toronto. I may say that at that time the subject was viewed with monumental disinterest by other municipalities and the municipal associations of the province. No doubt now, with the support for this kind of move from the member for Downsview, the municipal associations and others will take heed.

Mr. Speaker: Is there any other supplementary? If not, the member for Sandwich-Riverside.

DELAY IN POSTING MERCURY WARNING SIGNS

Mr. Burr: A question of the Minister of Lands and Forests:

Who gave the order to the district supervisor in Kenora, about July 1, that signs warning against the eating of mercury-contaminated fish, which had been distributed about the end of June, were not to be posted? What I want to know is, where did this order originate that caused the three-week absence of signs?

Mr. Speaker: I seem to recall the question. I am not certain it was identical; the minister may answer if he wishes.

Hon. Mr. Brunelle: Mr. Speaker, I do not believe that this is a question of major public importance. The signs were sent and apparently there were some local people who did not like the design of the signs. Therefore, the signs were redesigned and they have been posted.

Mr. Lewis: You spend a lot of time redesigning posters in that department.

Mr. Speaker: Supplementaries? If the hon. members will indicate whether or not they have a supplementary, it would be of great assistance.

The hon. member for Sandwich-Riverside has a supplementary?

Mr. Burr: Yes.

Mr. Speaker: Right.

Mr. Burr: Has the minister reprimanded whoever was responsible for—

Mr. Speaker: That question is not proper at this time.

The hon. member for Sarnia.

OFF-TRACK BETTING

Mr. J. E. Bullbrook (Sarnia): Thank you, Mr. Speaker. I have a question of the Minister of Justice:

In view of the recent pronouncement by The Jockey Club that through their own initiative they had been able to ascertain that considerable portions of the funds wagered in off-track betting shops are finding their way elsewhere than to the parimutuel machines, can the minister assure the House that his department is doing something to protect the public interest, financial and otherwise? More importantly, would the minister be able to guide the House as to whether he is making any vigorous representations to the federal government to finally stabilize the position of his department to put an end to this intolerable situation?

Hon. A. A. Wishart (Minister of Justice): That is a very good question, Mr. Speaker, a double-barrelled question. The first part—

Mr. Bullbrook: Let us have a double-barrelled answer.

Hon. Mr. Wishart: I will give a double-barrelled answer. As to the first part of the question, yes, we are doing all we can in the way of investigation and law enforcement and I think the hon. member recognizes it is a very difficult field. We have discussed it in the House before. It is very difficult to get evidence that will sustain a conviction in the courts.

Mr. Bullbrook: The Jockey Club did not.

Hon. Mr. Wishart: But we have a number of charges pending from time to time; there are several of them now. And we continue that work. I suppose to completely contain

that situation, one would need to post a policeman perhaps 24 hours a day at every shop where bets may be taken.

Mr. MacDonald: That is why it is intolerable.

Hon. Mr. Wishart: Well, when you—

Mr. J. B. Trotter (Parkdale): The minister is being ridiculous now.

Hon. Mr. Wishart: Well—

Mr. Trotter: How come The Jockey Club could get the evidence?

Hon. Mr. Wishart: Well, The Jockey Club have not got evidence either. I have what they have. And they admit that their evidence is by no means complete, certainly not the type of thing that would enable them to convict any of those persons in whose shops they place bets.

Mr. MacDonald: That is not enough.

Hon. Mr. Wishart: So my answer to the first part of the question is that we are doing all that we can, under the present state of the law, which is federal law contained in the Criminal Code of Canada.

We did ask the Minister of Justice a year ago to amend that code to outlaw off-track betting. The amendment said it was proper to take a bet away from the track as long as it was without consideration. Those were the words which were entered in the amendment in the House of Commons at Ottawa.

We have made representations to the Minister of Justice. I personaly have made representation to him at the attorney generals' meeting in Halifax during the course of the Dominion-provincial conference two or three weeks ago. We have had correspondence; we have had telephone conversations and I—

Mr. Bullbrook: Could the minister tell us what his representations were?

Hon. Mr. Wishart: I might say to the hon. member—if the hon. member will let me complete my answer—the matter has been the subject of discussion in this government. Perhaps when that discussion is complete—and I think it will be shortly—I will be able to say to the Minister of Justice with perhaps more force than I have been able to say so far, "Take a certain course of action."

Mr. Singer: Did the Ontario Minister of Justice have a position?

Mr. Bullbrook: Would it be fair to ask, by way of supplementary, sir, of the Minister of Justice: Is the Minister of Justice of the opinion that the Minister of Justice for Canada would be amenable to any requests of the government of Ontario in this connection?

Hon. Mr. Wishart: I think the Minister of Justice would perhaps support what I say in that we work very closely together. He sometimes asks for my views and quite often is influenced, at least, by them and sometimes accepts them.

Mr. Singer: Thank you. By way of supplementary: Am I correct in presuming that what the Attorney General said to my colleague from Sarnia was that as of this moment the Ontario government has no position insofar as off-track betting is concerned, as he did not have in June?

Mr. MacDonald: Still resolving the split in cabinet.

Hon. Mr. Wishart: I think when the Ontario government is in the position—

Mr. Singer: Of thinking.

Hon. Mr. Wishart:—and wishes to state its policy, it will inform this House.

Mr. Singer: By way of further supplementary, Mr. Speaker: The Attorney General apparently received from The Jockey Club a far more detailed report than was made available in the press release, and I think the Attorney General made reference to it. Would the Attorney General be prepared to table that report in the House, because The Jockey Club has not seen fit to make it available to me at my specific request?

Hon. Mr. Wishart: Well, Mr. Speaker, I do not know that the report that the executive member of The Jockey Club sent to me was one that was for tabling in the House. I got the report from The Jockey Club after it had appeared in the press, which I was at pains to point out to the gentleman who sent it to me.

I have no control over it. If The Jockey Club wishes to make it available they are quite free to do so and they did, as I said, publish it in the press.

No, I do not think the type of thing I received from The Jockey Club is something that I shall necessarily table in this House. I do not think it merits it.

Mr. Singer: Well, Mr. Speaker, by way of further supplementary: Would not the Attorney General think it is only reasonable that if we are going to debate this again, as we are tomorrow night, that members of the opposition are entitled to have as much information as there is available on this important subject?

Hon. Mr. Wishart: Well, to the members of the opposition, if The Jockey Club wishes to make that available it is at liberty to do so. I have no strings on it, no reservations about it.

Mr. Singer: Then table it.

Hon. Mr. Wishart: I do not propose to table it. There is nothing secret about it, but it is not a document that is the type of thing that is a considered study; it does not lead to any particular conclusions. I am sure The Jockey Club will make it available to the hon. member if he asks.

Mr. Singer: I have asked them and they have refused.

Mr. Speaker: Order. Supplementary?

Mr. G. Ben (Humber): Yes, of the Attorney General, Mr. Speaker, arising out of the questions of my hon. colleague: Has The Jockey Club laid any charges arising out of its allegations in this report as given to the press? Second, would the minister expand on the remarks that he made arising out of this report about the right of citizens to go to the racetrack?

Hon. Mr. Wishart: As far as I am aware The Jockey Club has laid no charges, and as I indicated in my earlier remarks in reply to the hon. member for Downsview, I do not think the material which The Jockey Club has brought forward would sustain a conviction. It probably would not lead one, on consideration of that material, to lay a charge because you would feel you could not prove it.

No, The Jockey Club as far as I am aware has not laid any information, or taken any action of that kind.

I take it that the second part of the hon. member's question is: What right has The Jockey Club to prevent a member of the public from going on the property of The Jockey Club, the racetrack, and placing a bet?

Mr. Ben: Yes, that is in light of the fact that they have a monopoly.

Hon. Mr. Wishart: I was asked that question some few days ago by a member of the press, or by members of the press and other news media. My answer was that The Jockey Club, a private corporation—as I understand it, it does own the property of certain racetracks, the facilities there—in that sense it has a right to control that property. I would think that it certainly would have the right, if someone was committing a criminal act or creating a disturbance of a quasi-criminal nature, to take steps to protect the property and put that person off, or to have the law enforcement people take charge.

The right to bet is a legal right set forth in the Criminal Code—to bet at the track; only at the track. In that sense to me it is in a sense a monopoly, or at least a quasi-monopoly given to The Jockey Club. I do not think that the mere fact that The Jockey Club is a private organization gives it the right to distinguish and discriminate between members of the public.

Mr. MacDonald: Hear, hear.

Hon. Mr. Wishart: I think that that is a right which perhaps the public has, any member of the public could go and bet. It is not confined to The Jockey Club simply by reason of the fact that it owns the property and owns the track. This is my own opinion.

The question has never, insofar as I am aware, been before any court. I would think that the court would find that that is a right given, not to The Jockey Club, but to the public. It so happens that The Jockey Club has the property where the track is and where the bet must be made.

The gentleman, I recall in the news report at least, who was refused the right to bet said he would take the matter to the court. Certainly that is his right; I would hope he would do so. I do not think, at this point at least, that it is for the Attorney General to step in and make that determination or to take it to the court.

Mr. MacDonald: They are operating on a public-granted charter.

Mr. Speaker: Order, please.

Hon. Mr. Wishart: Now, it may be that if the situation develops or becomes aggravated, it may be that I will find it necessary to take a stronger view and perhaps action in that regard.

Mr. Speaker: This topic has emerged into an almost full-scale debate. The supplementaries, so-called, are debatable in themseves; whether or not they are actualy supplementary to the original question. I think we have

spent sufficient time on this during this particular oral question period.

The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, the hon.—

Mr. Speaker: Perhaps the hon. member would permit me a brief interruption. I will be glad to add the time I take to the question period.

We have some very important visitors with us in Mr. Speaker's gallery. There are three MLA's, two MP's and three agriculturalists who are from the State of—and I am going to take a try at this—Andhrapradesh, India. They are all members of the British Commonwealth Parliamentry Association. I am sure we would want to extend a welcome to them.

Now, if the hon. member will resume his question.

DUST FROM FERMAR CEMENT PLANT IN ETOBICOKE

Mr. Young: Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management.

What steps are being taken to control the clouds of dust emanating from the Fermar cement plant at Indian Line, Etobicoke?

Hon. Mr. Kerr: That is a general question, Mr. Speaker; I do not know if this is a continuous thing or not. I believe either the hon. member or somebody from the Etobicoke area was in touch with me in the last week or 10 days about that particular plant and I have asked for a report. I have not received it as yet but when I have I shall give it to the hon. member.

Mr. Speaker: The hon. member for Sudbury has been attempting to get a question in.

RETENTION OF WILDERNESS AREAS

Mr. E. W. Sopha (Sudbury): A supplementary question: I should like to ask the Minister of Lands and Forests whether he can point to any area of the northland where he is pursuing a policy designed to maintain the ecological integrity of a specific area. That is to say, where the presence of man is virtually unnoticed in contrast to the policy that he does pursue, and which some people label as pernicious, that of multiple use of the land area?

Mr. Speaker: In view of the generalities expressed by the hon. member—

Mr. Sopha: It is not so general.

Mr. Speaker: —I fail to recognize any degree of urgency in generalities or any specific public importance in generalities.

Mr. Sopha: Come now, do you say that that is not a matter of public importance?

Mr. Speaker: It certainly is, if the hon. member had mentioned any specific area for this particular question period.

Mr. Sopha: But I asked him to point to an area.

Mr. Speaker: But the hon. member does not have a question for this particular period.

Mr. Sopha: All right, you want to rule me out of order. I think it is matter of great public importance. If you want to rule it out of order that is a responsibility that you must take. If the minister wants to sit silent, he takes the responsibility, too.

Mr. Speaker: I am sure that the hon. member knows what I meant. It was a general situation.

The hon. member for York Centre.

BUSINESS CORPORATIONS ACT

Mr. D. M. Deacon (York Centre): Mr. Speaker, a question of the Minister of Financial and Commercial Affairs:

Has the new Business Corporations Act yet been proclaimed? And will its confirmation enable shareholders in Revenue Properties Company with court approval, to hold a legal meeting at which they can elect directors as there has not been such a legal meeting held for 28 months, they have not had the power to elect directors and only three of the original directors at that time are still holding office?

Hon. A. B. R. Lawrence: Mr. Speaker, the new Business Corporations Act has not been proclaimed. It is my hope that it can be proclaimed at the first of the year. With regard to the second question, that is a legal point that I am having explored at this moment. They can have a meeting, I would think, a special general meeting without a full audit. I am having our legal people answer the question that was, as a matter of fact, raised in the past as well, as to whether there was any alternative when the present

situation exists; namely, that there is no proper audit for what would be an annual meeting.

Mr. Deacon: Supplementary to that: Since legal advice received by the company shareholders is that under the present Act their only legal action, if a meeting were called at this time, would be to adjourn the meeting, action is required now. That is the only action, literally, that a meeting of shareholders could take under the present terms of the present Act.

Hon. A. B. R. Lawrence: I cannot get into a legal debate on this, Mr. Speaker, this afternoon. It is being studied, as of the last several days, by my legal people and I will respond when they advise me.

Mr. Speaker: The hon. member for Windsor West.

"TRAFFIC JAM" GAME TESTED FOR FLAMMABILITY

Mr. H. Peacock (Windsor West): Mr. Speaker, I also have a question of the Minister of Financial and Commercial Affairs:

What action can be take to have withdrawn from sale a game advertised in the Christmas catalogue by Simpsons-Sears which has been represented to him as being hazardous to the children who are supposed to be playing at this game, which is known as "Traffic Jam"?

Hon. A. B. R. Lawrence: Mr. Speaker, when the problem with the toy "Traffic Jam" was brought to my attention yesterday, I immediately phoned the chairman of the Canadian Toy Testing Council, a Mrs. A. B. R. Lawrence of Ottawa. She advised me that our television was not working, the water softener had broken down and I had not left her enough money on Sunday.

Mr. Nixon: Try to do better.

Hon. A. B. R. Lawrence: I pointed out to her that I was phoning her as Minister of Financial and Commercial Affairs and wanted to know what she was going to do about the toy. She said they tested a similar toy last year and ruled it out as being unsafe and it was withdrawn because it was inflammable and the child inside the bag could be burned. Last night they had a special meeting of the Canadian Toy Testing Council and they could not get any of the kids to go inside the bag—

Mr. MacDonald: They all go to bed; kids are intelligent.

Hon. A. B. R. Lawrence: —because the kids figured they might suffocate. Mr. Basford's department and mine, as you know, work very closely together, and as of this morning his branch is undertaking tests. As I have said before, Mr. Basford is very active within his hazardous products jurisdiction, and I am very much of a supporter of his. I do hope in the next day or two both Mr. Basford's department and the Canadian Toy Testing Council will report. Their judgements in this field I will accept as my own.

Mr. Peacock: Supplementary, Mr. Speaker.

Mr. Speaker: One more supplementary.

Mr. Peacock: Does the minister's answer indicate that he has now conclusively turned over to the federal jurisdiction all questions of product safety?

Hon. A. B. R. Lawrence: I think my answer to that, Mr. Speaker, must be this. As long as I feel satisfied, this government feels satisfied, and this House feels satisfied that there is an exercise of adequate responsibility at the federal level in relation to product standards and hazardous products in particular, there is no need for us to move in. But this does not mean that, if a question is raised and the assessment is that the federal level has not dealt adequately with the particular problem in standards, or product sizes, or hazardous characteristics, this does not mean that we would not move in.

Mr. Trotter: You think them pretty good, eh?

Mr. MacDonald: It is like your second-guessing when your policy does not—

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

THE CHILD WELFARE ACT, 1965

Hon. Mr. Yaremko moves first reading of bill intituled, An Act to amend The Child Welfare Act, 1965.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, the amendments are a number of miscellaneous changes to the Act, chief of which are as

follows: to replace the child welfare review board with a child welfare review committee, having advisory powers only, thereby making the minister's approval of the estimates of the Children's Aid Society final; to alter and clarify some of the procedures in connection with legal proceedings taken under the Act, including one to enable married women to act as guardians *ad litem* in court proceedings under the Act and to clarify the status, legal status, of an adopted child.

THE JUDICATURE ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, perhaps I might be permitted to make my remarks a little longer than usual on first reading since this is a very important bill and contains a number of far-reaching provisions. It is an examination of The Judicature Act and I might summarize by saying that the general effect of the Act is to reorganize certain court procedures. In particular the Act sets up a divisional court as a branch of the High Court of Justice.

This will be an intermediate court of appeal, which will be designed to hear all appeals from administrative tribunals and will hear appeals in certain other matters which are presently heard by a single judge of the High Court of Justice. The court will be made up of three judges, not necessarily the same personnel each time, but it will be a three-man, three-judge court.

It will not entail the naming of additional judges but will be within the present structure of the court as a divisional court. It is designed to relieve the burden which presently falls on the court of appeal so that our highest court of appeal will then be able to devote itself to most fundamental and important matters which we think perhaps are not receiving as much attention presently as is desirable.

Another function which I might mention is that this new divisional court will enable the judges of the high court to obtain a wide and valuable experience as appellant judges, which will assist them in their functions as trial judges, to build a body of law and an appeal procedure which will be certainly relevant, I think, as they approach trial matters.

It is also provided—I think this is very significant, Mr. Speaker—that that court will sit outside of Toronto from time to time in the cities of Ottawa, London, Sault Ste Marie, Thunder Bay and Sudbury. That, I might say, is perhaps a beginning but we think it is a good departure and we shall see how it works.

The bill will also authorize local judges of the high court—that is, our county and district court judges—to hear and try divorce actions.

It has been suggested to us—I think I have to say this, Mr. Speaker, if you will permit—it has been suggested to us that there might be a constitutional question as to the authority of local judges of the high court to try divorce actions. We do not think this suggestion really has any validity.

Mr. Singer: We said that when you advanced it a year or so ago.

Hon. Mr. Wishart: We do not think it has any validity—

Mr. Singer: We told you that.

Hon. Mr. Wishart: —but some of the judges of our Supreme Court have a different opinion.

Mr. Singer: I am glad we convinced at least you.

Hon. Mr. Wishart: They have a different opinion. If we pass this legislation, if this House accepts this legislation, we shall resolve that question in some manner which will be prompt and expeditious, I am sure.

Mr. Sopha: By reference.

Hon. Mr. Wishart: Yes.

Mr. Sopha: All right. Yes. The member for Downsview and I will appear as counsel.

Hon. Mr. Wishart: I am sure that would expedite the matter.

THE COUNTY COURTS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The County Courts Act.

Mr. Sopha: The minister's seconder is not present; he left.

Mr. Singer: The Minister of Municipal Affairs does not want to have anything to do with this. How can he second it if he is not in his seat? Ridiculous? Try it again.

Mr. B. Newman: Hold it a while.

Motion agreed to; first reading of the bill.

Mr. Nixon: This is a divorce bill; is the Minister of Municipal Affairs sure he wants to endorse that?

Hon. Mr. Wishart: Mr. Speaker, the amendments in this Act, as will be the case in a number of other bills I will introduce, are complementary to the changes in The Judicature Act, the bill which was just introduced.

This bill makes changes in the dates of the sittings of the court in each county and district. They are now prescribed by statute but by virtue of this bill will be left to the chief judge at his discretion.

The monetary jurisdiction of the court is increased from $3,000 to $7,500 in personal actions and where partnerships or estates are involved, increased from its present jurisdiction of $20,000 to $50,000. There is provision for removing the case from the monetary jurisdiction of the county courts to the supreme courts. These are briefly the—

Mr. Singer: Is the minister going to give those fellows some more money after giving them all the extra work?

Hon. Mr. Wishart: I wonder if the hon. member is speaking of their salaries. Those judges are appointed and paid, of course, by the federal government.

Mr. Singer: They get some money from us, though.

Hon. Mr. Wishart: And I think they are worthy of their hire. I have told the Minister of Justice at Ottawa that he perhaps should take some action in this regard.

Mr. Singer: Are you?

Hon. Mr. Wishart: I shall consider that.

THE GENERAL SESSIONS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The General Sessions Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill is complementary again to The Judicature Act as previously introduced. Its main provision, however, is to set the dates of the sittings of the general sessions of the peace in each county and district. These are presently prescribed by statute but will now be left to the Chief Justice to determine and his order will be published as a regulation. This will permit a flexibility in setting the hearings or the sittings of the court to meet the needs, the work loads, the case loads, etc.

THE INTERPRETATION ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Interpretation Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: This bill, Mr. Speaker, is complementary to the bill creating the divisional court and to The Judicature Act.

THE JUDGES' ORDERS ENFORCEMENT ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Judges' Orders Enforcement Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill also is complementary to the amendment to The Judicature Act. One particular provision is to provide that appeals from judges as *persona designata* will go to the new divisional court.

THE HABEAS CORPUS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Habeas Corpus Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: This bill, also, Mr. Speaker, is complementary to the changes made by The Judicature Act, and in the matter of application for habeas corpus the application will be made to a Supreme Court judge as at present, but with right of appeal to the divisional court.

Mr. Speaker: Orders of the day.

ESTIMATES, DEPARTMENT OF UNIVERSITY AFFAIRS
(concluded)

Clerk of the House: The 21st order, House in committee of supply; Mr. R. D. Rowe in the chair.

On votes 2602 and 2603:

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Chairman, we began the estimates on The Department of University Affairs on Wednesday, June 10, and then we had a further discussion on Thursday afternoon, June 11, and we did not get back to the estimates until we adjourned for the summer on June 26. We got to two votes, 2601, and we are now on to vote 2602 on general expenditures of $423 million.

The context of my remarks at the moment have to do with the minister's comments, previously—I believe it was on June 11—that approximately $210 million will be received from the federal government to pay for the operating costs of our universities. It is in the context of the funds from Ottawa that I would like to direct my remarks now, because $210 million from Ottawa is a lot of money, but it might not be enough.

I would like to direct my remarks particularly to the question of the financing of Glendon College at York University. A little background is necessary, Mr. Chairman, to understand the context in which there should be additional federal funds to finance this bilingual college at the university level.

By way of a preamble I would say that the fact there is in Toronto, Ontario, a functioning, though fragile, bilingual college, is just short of a miracle. It is a symbol of the Canadian dream held by many future leaders in Ontario who despair for Canada and who, by their commitment to this unique bilingual academic programme at Glendon College, are taking positive action to make their Canadian dream a vibrant reality. They want to be forceful participants in a united Canada in the decades ahead.

As the minister knows, the bilingual thrust at Glendon College has very many forces conspiring against it. I think I should make it clear, Mr. Speaker, that Glendon College is a unique college as part of the university community in Canada. It is the only college in Canada that requires all of its students, whether their first language is French or whether their first language is English, to become bilingual. It requires students who are English-speaking to take French as part of the academic requirement. It requires students who are French-speaking to take English as part of their degree requirement. It is a unique university-level bilingual institution in Canada.

My concern at the moment is that the lack of federal support for the college is going to doom that fragile experiment in bilingualism among our young people; it is going to finish it. So I would like to direct my remarks to the minister in that context.

I think I would like to repeat that I feel and believe deeply that there can be no bilingual federal Canada in the 1980s and 1990s unless there is a strong feeling among today's young English-speaking Canadians in Ontario that they are going to be able to acquire the tools to inject themselves into the other solitude. Glendon College at York University in this province, Mr. Chairman, is designed specifically to provide at least some young university students outside Quebec with an effective opportunity at the university level to acquire the fundamental tool of language and cultural empathy. I will not say biculturalism, but I will say bilingualism and cultural empathy with the French culture in Canada.

It is my conviction that the commitment to Canada must come from the young. It would be and must be a countervailing force to the articulate young Quebec separatists. If Glendon College is crushed through the lack of federal support under the bilingual programme that is recommended by the bilingualism and bicultural commission, if Glendon is crushed through that lack of federal support, I think we shall have strengthened the hands of the brilliant, idealistic young separatists like Claude Charron five to 10 years from now. Our job in this Legislature in 1980 and 1985, for those of us who are still around, will be made virtually impossible.

So I state that in my opinion Glendon College at York University in this province is a unique college. It is a college which requires its students to become bilingual. French is required, if you like. But the catch is that it is a lot more expensive. It is a lot more expensive, Mr. Speaker, to have a staff that is capable of handling language training and literature in a small college which has approximately 1,000 undergraduate students. It is that cost factor that must be financed, in my opinion, by the federal government under its commitment to bilingualism and biculturalism in Canada.

Now as some people know, I have had an open quarrel with Mr. Gérard Pelletier, the Secretary of State, on this issue. I think his interpretation of the B and B recommendation thus far in terms of his correspondence to me is a very narrow interpretation. There is, I am sure—and I hope the minister agrees

with me—no constitutional problem in having the federal government finance bilingual efforts at the university level in this or any province. It must be an agreement, of course, between the provincial government and the federal government.

But one question I would like to ask the minister specifically, if he can, to comment at this time on the nature of that constitutional issue, if there is an issue at all? I do not quarrel with the federal government's emphasis on giving priority to the provision of university education in French to French-language students outside of Quebec, and of course English-language students inside Quebec. That, of course, must be the priority to maintain the French fact in Canada and the English fact, if you like, in Quebec.

But the B and B commission made it quite clear, Mr. Chairman, that we should be talkink about bilingualism and not simply enabling French people outside Quebec to keep their French language and English people inside Quebec to keep their English language. Bilingualism means what the Premier of this province said a few years ago. It should mean the ability of Canadians to speak languages other than their own in conversation with other people in Canada.

So the Glendon experiment is a hope. It is more than a hope; it is actually working whereby English-speaking Canadians in our solitude are making a valid attempt to learn about the other solitude by becoming bilingual, by going to the trouble of doing so. I think we need a federal government commitment to do this. I think this is the place in which it should be discussed. I say to the minister that my quarrel with my Liberal colleagues in Ottawa—and I think it may be with some of the civil servants and not necessarily with the minister—

Hon. A. Grossman (Minister of Correctional Services): Why did you weaken your case?

Mr. T. Reid: —is that they seem to have misunderstood what Glendon College is all about. Mr. Pelletier, in his letter to me, implied he left the door open and I am glad he did; but he implied that Glendon College is like any other university in Canada which offers a second-language programme to some of its students and in which a few lectures are given in the other language in courses other than, say, French.

What I am trying to draw to his attention now is that Glendon College is not just like any other college on a university campus. It is a unique institution in which the academic senate and the university have stated that students must, are required, it is a compulsory thing, to take French in order to get their degree from that college. That is a unique fact. It is the case in no other university in Canada, and I think it should receive federal support.

Mr. Chairman, the cost of enabling some English-speaking Canadians in Ontario to become bilingual in a university college, the additional cost above the basic income unit, if you like, is partly a short-term problem. A grant of $500,000 a year for four years to Glendon college by the federal government would, I think, enable this unique academic institution in English-speaking Canada to survive those four years and thereby survive for the rest of the history of Canada.

I think we are talking about a small amount of money that the federal government should give for the specific purpose of helping Glendon College through this high cost experimental phase. I would like to support any request that the minister makes to the federal government in this regard. That is really all I have to say about this issue, Mr. Chairman. I would like to ask the minister if he could comment on the remarks in Mr. Pelletier's letters to me.

Mr. Pelletier has mentioned that sometime within the last year, it might even have been sometime in the last year and a half, this has been discussed with the minister or with officials of the minister's department. I would like to know roughly when that matter was discussed, whether it was an informal matter or formal matter on the agenda. I would like to have on record, if you like, that the federal government has had an approach, however informal, from this government concerning the needs of Glendon College.

Secondly, and much more important of course, is the question of the crisis at Glendon College. When will the minister initiate discussions with the federal government which would include federal financing of the additional costs of Glendon College as a bilingual college? I would like to ask him when he is initiating those discussions and the approach he might be taking during those discussions?

Hon. W. G. Davis (Minister of University Affairs): As a reply to the several points raised by the hon. member, I think it should be stated at the outset that the department and the government welcomes, and really let us be quite frank about it, the experimental type of programme that is being developed at Glendon. At the same time, Mr. Chairman, I think we have to view it in the total perspective with recognition of all sums being

allocated to all universities with individual programmes of their own in this province.

I want to make it very clearly understood that I, personally—and I think this also represents the thinking of the department and of the committee—recognize the type of programme that exists at Glendon and its desirability. I do not want this to be misunderstood.

I think, also, Mr. Chairman, I accept that if the federal government is to have a sincere interest—and I believe it has—in bilingualism, that this is surely one of those situations that must be considered in whatever policy is developed by the federal authorities to assist in this across Canada. In fairness, Mr. Chairman, while they have not in their proceedings become specific, I do not think in any province, related to specific institutions, that they have come up with, shall we say, a global figure, which they have allocated to the provincial jurisdiction.

I would say to the hon. member there have been four or five individual situations which have been formally brought to the attention of the federal authorities. I would say this, Mr. Chairman, to the hon. member, that officials of The Department of University Affairs will, in fact, be meeting with the federal representatives tomorrow where, I anticipate, the subject of Glendon College and others will be matters on the agenda.

I do also make this observation, Mr. Chairman, as something that we must keep in mind, that we have developed the procedure here in this province that I believe is relevant, and has had a degree of acceptance—a very substantial degree of acceptance—and that is the function of the Committee on University Affairs in its capacity of advising the department and the government as to the expenditure of public funds.

I think, Mr. Chairman, that we must recognize that Glendon College, along with any other post-secondary institution over which the Committee on University Affairs has jurisdiction, must, in its own way, establish a very valid case for the allocation or recommendation for the allocation of funds from the public treasury. I fully anticipate that Glendon will be undertaking this—or York University on behalf of Glendon, will be undertaking this in the very near future.

I would also point out to the hon. member, through you, Mr. Chairman, that we have other bilingual post-secondary institutions in this province, where the guidelines have been reasonably well established and where the increase in support has, I think, to a substantial degree met the increase in cost that is inherent in a bilingual programme. One can only cite the reference to Ottawa University, or to Laurentian University and other situations, where we have had, I think, fairly good experience and where, with great respect to our federal friends, our commitment has preceded their generosity in the past by two or three months; in fact, it has preceded it by some years.

Hon. Mr. Grossman: Ontario always leads.

Hon. Mr. Davis: I should also raise this thought with the hon. member—and I say this with no consultation with the committee or the chairman of the Committee on University Affairs—that gives me very great concern. The member raises the point that, say, for a four or five-year period of time, a specific allocation of half a million dollars a year for that period of time will, in fact, ensure the future success or economic and educational viability of Glendon College. I pose this problem, Mr. Chairman, and I think it is one we have to assess: Will that, in fact, solve the problem or will it still be with us four years or five years hence?

I say unless something takes place related to the intake or the numbers of students involved in Glendon College that, in fact, we will not have solved the problem. I raise this thought with the hon. member and I think it is worthy of consideration: Can Glendon College or York University not, perhaps, accomplish the same ultimate objective, recognizing that perhaps within Glendon College one can develop a more viable student body whereby in a portion of the programme it would be compulsory that the student must be bilingual, and so on, but at the same time to develop in the total student body at Glendon College, admission policies whereby bilingualism is not a prerequisite?

In other words, can there not be a structure developed whereby Glendon College could very shortly reach a viable educational and economic unit—I do not like these terms necessarily but use them for want of better ones—and still retain a portion of the programme and relate that portion to the number of students who, in fact, wish to participate in that kind of programme?

If this were the case, Mr. Chairman, I very humbly suggest that we could, for fewer dollars and in a shorter period of time, achieve the objectives of Glendon—if this can be done in this context—and at the same time, perhaps provide further student places in an environment and exposed to a programme that I think would also be helpful to them.

Mr. Chairman, I just raise this point. It may or may not have validity, but I think it is something that—in our discussions with Glendon College, or the committee, could be raised as a means whereby we could come to a solution at Glendon College, perhaps in a shorter period of time and for a smaller dollar commitment than may be anticipated at this present moment.

Mr. Chairman, I throw this idea out. I want to make it very clear I am not suggesting this is a matter of department or committee policy, or what have you. There may be very valid reasons why this may not work. I think in this day and age where we are being very hard-pressed to utilize the tax dollar and spread it as far as we can in the field of education, that it is worthy of consideration and perhaps could provide us with a solution to the situation much in advance of, say a $500,000 commitment for a four- or five-year period which in itself does not ensure the success unless you have an increase in admissions because that same dollar amount, plus any instrumental costs that come about year by year, would also be part of any such policy considerations.

Suffice it to say for this moment, Mr. Chairman, that as far as the government is concerned, we are anxious to see in what way we can assist York University, and through it, Glendon College, to move ahead with its programme in the total context. At the same time, we want to raise one or two questions with them as to whether or not there are other ways of achieving this objective in a way that perhaps would make some economic sense and, I suggest with respect, perhaps make even academic or educational logic at the same time.

Mr. T. Reid: The last part of the minister's remarks requires some sort of comment, I believe. I am well aware of the arguments the minister has made latterly but I would like to keep them in the secondary place. In my opinion the minister can use the recommendations of the B and B commission, he can use Corry's interpretation of the constitution and he can go to the federal authorities and say, "Look, if you federal French Canadians really want a bilingual Canada, here is a unique institution in Ontario where English Canadians in 20 years from now will end up being some of the top civil servants in Ottawa, where they will not be discriminated against because they cannot speak French."

I am saying that the minister has all the weapons to go to the federal French Canadians and say to them, "You have made a lot of talk about bilingualism and Canada, and the French fact in Canada; we in Ontario believe that it is, if not equally important, almost as important to provide citizens of our province, the heart and strongest part of English-speaking Canada, with university opportunities to become bilnigual and to pick up a cultural empathy about the French fact in Canada and the Quebec fact." I would say to the minister that he has got the argument. Do not get sidetracked into the question of this two-stream thing at Glendon. I can answer that in great detail but I will not; we are both aware of the argument.

I want him, and urge him—and he will have my complete support and the support of this party—to say the federal government has obligations to make additional special funds available for a unique institution in English-speaking Canada. Glendon—and I must beg to differ with the minister—is not like Laurentian and it is not like Ottawa.

Hon. Mr. Davis: That is what we said.

Mr. T. Reid: Fine. As long as that is on record from the Minister. It is unique and it is that fact that must be put to the authorities in Ottawa.

Secondly, I think we must realize that there are French Canadians on the faculty at Glendon College. I think the minister must realize that the number of French Canadians registering at Glendon College has been increasing for the last four years. There are now over 100 French Canadians at Glendon College. They are there because they believe in a federal Canada; they are there because they do not like Claude Charron's arguments. They are there to try to understand us. If we put in a two-stream concept at Glendon College, those French Canadians are going to leave.

So we are not just talking about English Canadians learning French as part of the academic requirement in the curriculum at this college; at this Ontario university. We are talking about French Canadians from Ontario, and also from Quebec, who are going to Glendon College because they believe in the Canadian dream. They believe in the rhetoric of Trudeau. They do not believe in kidnapping, and it is that serious.

So I say to the minister, please do not talk about the two-stream arguments because that would destroy the ethos of Glendon College, in my personal opinion. I think you must focus on the fact of the unique nature of Glendon College, the people who live there —it is highly residential. The people who go there go there because they have a commitment to Canada, because they do not believe

in the Claude Charrons, because they do not believe in the FLQ, because they do not believe in kidnapping. It is that serious for the 1980s.

We are talking about senior government officials in Ottawa 20 years from now and 25 years from now. We need some English-speaking deputy ministers in Ottawa 25 years from now, I hope, 30 years from now. What better place to have them become bilingual? What better place to have them have a cultural empathy with Quebec than to be able to do their undergraduate work at a place like Glendon College? It would be a lot less expensive for the federal government in the longer run.

As a final comment, Mr. Chairman—I got carried away with this one—the minister is quite right in saying that simply the getting of additional funds to Glendon College over a four-year period might not solve the financial problems. He is quite right in making that statement. He is quite right in asking questions about how that college operates or in having his committee do it.

But I will say this, that one of the key problems at Glendon has been that York University was doing a lot of the recruiting for Glendon College and the people doing the recruiting for York University—the member for Peterborough (Mr. Pitman) had the job at Peterborough, I used to have it at York myself—do not sell Glendon across this province. And now, the students are doing a lot more of this. They are going into eastern Ontario. They are going into northern Ontario. They are going down to call on Claude Ryan and French-Canadian leaders to tell them about Glendon College as an answer to kidnapping. And it is the long-run answer: it is a part of it.

The funds that would be made available from the federal government to the minister's department, I think, would enable Glendon College to let the people of Canada know that this unique bilingual university institution exists. And I think that that is very important.

I think that I would categorically disagree —there is no way of proving or disproving this—I think that the short-term financial problem could be looked at and it might not be a half million dollars for four years, it might be $250,000 for four years. That is certainly open for discussion. I think that would solve the long-run financial problem.

I think there would be more than 400 students each year across Canada, particularly from within Ontario, who would want to go there. Now, I would say that at the end of four years, 200 of those would be from Quebec, young people who would want to fight against the Claude Charrons in the 1980s.

Thank you, Mr. Chairman.

Mr. Chairman: The member for Sudbury East.

Mr. E. W. Martel (Sudbury East): I would like to ask if the minister wants to discuss the problem surrounding Laurentian University under this vote or if he wants to discuss it under 2603?

Hon. Mr. Davis: Mr. Chairman, I assume the hon. member wants to chat about Laurentian? In that there are still people here from Laurentian, perhaps the hon. member would prefer to chat about it now rather than later when they are not here.

Mr. Martel: I am glad the minister is so congenial today.

Mr. Chairman, the problem involving Laurentian is one that started two weeks ago. We have had the university community in turmoil for a better part of the year and we thought it had come to a head with the action taken by senate last spring.

Mr. Chairman: Order, please. I wonder if I can determine whether there is anything further under 2602?

Mr. J. Renwick (Riverdale): Yes, considerable.

Mr. Martel: Yes, the minister just implied that he wanted to discuss this at the present time.

Hon. Mr. Davis: Mr. Speaker, to keep the record straight, I did not advise the hon. member I wanted to discuss it at all. Very frankly he is the one who wants to discuss it. All I said was, I think, really, the way we have been moving on vote 2602, which includes support to Laurentian University, it is probably as appropriate there as in vote 2603.

Mr. Martel: Well, now that we have got the record straight—

Hon. Mr. Davis: Well, I know your deputy leader would want it straight.

Mr. Martel: He is not here.

Mr. M. Gaunt (Huron-Bruce): The house leader.

Hon. Mr. Davis: The house leader, I am sorry.

Hon. Mr. Grossman: You have got a lot of deputies and leaders over there.

Mr. Martel: Well, we are like the Tory Party. As we indicated last night we are worth one to 10 over nose rank, so it does not matter much.

Hon. Mr. Davis: You know, you do not really believe that, but go ahead.

Mr. Martel: I do really.

Well, the problem we thought had come to a head in the spring, but unfortunately not. I attended the meeting, Mr. Minister, that the board of governors finally agreed to and which was held in the great hall. During the meeting I suggested to a number of the faculty and to a number of the students that they were being seduced by the president of the board of governors because he was just mellow that night. He promised them the moon. All they had to do was go back to work and they had it "in the bag."

The board of governors was going to work with the senate. It was going to get down to the business of involving these people in long-term planning. They were going to appoint a new president. They were going to discuss negotiations and government reform. You know, the atmosphere that night was just wonderful. But I warned them against it and since then the crunch has come.

The minister has a copy of the brief that the students from Laurentian presented to him and there are about five areas that I just want to deal with momentarily—to point out where, in fact, the board of governors have retrenched. On every suggestion that had been made dealing with the four problem areas, the board of governors has retrenched and refused to discuss them.

The first one is the long-range planning. The proposal was made—and if the minister looks on page 2 he will see that the proposal was rejected by the board but finally agreed to as a part of the settlement of the dispute last spring. The senate therefore proposed certain modifications to the structure which would enable it to reflect the joint nature of long-range planning and at this stage the board refused. As I understand it, the five-year plan for the projection for Laurentian has still not been submitted. In fact, I do not think it has been worked on to any degree. Well, that is the first area; long-term planning is down the drain, and the board of governors refused to discuss it.

The appointment of a president: Last April, the board agreed that search for a president would be conducted by a search committee composed of board members, faculty and students. And when they finally got around to sitting down to iron out just how they would move ahead, the search committee hammered out a procedure which encompassed both viewpoints and presented its proposal to senate and the board. The senate accepted the compromise, the board refused. So we say that in appointing a president, the board has refused to work in any way which would iron out the difficulties which exist at Laurentian today.

Salary negotiations: The same thing transpired. The Laurentian board agreed to accept arbitration if negotiations failed, but later renounced this agreement. And again, we have a third area where any possibility of progress was dashed simply because the board of governors are not—and have never really been—willing to try to iron out the differences for the betterment of the university. Their autonomy is threatened. The board members look upon themselves—and maybe that was the reason why the minister appointed some of these people—as a God-given group with all of the powers and the rest of them have no say on how the university will operate.

Mr. M. Makarchuk (Brantford): They rule by divine right.

Mr. Martel: That is the term. The divine right of kings. But it is called the divine right of governors up there.

And the fourth point: university reform. Again the same thing happened. Again, in the brief, Mr. Chairman, it spelled out that the board of governors absolutely refused to get involved; they do not attend meetings. I do not know how much longer this situation can be tolerated. We have got the students out—they have been out for almost a week—and if there is not some form of commitment by the minister before the week is out, what position are they then in—they should go back to the classrooms and that the faculty should again start teaching on the word of the board of governors?

They have got to have some assurance that the same thing is not going to transpire again, that they will not be talked into believing there is going to be some real dialogue only

to be confronted by a brick wall. We just cannot afford this again; nor can we afford to have the students and the faculty stay out any longer. But they have got to have some assurance from the minister that the same thing that occurred last spring will not occur again if they go back into the classroom, let us say, either Friday or Tuesday.

I understand from the press—no one else knows when the board is going to meet with the minister—that the meeting is going to take place Friday. I am just wondering if this is factual.

Hon. Mr. Davis: Mr. Chairman, perhaps the hon. member will finish all his observations and then I will answer them all at the same time.

Mr. Martel: Fine. I think if it is the minister's intention to meet with the board of governors on Friday—hopefully not Tuesday as has been suggested might be the case—that after he and the deputy minister and his staff have had an opportunity to discuss it and if the minister could contact the senate with some assurances that this will not go the way it did last spring, I am sure the senate and the students would be willing to go back to class next Tuesday and get on with the business of university life. Without some positive assurance I do not think that is going to occur. I might say that the press the university has received in Sudbury has been deplorable. The reasons for that are quite obvious. When several of the board of governors control the news media, of course you are going to have distorted press coverage, and I am sure—

Mr. Makarchuk: You call it the free press.

Mr. Martel: Yes. I am sure that the community of Sudbury and the surrounding area have not got from that media what the problems really are, and I have suggested to the senate today that if this cannot be resolved they are going to have to take the actual facts to the rest of the community and involve the rest of the community. There are some pretty positive steps that can be taken in the Sudbury area to gain support for the faculty and the administration staff to bring this to a satisfactory solution, and I know that there are a good number of people with a degree of influence who, once they have got the facts, would champion the cause of the faculty at Laurentian at the present time.

One final point. It has been suggested—I do not know if it has reached the minister; I raised it yesterday in a question to the minister—that what the senate has asked for is that the recommendation by OCUFA be adopted. I know the minister's concern is that the government should not get directly involved in bringing this to a head, but the recommendation of OCUFA does not directly involve the government, and they are asking for mediation.

I understand that the board of governors are threatening to resign—I do not know how true that is but it comes back to me that way—if the minister, let us say, leans on them a little bit to accept this mediation. There is only one comment I can make. If the board of governors threatens to resign, it might be the best thing that happened to Laurentian University in a long time, and I am sure there are many community-minded people who would be happy to serve on the board of governors. We might get a broader representation than we presently have.

Hon. Mr. Davis: I hope you do.

Mr. Martel: If they resign I will give the minister the names of some very good people in the Sudbury area to help him out of his dilemma. But I do not think that is the threat they are using; it is just another indication of their reluctance to grapple with the problems that are confronting that university. As I say, if this is the position they have taken, it would be in the best interests of the university community and the city of Sudbury and the surrounding area if the minister accepted the resignations and immediately moved to appoint a new board that wants to iron out the kinks there.

Hon. Mr. Davis: Mr. Chairman, just to set the record straight once again: There has been some reference to government appointees to the board of governors of Laurentian University; I am sure if the hon. member had done his homework, which perhaps he did, he would have found that out of 25 members of the board of governors of Laurentian University—and I hope he remembers this in his references to them—five of that total are appointed by the government—Messrs. Cooper, Desmarais, Hennessey, Lavigne and Silverman. And the balance—I think the members of the House might be interested in this, Mr. Chairman, because these are the people about whom the hon. member is talking—they are appointed by Huntington University, which is somewhat associated with the United Church of Canada; the University of Sudbury, which is somewhat associated with the Roman Catholic Church; and Thorneloe University, which is somewhat associated with the Anglican Church.

These three constituent colleges appoint by far the vast majority of members to the board of governors of Laurentian University.

So let us have the hon. member properly informed and tell the House honestly the constituency and membership of the board of governors of Laurentian University. Let us not have them as appointees of the government, ruling by divine right of something or other, because when one looks at the bulk of the membership and where it comes from —apart from one of the hon. member's colleagues—where are these fellows from? A goodly number from Huntington University, the United Church of Canada. Is the member saying that these are appointed by government? They are not. Let us deal with the facts.

Mr. Martel: Let us deal with the executive.

Hon. Mr. Davis: It has nothing to do with the executive. The Ontario administration—

Interjection by an hon. member.

Hon. Mr. Davis: Oh come on, let us be fair about it and let us recognize just what is the makeup of the board and where the members come from.

Mr. Martel: I am telling the minister the executive runs the whole thing.

Hon. Mr. Davis: I have a horrible feeling, Mr. Chairman—and I should not say this—that the hon. member perhaps has not done his homework completely on this particular issue at all. I should also say to the hon. member that I am very vitally concerned about Laurentian University and the situation that exists there. We are using our offices to see if we cannot bring about some solution to the problem and we are doing it in a way that we think is logical and intelligent. We do not rely on the basis of rumour, people threatening to do this, that or the other thing, because this is not how you accomplish an ultimate solution.

I would say to the hon. member, so that he will be completely disabused of any rumours that he has heard, that no member of the board of governors has threatened me with anything. They have not threatened to resign; in fact, I have had no communication directly with the board of governors. I should point out as well that we met with one of the constituent members of the university yesterday; that is, the students. We met today with the executive, or a group from the senate of the university.

I agree completely with the hon. member that in order to bring about some long-term solution to the situation there, the sooner we return to stability at Laurentian University and classes begin to operate again, the better it will be for everybody.

I would also say, Mr. Chairman, that after my discussions today—and they were confidential discussions, and I make no bones about that either, and they are going to remain confidential as far as I am concerned —I indicated to the group from the senate that we would, in fact, be meeting with representation from the board of governors at Laurentian University in the very near future.

I must also say this, Mr. Chairman, the hon. member, as is his custom, is so well informed. I cannot specifically state that the meeting is Friday, because the meeting has not been finalized for Friday, at least as of about 3:50 p.m. on this particular date. Now it very easily may be Friday.

Mr. Martel: Except in the press.

Hon. Mr. Davis: Well, I know, but let us deal with facts.

Mr. Martel: That is where we learn those things.

Hon. Mr. Davis: Let us deal with facts as we know them. I think, Mr. Chairman, we are all very anxious to see the situation at Laurentian brought to a constructive, reasonable conclusion, and I must say that I am optimistic that it can. It does not mean it is going to be easy; it does not mean that there are not some things that have to be resolved. But I am optimistic, Mr. Chairman, that stability will return to Laurentian and that things will be set in motion to come up with long-term solutions to the problems.

I would point out to the hon. member that of course I am intrigued by these things which happen from time to time. You know they say, "We do not want you to really involve yourself, Mr. Minister, but would you do this, that and the other thing anyway?"

I do not know how you become a little bit involved or substantially involved or partially involved. I was very interested in the students' brief. I think it is a very well-put-together brief, Mr. Chairman. Just for the record, in case the hon. member himself has not read it completely—and it is a wee bit contradictory—it says:

> While we are convinced that outside impartial assistance is necessary, we do not feel that direct government intervention to

impose solutions on the university would be in the best interests of university education in Ontario. The principle of university autonomy is essential and we do not wish to see it destroyed.

This is a document prepared and presented to me by the students themselves. I found this really somewhat encouraging because to a degree it is basically the policy and the principle upon which we have been operating for some time in this province.

However, Mr. Chairman, I will not prolong it. I cannot usefully add anything as to the specifics of discussions that have taken place in the last two days because, as I say, they were confidential in nature from my standpoint and they are going to remain that way. As I say, I plan to meet with the board of governors and to hear representations from the board. I am optimistic that we—I should not say "we" because this sounds as though we would be imposing something—that a solution will in fact be found for the long-term interest of Laurentian University.

Mr. J. Renwick: Mr. Chairman, if I just may, now we can get back to the problem. It is not the member for Sudbury East who created the problem at Laurentian University. Let us deal with this minister not in a quiet friendly chat. Will he please give this House —and not hide behind his conception of something called university autonomy to deny to this House—a clear statement of what his conception of the problem at Laurentian University is at the present time, because it is a matter of public interest which he has to answer in this House for? Now what is the problem?

Hon. Mr. Davis: Mr. Chairman, I assume the hon. member has been reading roughly the same press reports that I have.

Mr. J. Renwick: Mr. Chairman, the minister says we are not to rely on the press. Now I want him to tell us what his conception of the problem is.

Mr. Makarchuck: Is he a responsible minister, in other words?

Hon. Mr. Davis: Mr. Chairman, I will not answer the last question because we like to think we are. While I recognize that some opposite will not always agree, you know that would get into, shall we say, assessments of personalities and capacities where one might say a great many things about all of us. So let us try and move beyond that and get to the point.

Hon. Mr. Grossman: You are getting the minister mad. Be careful.

Hon. Mr. Davis: You might get the minister mad, which would be kind of interesting.

Mr. J. Renwick: We might make more progress if we did.

Hon. Mr. Davis: Mr. Chairman, I guess the hon. member for Riverdale—definition of progress would be those items that are relevant for him and where he will satisfy his own curiosity in the way that he wants. It will not necessarily be my definition of progress. I think that is a very valid position to take, so let me see if I can sum up for him the problem as I see it at Laurentian University at the precise moment. I do this on the basis of only having discussed the matter with, shall we say—I do not like to divide them into groups —but not with the total group involved in—

Mr. Martel: Mr. Chairman, on a point of order. Did the minister's staff not meet with Mr. Bill Shea, the president of the board of governors, on Friday?

Hon. Mr. Davis: Mr. Chairman, my staff have met with students, with—

Mr. Martel: The deputy minister.

Hon. Mr. Davis: Yes, the deputy minister met with students, with staff, with governors, with a number of people.

Mr. Martel: Oh, but the minister just said—

Mr. J. Renwick: But this is the minister.

Hon. Mr. Davis: Yes, all right, but I am being asked for my personal assessment, am I not? This is what the hon. member for Riverdale asked. And I am saying to the members of the House—

Mr. J. Renwick: Mr. Chairman, I want, not the minister's personal assessment, I want the minister's statement in his position as a minister of the Crown, responsible for The Department of University Affairs, responsible for all the meetings which have taken place between his department and the Laurentian University. We can have our personal chat about his personal view of the affairs out in the lobby afterward.

He is the responsible minister for the Crown. If there have been meetings held in this department, he is responsible for communicating to this House his version of the problem. We are not asking for any disclosure of confidential discussions which will lead to its solution.

Now, will the Minister please stand up and say, "I am a minister of the Crown, I am responsible for the department. I myself am

responsible for all of the meetings which the senior members of my department have had with anybody dealing with Laurentian University." Let us play the game that way, not this cozy, pleasant way. Now, let us get with it, Mr. Minister.

Hon. Mr. Davis: Mr. Chairman, with respect to the member for Riverdale: (a) It is not a game for me; for me I take it rather seriously. He may feel it is a game; I do not. (b) I will, in my own way, inform the House. It may take me a little longer but I was in the process before the member for Riverdale decided that what I was saying was not really what he wanted to hear, but if he will be patient perhaps he will.

Mr. Martel: But the minister misled the House.

Mr. J. Renwick: My colleague asked the questions and I—

Hon. Mr. Davis: The member for Riverdale was coming to the rescue of the member for Sudbury East because he goofed; he goofed on the constituency of the board. Well, he was not accurate, Mr. Chairman, if I may put it that way.

Mr. Martel: I did not goof, the minister met with them—

Mr. Chairman: Order!

Mr. J. Renwick: If the minister would spend a little more time in the House—that was totally uncalled for and—

Interjections by hon. members.

Mr. Chairman: Order!

Hon. Mr. Davis: Mr. Chairman, we will try and get back to it, if we can.

There have been meetings with people from the department. I do not know how far back they go; they do not all relate to the specific problem or problems that exist at Laurentian today.

I have discussed it personally and the member for Riverdale may object to this, but I do make the assessment based on what I myself have discussed with people involved in the situation. I have discussed it with the students. They wished to see me, I agreed to see them. I have discussed it with members of the senate as recently as about 1:55 this afternoon to get from them personally in a face-to-face discussion their assessment of the situation.

I anticipate we will be doing exactly the same thing with the board of governors at which time, Mr. Chairman, (a) perhaps there will be some solution emerge or, (b) I will be able, in a more definitive way, to give to the members of this House my assessment of what the problem is.

I think in a general way part of the problem at Laurentian University is, at this moment at least, a breakdown in communication between the board and members of the senate. I do not think there is any question that this is part of the problem and I do not think I am breaching any confidences in suggesting that from our discussions. And perhaps this is really at the root of a great deal of it, I am not sure.

But, Mr. Chairman, I cannot give, shall we say, a totally comprehensive definitive analysis from my standpoint—and it has to be from my standpoint because I am the minister responsible—until we have had our discussions with the other people involved from Laurentian University. I think the hon. member for Riverdale in fairness would recognize the validity of this position.

Mr. J. Renwick: Mr. Chairman, I want to ask a few questions about it.

Were the meetings which have been held with representatives of the student constituency of the Laurentian University at the invitation of the minister? And were the meetings held today with the representatives of the senate constituency of Laurentian University at the invitation of the minister?

Hon. Mr. Davis: Mr. Chairman, I am only going by memory, but I think perhaps at both meetings we indicated that since there had been other discussions I would be prepared to receive them. In other words, you might even say that I invited them. I think this would be a fair assessment. I expect we could even use the same terminology with the board.

Mr. J. Renwick: Mr. Chairman, I can well understand that at this point in time one can say there was a breakdown in communication between the board of governors and the senate in the university which has resulted in this impasse. I would like to ask the minister in somewhat greater depth, without in any way jeopardizing the solution which we all await with the greatest sense of urgency, what in his view, as the responsible minister, were the elements for this breakdown in communication? What was the short historical buildup, so far as he is aware, of the kind of problem that is now faced by that university?

Hon. Mr. Davis: Mr. Chairman, I think to give out this information at this particular moment prior to discussing it with those others interested with whom I have not discussed it would be unfair. I would be presenting the thoughts expressed by those with whom I have already met. I am not calling into question, but I think in fairness one should hear from all of those who have a very real and vital interest in this.

I think the senate members themselves have outlined, as the students have in their presentation, some of the areas of concern that they feel. I think this is already a matter of record. How this relates to the thoughts that may be expressed by the others within the university with whom we shall be talking I cannot honestly make an assessment at this point. But the students' brief is right there—I am sure the hon. member has read it—and they have outlined the areas of concern as they see it. I am sure the member for Sudbury East has discussed with people from the senate the problems as they see them. I think perhaps we can put them all together for the hon. member within a very short period of time.

Mr. J. Renwick: Mr. Chairman, while I recognize the complexity of these problems in a university such as Laurentian, does the minister anticipate that there will be a solution of these problems within the next week or month or two months, or is this going to be an on-going problem? Or does he anticipate that there is going to have to be some structural change in the composition of the university before a solution can be reached, as was the case not in another university, but in the College of Art?

Hon. Mr. Davis: Mr. Chairman, I do not suggest for a moment that some structural change within the university would not be part of, shall we say, a long-term solution, but—and I am sure there will be some members, even of the faculty, who may disagree with me—the problems of Laurentian really did not start last spring and I do not think the solution is going to be found within 48 hours of mechanisms being suggested. I am not at all rejecting the possibility—in fact, I think there has been some discussion within the university as to restructuring—but from my assessment, which I do not think is total at this point, I say with respect that nothing is entirely related to structure; there are matters of personality, of positions being taken, of conflicts.

I do not care whether you have one tier, two tiers or five tiers, in whatever form of administration you may have there is always the problem, or shall we say the concern that I feel, that if people do not want to make the structure work it will not work. If you can have a good structure and people who are in conflict it does not matter. You can have, shall we say, a questionable administrative structure—and some of my colleagues in cabinet may disagree with me—but if everybody is working for the same objective you can, shall we say, make a somewhat outdated administrative structure work.

All I am saying to the hon. member is, let us not get hung up on whether there should be committees A, B, C and D, or *x* number of bodies here and there and so on, because I think the problem is deeper than that.

Mr. J. Renwick: Mr. Chairman, the minister has indicated he is well aware that these problems antedated last spring.

Hon. Mr. Davis: I believe they started before then.

Mr. J. Renwick: Well, could the minister give me some conception, apart from the question of what personality clashes might be involved in the problem, as to where he sees that the problem had its origin and what was the development that led it to get to the point where this kind of impasse had to come forward before we could be engaged in reaching a solution about it?

Hon. Mr. Davis: Mr. Chairman, the hon. member is presuming far greater talent for me than I possess. I guess I could be facetious, but perhaps it is not a bad assessment when I say that the problems of any post-secondary institution of an educational nature that has been created today begin from the day of its creation. And the problems at Laurentian are not dissimilar to the problems that all post-secondary institutions have been grappling with for the last number of years, many of which have found solutions—some of them are in the process of finding solutions—so that I would say the very nature of the institution today cannot be separated from the situation that exists. Universities, educational establishments of one kind or another, these days are in the process of change and this is part of the situation that exists. I do not think Laurentian is any different in that regard from others.

Mr. J. Renwick: Mr. Chairman, let me make the one distinction to the minister. I could well undestand a situation over the years with a long history and recurrence of problems in one of the older universities building up to a point where the problems, when they surfaced, were of long standing. But Laurentian University, after all, has only been in operation for a relatively short period of time and it does seem to me that it is strange, unless it antedated the founding of the university and goes back to the constituent groups that came together; unless that melding in the original incorporation of Laurentian was not a good one. If it had been a good one it would not have led to this kind of impasse.

What concerns me about it is that in a new university, in a part of Ontario which up to that time did not have a university, we should find ourselves, in this very short period of time, engrossed in this kind of problem. I do not think it is quite sufficient to say, "Well, these are changing times and institutions are changing and there are all these kinds of problems."

While I am concerned about the length of time the government is taking to deal with the University of Toronto's restructuring of government, I can well understand that that is a long, long process, because the University of Toronto is a very complex body and a very old body, ancient body, and has all sorts of inbred problems in it. But I find it very strange that a new university, such as Laurentian, should come to the position which it is in today without some more clear understanding of the relative responsibilities of government, of this department, and of the university and of the constituent bodies within it.

Surely, without launching into a philosophical dissertation about the role of the university, and the structure, and all of the whole present-day complex problems related to universities, the minister could give us some indication why this has happened in such a relatively new institution. Perhaps the member for Sudbury (Mr. Sopha) could also assist because I frankly do not understand it. I do not pretend that I have read everything that has been published about it. But the minister says it would not have mattered if I had, because it is not really accurate.

Will the minister try to give a little bit in explaining to us how a recent creature of his government, which is what Laurentian University is, although it is incorporated, I understand, by private Act, could come to this position at this particular time?

Hon. Mr. Davis: Mr. Chairman, I do not want to become philosophical because it would take quite a while, but I do not think one could ignore the philosophical aspects, I guess, of universities and their role in the community. To say that Laurentian is a new institution—which it is compared to, say, the University of Toronto—the fact is I think it is about 11 years old. In the past four or five years alone—

Mr. J. Renwick: It was 1961 and 1962.

Hon. Mr. Davis: I think 1959. I think 1961 was the amendment to the Act. I think it was around 1959; I am just guessing at this. It could be 1960 but let us say it is 10 years old; this is a good round figure. You know, to say that this is new is right, but it is also in this day and age as far as change is concerned I think, just as vulnerable as any other institution. I would think that many things that we discussed even 10 years ago in this House, particularly in the field of education, have changed; points of view have changed. Alterations have taken place at a far more rapid pace than in the 10 years prior to that particular time. But I think that all universities, all educational establishments, are part of this process. I have not the capacity, Mr. Chairman, to outline as to why these things have taken place at Laurentian.

I do not want to become too negative here. It is a real problem. It is one that in my view has to be resolved, but let us not minimize, shall we say, what Laurentian University has accomplished in that period of time either. It has developed into a very significant institution.

I want to leave the impression in this House that even with the present problem—and it is real, no question about that—at the same time, Laurentian University has developed, with its constituent colleges, into a first-class post-secondary institution in this province. I do not think that we should lose sight of that in these discussions. As I say, I am optimistic. I think that ways will be found to move ahead, to resolve this problem, but I think it has to be done in a somewhat unemotional atmosphere, if I could use that term, based on what I hope is a reasonably logical assessment of the problem with suggestions towards its solution.

Mr. J. Renwick: Mr. Chairman, does the minister have available to him any figures or particulars about the inflow and exodus of

staff from Laurentian University over the period of time? Has there been an acceleration of inflow and exodus of members of the academic staff of the university?

Hon. Mr. Davis: I think, Mr. Chairman, there has been a substantial turnover, but I can get these figures. Our figures relate to the increase in faculty every year. They will not relate to what are new faculty, replacing those who have left. It will be just a percentage increase, but I will try to get that information for the hon. member.

Mr. J. Renwick: Mr. Chairman, would the minister be good enough at some point to furnish me with a copy or a list of the names and former or present positions of the members of the board of governors and the three constituent bodies affiliated in its incorporation or associated in its incorporation and the government appointees?

Mr. Chairman: The member for Sudbury.

Mr. E. W. Sopha (Sudbury): I heard the invitation of my friend from Riverdale to me to have a word to say on this very distressing dispute that is taking place. I say in parenthesis, by way of preamble, that far be it from me to assume any God-given right or special knowledge to sit across the lake, as I do in Sudbury, and to try to give the impression that I am qualified to give any special advice to these adults on the other side of the lake to resolve their problems.

I hasten to say that it is the easiest thing in the world to condemn the board of governors en masse and to express all sorts of epithets directed at either their personalities, or their place in the community, or the fact that by some accident or otherwise they found themselves appointed to the board of governors. It is easy to throw rocks. On the other hand, if you try to keep a balanced view about these things and try to keep alert to what is going on, you realize that the contribution that they all have made in the building of the institution has been an immense one. A great many of these people have contributed a great deal of effort which has realized very tangible results in the erection and the operation of that university.

I am not one—I will leave that to others—to expostulate here by way of condemnation or criticism of them—of any of them. Now, for example, it is easy to attack the mining companies, Inco and Falconbridge, but one must bear in mind that Falconbridge Nickel Mines, at the time of the erection of the bricks and the mortar that make up the university assigned an engineer from their staff fulltime on the site. They paid him and he engaged himself in the actual supervision of the construction, protecting the interest of the university and the public moneys that were being expended—a considerable sum, a very handsome sum. That is an effort, you see, that is worthy of laudation rather than criticism.

On the other hand, Inco has contributed a very respectable amount of cash to the university, something like $3.5 million, as a contribution to its erection. Sure, some of their personnel, high personnel, have sat on the board. But who is any person to sit back and judge the motivation of the quality of the contribution of Ralph Parker, the first of the chairmen of the board of governors at the institution and to say that his contribution, as chairman, was anything other than a salutary one and the personal involvement that he demonstrated in the building of that university?

How many of the others of the board of governors are personal friends of mine? Let us remember how they are appointed. The provincial government has the right to minister appointments or a proportion of them. The federated colleges have the right to appoint to the board.

Let us revert to the question of the member for Riverdale. Was there something in the founding of the university, now that we have mentioned the federated colleges? Well, it was genesis; it was a remarkable coming together of different religious points of view that led to the agreement to establish the university. Never before in the history of the local area has there been any demonstration of ecumenicity, certainly not to the extent where Jesuits and United Church men and Anglicans were able to come to a common agreement to embark on the exciting venture of founding a federated university.

I know nothing in the history to indicate any of the seeds of disaffection or disagreement. On the contrary, all the evidence points the other way. It points to the fact that the various faiths have from that day forward been able to act in common causes. Certainly, there is no disunion that I am aware of among the federated colleges.

The board of governors of Huntington University, the United Church college—look at some of the people on that board—P. L. Menosik, city engineer of Sudbury. He would be appointed by the University of Sudbury, I should gather. A man of universal admiration and esteemed in the community. He was for many years the city engineer of

Sudbury. Conrad Levine, the communications man from Timmins. Peter Zelverman, whose father was the man, now deceased—I suppose he succeeds to it by reason of the fact that his father was one of the originators who assembled the original land for the university, 300 or 400 acres.

When the university had no money at all—they had not a cent of money—Saul Zelverman put up his own cash, the money from his own pocket, to form the corporation to purchase the option on the land upon which the university was eventually located—something like $25,000 to preserve that option on the land.

W. B. Pott, a man of great human qualities, certainly a magnate in the communication industry, but in my books say "anywhere", in public or otherwise a very fine citizen of the community. William J. Shea, a colleague of mine at the bar, who has been the focus of a lot of the publicity that has been given to these difficulties. Pierre Chaviteau, a dentist; Anthony Falzetta, provincial judge; Donald James, he is one of our nominees at Huntington, a chartered accountant, a man of very fine qualities, in many areas of community service he has given the society the benefit of his skills and knowledge. S. B. Lavois, Dr. S. B. Lavois, said to be a socialist, one of yours, Silvio Lavois, often rumoured as an NDP candidate—he is the chairman of the negotiating committee on salaries, he is the one that closed the door on the faculty and said that is our final offer.

Mr. Martel: He was willing to go to the mediation and the board of governors said, no. The member should get the facts straight.

Mr. Sopha: Coco Maki, another of my colleagues at the bar.

It is amazing to me that anyone can assert that these people have any special axe to grind, that they are motivated by any sinister or insidious motives that will lead them to put down the faculty or the students for the sake only of demonstrating authority.

Now let us make one other point about it, that in a day and age when the public treasury is contributing something like 80 per cent of the operating expenses and perhaps 100 per cent of the building capital, surely the public have the right to be represented on the governing body of the institution, surely! Can anyone here think of any other agency to which we give control of the spending of public money where there is not public participation or control by this Legislature over the use of that money? It would certainly be a unique and venturesome experiment if we were to do that with universities.

The public presence must be an immediate one. It must be one that, to use the modern argot, is meaningful. And the public must be assured that the best value is being got for the money.

Now to go to the other side. There is no one on this side, in this party, that disagrees that in the governing body there ought not to be representation from all integral parts of the university community; and indeed the board of governors at Laurentian do not disagree with that either. Any that I have spoken to do not disagree with it.

At Huntington I have just prepared a bill, with the assistance of legislative counsel, whereby we are going to restructure the government at Huntington to provide for representation from the student body, we are going to abolish the senate. And if that bill, after presentation and approval by the minister and the other government departments, if that bill is passed by this Legislature, we will establish the one-tier system at Huntington.

Well as far as I have been able to tell, nobody on the board of governors at Laurentian disagrees with the proposition that Laurentian should be governed by a one-tier system. Now perhaps the mechanics arriving at that end have been too slow, so that some are irritated, frustrated by the lack of progress that has been made.

One thing about these people I think I can fairly say, is that right now they battle it out in the newspaper. You can pick up the paper any evening in Sudbury and read the latest release as one side condemns the other.

Well maybe they can speed up the process. I said that to the students yesterday, that an effort should be made to speed up the process, and perhaps they can come here for the spring session of the Legislature and present the bill to us to establish a one-tier system at Laurentian.

That is fine. I will certainly vote for it, that bill. My friend from Scarborough East—is he Scarborough East?—he will vote for it also; and we expect we will persuade the others.

Now as I said in the beginning in respect of the other disputes, far be it for me to sit across the lake and suggest to them how they should resolve it. I assume they are adults.

But one or two things do bother me and I am not known as man who constrains his speech. If my friend from Riverdale wanted to invite me out on to the limb I will get out on it, but I will not get as far as he

thinks I will get, because my words will be pretty careful.

There are one or two things that bothered me about it. It started with a salary dispute, at least this stage of it did, this fall's episode started with a salary dispute. We had a long and quiescent summer, and as soon as the university was on the point of reopening the first thing was a salary dispute.

Now when Dr. Lavois, leading the salary negotiating committee, and his colleagues refused to go beyond the offer they made which they said was 13.9 per cent over last year's, a chain of events followed. Well that salary dispute suddenly blossomed into a number of other disputes—the structure of university government, the personality of the board of governors, the search for the president; and the salary dispute became all but obscured.

The senate, as you know, met, and they declared a recess.

I said to the students yesterday—very intelligent young people—I said now that is a funny thing, that recess. I will say why that bothers me in a moment. But the recess meant the withdrawal of the services of the staff. They withdrew their labour.

I hope they will not be offended, my calling it labour—their participation, their application of the services.

I said that if the boilermakers or the bricklayers withdraw theirs that is called a strike, but if university teachers withdraw theirs, that is called a recess. You have to apply the right word, you see, the social status; you do not want "scab" and coarse words like "strike" used in respect of universities.

Mr. H. Peacock (Windsor West): If the boilermakers withdraw their services, they call it a study session.

Mr. Sopha: Study session, yes!

Well it is an age that likes the nuances of words. We are victimized by the CBC in that regard. They like those nuances of words.

But whatever it is, a recess or a strike or a strike recess, the ones I grieve for are the students who have paid their fees and just want to get on with the business of their education. They have some goal in mind, they want to get through. They are denied.

Now there is a group of them that are not participating at all and they are denied the advantage of having classes. And it should be noted in parenthesis that significant parts of the faculty have refused to participate in this withdrawal of service. The department of mathematics and science is one group; various other people in the humanities have refused to participate.

Well those that want to get on with their studies, as I say, they are being prejudiced and they are being harmed because courses are not being given, lectures are not being given in many areas.

Now I refuse to believe that the dialectic operates to the extent that you have the board of governors as one ogre on one side and the senate on the other; and here are two intractable forces facing each other, between which there is no common bond of understanding that can be arrived at. These are adults, these are grownup people, and surely to heaven they can sit down in a Canadian-like way and attempt to work these things out.

All right! Another place that I will get out on the limb—you feel I have not got very far out there—another place is that, unfortunately, some of the personalities involved are part of the problems. You cannot separate the problems from some of the people involved, and there is bitterness and strife that revolves itself around personalities. They might have been more speedy in selecting a president than they have been. Who knows? Who am I to judge? The president's term of office ended with the spring session. Here we are in a new one; they have not got a permanent president and apparently they cannot agree on the method of his selection. Maybe, had they brought some person there, he might, through his own personal qualities, have given some leadership and by the exercise of diplomacy been able to get these contending forces together.

The role of the minister, to me is clear. Now get down to the crux. The role of the minister in the public interest ought to be to be a mediator, to attempt to mediate, and it would involve sending his deputy ministers, as able and presentable young men who are his right arm. The minister does not want to go. The minister is going on October 15. When is that? Next week? Next Thursday? We are going to open another school—a very grandiose institution. It is not going to be called the Bill Davis School; it might surprise you, but they are not going to call it the William G. Davis School.

Mr. V. M. Singer (Downsview): You mean we are not going to have 103 Bill Davis Schools? Just 102?

Mr. Sopha: He must have declined. It is going to be called the Macdonald-Cartier School.

Hon. Mr. Davis: Which is far superior.

Mr. Singer: Coining a new phrase.

Mr. B. Newman (Windsor-Walkerville): We will call it the 401.

Mr. Sopha: He is up there on the fifteenth and maybe he can get right into the middle and mediation of it because we have arrived at this point where it is difficult. These people, both sides, have now painted themselves into a corner and there is a fear that neither side can get out without losing face. Some device has to be used whereby both sides can escape losing face, and that is a human problem which we face.

There was something else before I sit down. By my ultimate remarks, I have said to these students quite bluntly, to Victor Cormier, the president of the student general association, I tried to persuade him, before the strike took place, that salaries were none of his business, that he should stay out of that. I said to Cormier: "Victor, listen. You cannot be cosy with the faculty. In the Darwinian sense, if you are learning anything from your education, the faculty have got to be a natural enemy". Note the way I put that—in the Darwinian sense, which is a qualifying phrase. Education, at least, is some kind of struggling process, contending, testing of views, argumentation, the Socratic method, the dialectic. I tried to put it that way and it disturbed me that this student body at Laurentian has been as cosy as they have with the faculty.

The other thing is that I said to them: "Supposing every one of your demands was acceded to; the Utopia had arrived. William G. Davis passed a piece of legislation, giving you every one of the things that you request. Then would you promise me that that university will become more relevant to the community in which it operates, because it has been a matter of sadness to me over a period of 10 years that a great paucity of advice has come across that lake as to how we should solve our problems in Sudbury."

There have not been many points of contact and when a community has that many problems to be solved, I had hoped that there would have been the creation of a bridge of understanding, a two-way bridge, between the community and the university where there would be that communion of intellects. These experts from the university would come over the lake and tell us how to do things. Now, for eaxmple, pollution being what it is—and you will forgive the personal reference—pollution being current in the public demands the way it is, and with all kinds of experts on pollution over at Laurentian there I was, locked in mortal combat with the Rotary Club, a not-insignificant organization, as to whether they should have a regatta on Lake Ramsey, our water supply.

There I was. There was not a suggestion of advice or assistance from the university. Nobody called from the university and said: "We are with you here. What do you want, some technical information as to how motor boats pollute or something?" And that is the way it has been. That has been the fact of life. My friend from Sudbury East could get up and tell me some areas where we have had that assistance of which I speak. That has been a matter of great sadness to me and so I put it to Cormier.

I said, "If we give you all these things, will you promise me that you will use them to the end of becoming interested in the community's problems?" Because, I said, surely to God this archaic notion that universities sit in splendid isolation in an ivory tower has disappeared. It is no longer justifiable; if we are putting up the vast amounts of money that we are for their operation and their building, we are entitled to demand relevance to the immediate community from them.

Now I notice in regard to Laurentian, to make the record complete, and perhaps I have gone too far but I wanted to make a full disclosure to you. In that new book just published by many of the Waffle group —perhaps you have not had a chance to read yet the one called "Closing the 49th Parallel" which is a series of essays—I notice one of the essays is about the capture of the intellect, the capture of the mind, the intrusion of Americans into our universities, and one of the universities singled out as being the most significant example of the capture by the Americans is Laurentian. That is one of them. It is quite surprising to see that, and they especially point to the department of political science where, they say, there is only a half-course per year offered on Canadian government. Imagine, half-course. In the whole of the department, in all its four years, with the half-course on Canadian government, only one out of the five members of the faculty is Canadian.

In the department of English, they say there is not a single course on Canadian literature. Not one, and again a very small proportion of the members of the faculty is Canadian. That is very disturbing because I thought Laurentian would be one of the

last bastions of Canadianism that would be captured but those people—Gonick and Laxer and Lumsden, you recognize all the names; yes, they are part of the Waffle group—they write that book and that is some of your own.

My final point must be that—I forget now what I was going to make one other observation about. I have not said very much and I am the first to admit it, except that I worry about that institution as I sit across the lake. Yes, I know what I was going to say.

It is a very imposing-looking institution. There must be few campuses in north America that have—what do the architects call it? All right, as you look at the buildings, the panoramic excellence, sitting up there on the top of that rocky crest, there must be many a lunch bucket in Sudbury who moils for his living in the mines who must wonder what it gets him. He knows his taxes are going into that and he must scratch his head as he heads for the Frood Stobie Mine or Creighton in the morning. He must wonder what it is all about when he himself, of course, did not have the opportunity to get an education.

On the other hand, when you look at that striking panorama of buildings, you have to come to the conclusion that those who ordered the priorities in their buildings put the students last. They were the lost on the totem pole and in two ways, and here I blame the department and the Committee on University Affairs. The minister does not want me to blame them. All right, but I blame them. It is their fault—that struggle I am having with the minister about that. But elaborate structures were built and all kinds of the most—I cannot get a better word than elaborate—facilities for the administration, the senate, the board of governors, but no student union. No facilities for students.

Mr. Martel: They have a swimming pool coming at $2 million.

Mr. Sopha: Yes. I would have thought the students are in order of first priority. And the other thing, about the physical facilities is, I can never understand why they did not build a separate library. I always thought, and I think, and I will defend it until 6 o'clock in the morning with anybody, that the most important single building within a university is the library, the collection of books, the compilation, the collation of the profound thoughts of mankind.

We sometimes think that each age is a new age of discovery and we are capable of coming out with something profound. It has all been expressed better before and usually several hundred years ago, and it is to be found in the great books of the world. I would have thought that a library would have been the first priority and my friend from Sudbury East will support me when I say the library facilities at Laurentian are entirely inadequate.

They have not got enough books for one thing. They have not got enough of the most used boks to go around among the student body who persist in complaints about it. These have been matters of irritation to them. That is partly the minister's fault because his Committee on University Affairs, in my view, is supposed to look after that. I am told that they do have a good deal to say about the order of priority in the building, but the minister wants to take the position that—well, he wants to take a Pontius Pilate position. "It has nothing to do with me. We leave this to local initiative and local decision making," and I do not think that attitude is defensible.

So I hope I have been of some help to you in what it is all about. I say these people are adults and one would expect that they are able to resolve their differences with the help of the minister, and I hope that at least the weekends that he is there that he will do what is necessary to protrude that mediation.

Mr. T. Reid: Mr. Chairman, can we move to something else?

Hon. Mr. Davis: Mr. Chairman, just to reply. The hon. member for Sudbury did raise with me, which came as something of a surprise, the questions of breakdown of faculty at Laurentian University. I am not sure that I can do this in any detail; I will not at this moment. I will get this in greater detail, but dealing with total numbers at Laurentian it is between 49 and 50 per cent Canadian faculty, six per cent U.S., 17 per cent U.K., nine per cent Commonwealth, eight per cent France, and others 11 per cent. So that these figures, from my standpoint at least, are more encouraging than the ones that the hon. member for Sudbury referred to in the document that he read. I will get a more complete breakdown for him.

Mr. J. E. Bullbrook (Sarnia): It depends on the faculty of course.

Hon. Mr. Davis: This is total faculty.

Mr. Bullbrook: Yes.

An hon. member: It depends on the school that they are involved with.

Hon. Mr. Davis: Yes, right. But I think that those figures are not really that far off either.

Mr. Bullbrook: If it is in the faculty of medicine it is not too important.

Hon. Mr. Davis: In medicine there is really no problem at Laurentian at all.

Mr. Bullbrook: No, not at Laurentian. I used it only as an example.

Hon. Mr. Davis: I see.

Mr. Chairman: Are we still on Laurentian?

Mr. Martel: Just briefly.

Mr. Chairman: The hon. member for Sudbury East.

Mr. Martel: When the minister replied originally to me, about one hour ago, he tried to convey the impression, I believe, that I did not know the structure of the university. I might suggest to the minister that as one of those who was on a committee to help raise funds for the University of Sudbury—one of the three religious groups that helped to incorporate the university—that to imply that I had not done my homework was sheer nonsense.

The second point the minister tried to convey was that he, or that his group, had only met with two sides, when in fact he forgot to mention to the House that he had met with Bill Shea on Friday, just prior to meeting with Victor Cormier.

I just do not like to leave the impression that you tried to give Mr. Minister, and as your colleague who sat beside you chortled away, that I had not any background material on this.

The third point that I want to make was on the meeting that was reported in the press on Friday. If you invited the members—and I might just clear this point up too, it was I, Mr. Minister, who phoned your office on Friday for a meeting Tuesday for the students. Now, you might have invited them at that point; but it was at my request on Friday afternoon. I suggest you check with Miss Anderson, that I phoned Friday and asked for this meeting with the student body on Tuesday afternoon.

Which brings me to the final point, the meeting with the board of governors. You do not want to tell us. You say that as of ten to four, you still did not have a time set up for meeting with this group. I make the point that this is a priority.

We have students who are out, we have senates that are out and the minister should be in a position, after five days of strike, or recess, to have had these people in to get all the facts amassed, if we are ever going to get the show on the road. Because if there has been a breakdown in communication, the minister has to be in a position—with his colleagues that I mentioned earlier, with the members of his staff—to give some assurance that we do not have the same situation occur as occurred last spring. And this is what I advised the people that were in my office this afternoon.

If we could get some assurance from the minister that they make a recommendation, that they go back, that they will not go back under the same idea that they went back last year—that there was going to be progress made, only to have it all break down and five months later be no further ahead than we were when the roof caved in this spring.

I think that if there were some sort of assurance after the meeting, and I would hope that it would be no later than Friday, to get back to the senate, then it would be hoped that Tuesday they would all be back with some assurances that we were not going to be in the same position we were last spring. This is what I asked the minister originally to give us, just some assurance, and I am sure that with this sort of assurance given to the senate, we would get the student body and we would get the faculty back into the classrooms and the lecture halls on Tuesday.

I do not think that is too much to ask from the minister. And I do not think postponing the meeting until next week is the answer because there is enough mistrust around that place right now. As the member for Sudbury has said, there is no dialogue and we have got to be in a position to save face; but we are not going to resolve the problem, we are not going to resolve that overnight, everyone is agreeable on that point.

We are not going to resolve the problem, but some assurances are needed that we just do not talk them back into the classroom and let it go its merry way for another five months and possibly end up in the same situation.

Mr. Chairman: Is there any more on Laurentian?

Hon. Mr. Davis: Mr. Chairman, I want to clear up one point. I am sorry to prolong this and I am not going to repeat what I said earlier except to say to the hon. member for

Sudbury, that my recollection—and perhaps *Hansard* will clear this up for us—is that he very specifically referred to the board of governors being my appointees, the government appointees—

Mr. Martel: Some are.

Hon. Mr. Davis: —with no reference to the fact, whatsoever, that the majority, 20 out of 25, were not.

Mr. Martel: Right; were not.

Hon. Mr. Davis: And, if I recall the members of the executive committee, I think the chairman of the board and two or three members of the executive committee themselves, are appointees to the board of governors from the constituent colleges at Laurentian University. If the hon. member tells me he has done his homework, I am more than prepared to accept it; I only wish he would refer, or imply or infer, to this House the same factual information that he then must have available to him. There are five appointees.

Mr. Martel: I know that.

Hon. Mr. Davis: All right! Well why not say so, Mr. Chairman; that is all I am suggesting.

Mr. Martel: Do you want me to name them?

Mr. Chairman: The hon. member for Scarborough East.

Mr. T. Reid: I would like to have a ruling. When can we discuss the question of the de-Canadianization of our universities in this province? I think that back on June 11, we thought it might be under the next vote.

Mr. Chairman: Vote 2602 and 2603 are the remaining votes and I think it might be difficult to separate them.

Mr. T. Reid: In that case, I would like to discuss this particular issue at this time.

Mr. Chairman: I do not see how we can separate it properly. Does the hon. minister agree?

Hon. Mr. Davis: Agreed.

Mr. T. Reid: Mr. Chairman, I would like to speak on a very specific problem first and then on the general question of the de-Canadianization of the universities in Ontario.

First, one has to deal specifically with the purchasing policies of the university libraries in the province, and I think this represents a final conclusion of a process of de-Canadianization of the staff, both the teaching staff and the administrative staff, at many of the universities in the province. Here is what is happening with the purchasing policies of some university libraries in this province.

My estimate is, and I am subject to correction, that the university libraries in Ontario spend about $15 million a year on library book purchases; it may be $12 million, but somewhere between $12 million and $15 million a year. My information is that less than $500,000 is spent in Canada and that, to me, is a very significant figure. The rest of the money, virtually all of it, virtually 95 per cent of that $15 million is spent outside of Canada. I am not for a moment suggesting this should all be spent inside Canada, but what I am saying is that it is ludicrous that less than five per cent or seven per cent of those $15 million, which is virtually all public funds under these estimates, is spent in Canada.

The reason this is happening is very complicated. I do not pretend to have the full analysis, but one of the things that is happening is tied up with copyright law, for example, as well as the question of the nationality of the people purchasing for our Ontario universities. Let me give a specific example of what is happening.

A university library in this province—I do not want to get into name calling—might have a budget of $1 million and that university librarian will decide that he wants to have a U.S. jobber or a U.K. jobber do the purchasing for all the new books in the library. So he makes an arrangement with this U.S. firm to buy the books that the university wants, and that U.K.—or really mostly U.S.—jobber or wholesaler, or book distributor, will purchase his books in the United States and ship them up to Canada into our university libraries. Unless, of course, he simply cannot get the books in the United States, in which case he will purchase that book in Canada if it is available in Canada.

The type of thing that happens, Mr. Chairman, is this. A book that is actually created in Canada, for example—written in Canada, published by a Canadian-owned publishing house—might not be purchased by the U.S. jobber for an Ontario university library. This is the type of reasoning—this one particular case.

In this particular case the Canadian publisher sold the U.K. rights to a U.K. firm because the U.K. firm felt they could sell that

book in the U.K. So this book came out in the U.K. A particular Ontario university had a U.K. jobber and that particular university requested this particular book. What happened? The U.K. jobber bought the U.K. edition of the Canadian book in the United Kingdom, shipped it across to Canada, and into the Ontario university library, when that book was sitting right in Toronto all the time, published by a Canadian publisher.

Now that is a rare case, but it is the type of thing that is happening. One of the reasons it is happening—and the minister could not do anything about this particular problem—is the Canadian copyright law, which allows institutions in Canada that are using public moneys to buy books, to go round normal copyright laws. For example, a university library does not have to adhere to Canadian copyright law in this respect, which means that that Canadian university library can buy a book printed in the U.K., even though that book is printed in the first instance in Canada. There is a specific example of what is happening as the end process, if you like, of the de-Canadianization of some of our universities in this province.

Why do the university libraries, taking this specific case history if you like, use U.S. and U.K. jobbers for the expenditure of approximately $15 million in public funds in this province? The simple fact is that the jobbers, the wholesalers in Canada, are not very good. One in particular, the Co-operative Book Centre of Canada Limited, whose shares are held primarily by publishers located in Canada, does not provide very good service. So the argument of the university librarians in this province is that they prefer to have the efficiency of the U.S. jobber or wholesaler or book distributor compared to, say, the Co-operative Book Centre of Canada Limited, which is wholly owned, by the way, by Canadians.

One suggestion I want to make to the minister is that I think this is a crisis situation. I think it represents the end result of the de-Canadianization of our universities—the attitudes, if you like, in the universities.

This is one area he could seize upon. For example, I think he should take the initiative and approach the Canadians who own and control the Co-operative Book Centre of Canada Limited, and perhaps consider seriously that his department, The Department of University Affairs, might become a significant shareholder in that distribution centre, along with Canadian publishers. He might also insist that the universities in this province, over which he has jurisdiction, go through that book centre to purchase their books.

Now that is not a censor's type of thing. I am simply saying that if the minister and his department got involved in that as a shareholder—I am not even saying 50 per cent—but as a shareholder, they could exert a positive influence to make an effective, efficient organization for the purchase of books that the universities want.

The minister would simply be a facilitator, if you like. The universities could buy any book they want, but the orders must be placed through the Co-operative Book Centre of Canada Limited under the control of Canadians. Where books exist in Canada that the universities want, they would be purchased in Canada. Where those books did not exist in Canada, they would of course be purchased in the U.S. or elsewhere—Germany or Japan.

I throw that out to the minister as a positive suggestion, something he might do, rather than waiting for the federal government to do something in this area.

I would also like to let him know that on October 13 the Co-operative Book Centre directors are meeting and the decision is whether to go into bankruptcy or sell out to some other firm. On October 13 the Co-operative Book Centre of Canada, owned and controlled by Canadians, could go bankrupt. I am sure the minister is aware of this, and I would ask him to intercede in this. It is more important in my opinion, or equally as important, as the Gage sellout to American interests, or as the Ryerson sellout, which I predict will take place within a month to the largest American textbook publisher operating in this country. Or Ryerson will simply go bankrupt or just fizzle out. Ryerson—that is owned by the United Church. The United Church will not fizzle out though.

Hon. Mr. Davis: Then they will not have to go bankrupt on October 13.

Mr. T. Reid: I hope they do not, but there is something specific. The minister can take initiative in this area and he can do something about this terrible situation whereby of about $15 million of public funds going to the university libraries, 90 per cent of it at least is spent outside of this country, when many of the books the university have ordered are available in Canada, either through Canadian agents or are actually published in Canada.

I consider it simply a disgrace, Mr. Chairman, when a book exists in Canada, is pub-

lished in Canada, is printed in Canada, or is brought in as an agency thing. I find it disgraceful, when these books are available in Toronto. For example, about the only way the U of T press could get their books into some of the community colleges, was by first sending them down to California. It is the same type of problem—stupid—and I hope the minister does something about it.

Mr. Chairman, I brought out that particular issue because it represents or symbolizes what is happening in our universities today. It is this type of decision-making in our universities which is fast, I think, corroding any inherent Canadian identity within some of our universities.

In that light, I must return to the attitudinal fact behind university decision-making; it represents something quite significant. Let me turn to the general question of the de-Canadianization of the universities in Ontario.

The headline writers of some of the dailies, particularly in Metropolitan Toronto, seem to boast of the wonderfully high figure, 61 per cent, of the full-time teachers at Canadian universities that are Canadians. I find that astounding, Mr. Chairman, because I find it deplorable that over 3,071 of our university teachers are foreigners, compared to 4,900 Canadians. I find it deplorable that four out of every 10 of university teachers are non-Canadians.

No other country in the world allows or has more than three per cent of its teaching staff of a nationality other than that of that particular country. Here, we sit down and we have spokesmen who say, "Is it not wonderful that 61 per cent of the teaching staff are Canadian?" In any other country that would be called a national disgrace. I label it a national disgrace and I label it a disgrace to this province.

I am astounded that less than half of the teaching staff at York University and at Laurentian University are Canadians. I find it fantastic that at McMaster University, for every one Canadian teaching in a classroom, there is one foreigner also teaching. What Canadian cultural heritage could possibly be fostered at the universities? Can we as Canadians be proud of the fact that at Windsor University, at Waterloo University and at Brock University, Canadian teachers are only marginally greater than foreigners, in terms of numbers?

We have been through this before, Mr. Chairman, but I would like to talk about two issues in this bigger issue. One is the absolute inconsistency of the statement by the Committee of Presidents of the Universities of Ontario in their news bulletin of January, 1970, and the recent statements by some of the presidents of universities in this province concerning this issue. I quote from the CPUO newsletter of January, 1970:

> The Committee of Presidents believe that complete and accurate statistics will do much to alleviate fears and forestall any demand for governmental imposition of restrictive policies.

That was the beginning of this year. Then we find that the Committee of University Presidents—and this is new to the public but it is not new to the minister—a few short months later came to a collective decision—and it is not simply a decision by President Slater of York, I am sure of this—that the universities would not supply the information requested from them by the minister's Committee on University Affairs.

I have in front of me a copy of one of the replies to the committee's report which is widely available, as the minister knows, on campuses. It is not just York University campus, and I quote directly from a statement that the minister's committee will be receiving. It is typed on a table labelled, "Graduate and Roman Data—Distribution of Graduate Students Full-time and Part-time by Disciplinarian and Citizenship." It is also the same statement that is found on the faculty or teaching data as well. The statement is this:

> For reasons of confidentiality, the requested breakdown by discipline areas is being supplied to the research division of the Committee of Presidents of the Universites of Ontario where data will be combined with that from other universities to give breakdown figures aggregated for the Ontario university system.

Here you have the Committee of University Presidents making a collective decision—you can call it collusion in a sense I suppose—that they will not respond to the minister—the minister will not like that—or to the minister's committee, if he prefers to have it that way, the information that the government requested of that committee. I find that fantastic. I think there is a basic conflict between the Committee of Presidents of Universities of Ontario and the minister's department or, if the minister prefers, his committee.

I think that has got to come out in the open, and probably the best place to discuss it is in the standing committee on education and university affairs. I think we should ask

the chairman of the Committee of Presidents of Universities of Ontario to come before that committee and to stand accountable to the people of this province, the legislators of this province, for that collective decision to withhold information that the minister and his department deem necessary in the public interest.

I would like to recommend to the minister that he request the standing committee of the Legislature to invite representatives of the Committee of Presidents of Universities of Ontario to the standing committee to explain the "unease" at having been requested to supply this information to the minister.

Having said that, Mr. Chairman, it is important to note that the minister's committee did not even ask the universities for the relevant data, which puts a funny light on my last argument.

Time and time again—at least for the last two estimates—spokesmen from this party and from the third party in this House, have made it clear that the type of information we want in examining the de-Canadianization of universities in this province is the following: We want to know by department in each university the citizenship breakdown analysis for each department.

Mr. Chairman, it is no use knowing that at one university in this province, 50 per cent of the faculty members are Canadian and 50 per cent are non-Canadian. What we want to know is what the breakdown is in each department. For example, as the member for Sarnia has pointed out, in some departments virtually the whole department is composed of Canadians. I suppose this would be particularly true in areas like engineering, dentistry, medicine and perhaps law, if you exclude Windsor. So that average figure for any particular university in this province can hide fantastic ratios, such as in the department of philosophy at Waterloo where, as the minister knows, there are 20 members in that department and only two are Canadians. Ten per cent—is that right?—fewer than 10 per cent of the teaching staff in philosophy at the University of Waterloo are Canadians.

We have a right as a public, we have a right as legislators, to know the department breakdowns so we can ask serious questions about why that has arisen in those particular departments in those particular universities. I want to make it very clear, Mr. Chairman, that we in this party are not asking for correlation between names, "John Doe Smith", nationality and degrees and so forth.

We want to know that in the department of philosophy at the University of Waterloo there are 20 members—we do not want their names—and of those 20 members, two are Canadians, X number are Americans, X number are British, X number are other Commonwealth members, and X number are whatever is left. We do not want their names, but we want to have the ratio of the de-Canadianization of each department, by department, in each university, by university. That is not an infringement, in my opinion, on the basic human rights of anyone. It is not breaking the confidentiality of someone's private life.

The Committee of Presidents said in January, 1970, "If we had that complete and accurate statistics," this would do much to alleviate the fears of many people in this province and this country concerning the lack of our cultural heritage creeping in, if you like, into universities."

I think the specific recommendation I would make is that when we have those statistics—and we will get those statistics either this year or next year, those department-by-department statistics for each university, but we are going to get them because the public is going to demand them, because the students are going to demand them—when we get them we should say to each university president in this province: "We are holding hearings of the standing committee on university affairs and we would like you to come down and to talk with us about those departments in your university in which fewer than half the teaching staff are Canadians. We just want to talk about it. And bring along the chairmen of those departments because we would like to talk to them too.

"We are not saying that by definition something is bad or wrong, but what we are saying is that in every department, in every university in this province where fewer than half the members of the teaching staff are Canadians, that we have a right to ask why. We have a right to ask why in public and you, our President, have a right to answer that question in public in any way you see fit and to be judged by public opinion and by this Legislature."

I firmly believe, Mr. Chairman, that once we have information, once we have the university presidents down here with those chairmen of departments where fewer than half the members of their departments are Canadians, after discussion, after questioning, after enabling Canadians who feel they have not been able to be hired because of discrimination against them for being Canadians, after we have heard those people talk too in public, I am sure that this the standing committee of the Legislature and the people and

the media of this province, will say, "Well, yes, in that university and that particular department, the reasons why there are only 10 Canadians out of 20 members are valid reasons."

It is true we do not have the experts in some rare fields, scientific or otherwise. I think that would clear the air. There would be some departments where that would be fine. Perhaps even the department of philosophy at Waterloo would come out with an adequate explanation.

But, Mr. Chairman, there would be department after department and university after university in this province where such a questioning by the standing committee on education and university affairs would really reveal a rotten state of affairs. It would reveal the hiring committee in those particular departments is made up of seven people, five of whom are Americans. They hire their friends from Harvard, Chicago and so forth. That is what our questioning would reveal. We would find some really rotten departments with Americans hiring one another and not letting Canadians apply. That is why we want to have an open look. We want to have a chance to question openly the presidents and chairmen of those departments at our universities where fewer than half the members are Canadians.

Mr. Bullbrook: We would like to look at the community colleges, too.

Mr. T. Reid: We will get on to that one in the education estimates.

Hon. Mr. Davis: How about the people from the U.K.?

Mr. T. Reid: No, to be truthful, it does not concern me, as much as it is a question of propinquity.

Hon. Mr. Davis: So you have 12 per cent plus four—

Mr. T. Reid: It does not work out that well. You have to look. As I am trying to tell the Minister, Mr. Chairman. The question—

Interjections by hon. members.

Mr. T. Reid: No, as I say, I have just a single point and I hammer it home and I am polite. I am not nasty like some of the people here.

Hon. Mr. Davis: He is saying the member for Riverdale is nasty.

Mr. J. Renwick: I am, I admit it.

Mr. T. Reid: I simply say—and I repeat this—the public has a right to know the citizenship breakdown of every department in every university in this province. And I say that is a bench mark; it is an index of those departments where serious questions should be asked. It is not a condemnation of individual members in those departments. It simply says that when only half the members of those particular departments are Canadians, we think we have a right to ask some questions. Let us have it out in the open and so forth.

So what does the minister's Committee on University Affairs do, Mr. Chairman? It sends out a questionnaire to universities that asks useless questions. It asks for the breakdown by discipline areas. What in heaven's name are discipline areas? It asks for breakdowns in the humanities, language and literature, history, etc. It asks for a breakdown of the social sciences, and so on and so on. It does not even ask the key question and that is a breakdown by departments.

We want to know those departments of economics, those departments of political science, those departments of history, those departments of sociology, those departments of philosophy, in particular the cultural departments. We want to know the citizenship breakdown by departments for each university because we want to ask a serious question.

The minister's committee does not even ask those questions. He does not even ask the relevant questions. I say to the minister he has been derelict in his duties and if he does not have control over Dr. Wright, that he should tell Dr. Wright, "Look, for God's sake, ask the right questions!"

Mr. Chairman, I think I will conclude my remarks on that by saying that there is a concern of the Ontario Human Rights Code that you should not ask a man for his citizenship before you hire him. A lawyer for the minister's dear friend at Western has made a nice public announcement just at the right time saying, "We are on the side of human rights and we do not feel we should ask such horrible, nasty questions." It is almost like the Moose Lodge.

Mr. Sopha: Funny a lawyer should say that. You have to be a Canadian to be a lawyer.

Mr. T. Reid: You have to be a Canadian to be a lawyer? Thank you.

Mr. Sopha: That is the law.

Mr. T. Reid: Mr. Chairman, I just say to the minister I hope he might have a job for me after the next election if I lose.

Interjections by hon. members.

Hon. Mr. Davis: At least he is being realistic.

Mr. T. Reid: Look, it is awfully simple. When a hiring committee in a particular department gets together, it knows the citizenship of everyone who has applied. And so for this lawyer to stand up in all pious righteousness and say, "It is against the human rights of the province for universities to know the citizenship of people who apply . . ." The simple fact is they know, because there it is in the man's record. Curriculum vitae, name, address, where born. The application forms for job—perhaps the Minister of Labour (Mr. Bales) should be here—asks people where they were born. Now 99 per cent of the time it tells you what the citizenship is. Maybe it is only 95 per cent these days.

The other thing is that a first degree tells you, 97 per cent of the time, the nationality of the person.

So I would like to reply to that lawyer for your friend at Western that really he has raised a phony issue and the students at York, for example, saw through it very clearly last night.

But I think we have a real issue. The point is a very simple one and I will close with this, Mr. Chairman. We have a very serious issue in this province. I think the issue on campus for the next year will be defined by the students because the faculty feels it does not want to speak out because the people who promote them are Americans. The students on campus after campus in Ontario are going to ask very serious questions. That is where the Canadian student protest is very, very significant for the next two years. What happened at York University yesterday is going to happen throughout Canada. I prefer to have the presidents of those universities accountable to us in Ontario rather than to the students. But I commend the students for asking questions and so forth.

In closing, Mr. Chairman, no other country in the world has more than three per cent of the members of its teaching staffs with citizenships other than of that country. No other country. In Canada, in this province, over 40 per cent of the full-time teachers are non-Canadian. What hope is there for the passing on of Canadian values in our university setting? I could appeal to the minister on the basis of Conservative philosophy, one of the functions of the education system being to pass on cultural values; stability in one's neighbourhood, in one's community. If you have a disproportionate number of teachers in The Department of Economics, there is just no way Canadian poverty will be studied instead of U.S. poverty. Thank you, Mr. Chairman.

Mr. Sopha: Mr. Chairman, it might be useful to put this on the record, so that my remarks will be complete, in relation to this very subject, and what these scholars said about the Americanization of Laurentian University. There is an essay in this book, just published, called "Close the 49th Parallel: The Americanization of Canada" and edited by Ian Lumsden for the University League for Social Reform. When one looks over the table of contents, one sees the whole *dramatis personnae* of that group that our friends to the left do not like very much. That is to say, the Waffle group.

Mr. J. Renwick: They are members of our party.

Mr. Sopha: I have great admiration for that group. In fact I prefer some of their ideas to the ideas of some of the elected members.

Mr. J. Renwick: hey are members of this party.

Mr. Sopha: You do not get along with them too well.

An hon. member: Oh we get along well. We are inviting them to come and join us over the weekend.

Mr. Sopha: Look at who they are. They are Michael Bliss, Cy Gonick, Philip Resnick, John Warnick—

Mr. J. Renwick: Cy Gonick is a member of our party in the Manitoba Legislature.

Mr. Sopha: —Melville Watkins, Garth Higgins, Lynn Trainor, James Laxer.

Mr. J. Renwick: A member of the board of education!

Mr. Sopha: Their ideas get beaten into submission every time they meet with you people. They always get voted down.

Mr. J. Renwick: Absolute nonsense!

Interjections by hon. members.

Mr. J. Renwick: You are in that bath water and baby bind again!

Mr. Sopha: This article is entitled, "The Universities: Takeover of the Mind", by James Field and Robin Matthew, members of the English department at Carleton University. On page 172, I am going to read two exerpts, if those interested will hearken to what they say—it is a pity you are leaving. Why are you going away?

On page 172 they say this:

> In the political science department of Laurentian University, Sudbury, with one Canadian in five members, only a half-course is offered on Canadian government. The English department with three Canadians of 10 members, offers no Canadian literature. The geography department, with two Canadians of five members, offered no Canadian geography in the last two years, but will begin to do so in 1969-1970. The evidence indicates that the proportion of non-Canadians on faculty affects the offerings involving Canadian material.

Then later on, on page 174:

> As the examples from Laurentian, Waterloo and Alberta show, the concentration of U.S. citizens in certain disciplines affects course offerings. Moreover, it affects the disposition and direction of what superficially seems to be studied, not necessarily related to national consciousness.

One of the few examples of work produced by students in an area of U.S. faculty concentration, is that of Professor J. Laurence Black. His information is frightening.

I will not be here tomorrow. The "Laurence" is spelled L-a-u-r-e-n-c-e.

There is a quotation from Professor Black. Hearken to what he says.

> Let me cite a case referred to me by a marker for a first-year course at my university, Laurentian, and I am using Laurentian University here simply as a typical example. I assume it is no better or worse than other Canadian universities in this regard. Some 260 students in this course were required to prepare a term essay on one of several topics. Of 50 students who attempted an essay on "Race Relations", almost half treated the problem faced by the American Negro. Only five dealt with distinctly Canadian racial difficulties—three with the Indian in Canada, two with the Negro in Halifax. Some, but not many, mentioned a French-English dialogue, but only one felt this was important enough to treat it separately. Most of those who wrote on ethnic minorities and immigration limited themselves to studies on large American cities.
>
> Of more than 100 essays on the family, nearly all parroted their American text on the suburban family in the United States. Only four wrote of the Canadian family. A large number described democracy in the United States and gave the impression that we canot even develop our own ideology. In many, there were comparisons made with the bureaucracy in the Soviet Union, often quite irrelevantly, and inevitably to show that their system was worse than the American one.
>
> The most devastating blow to my Canadianism, however, was the fact that several Canadian students used the term, "my", "our" and "us" when they were actually referring to the United States. There are no Canadian faculty members in that particular department.

That is Laurentian university and it is absolutely astonishing to me that the Americanization of the university should have reached into that part of the country. You would have thought the geography would have isolated us, to some extent, because of certain other factors, of which many listeners will be aware, from that intrusion. One would expect that at Waterloo, more so at Windsor, and perhaps at some of the highfalutin universities like York and Toronto, but certainly it is absolutely devastating to me that that should have occurred at Laurentian.

So, what is the moral of the story? In this dispute that is going on, the senate of the university, I would think, at the same time that it is offering all these aspersions toward the board of governors, might begin to have a look at its own house and determine whether its role is being performed adequately.

I am absolutely committed by philosophy and belief to the Canadianization of our universities. I do not think, with the lawyer at Waterloo, there is much valid basis for him to take the position that it is in contravention of the Bill of Rights, any more than I believe that when they sit down to hire a member of the staff there is anything wrong with them saying, "I am sorry, we have a policy that 60 per cent of the professors and teachers here must be Canadian".

That is our right. That is a cultural syndrome. We want to perpetuate it, do we not? We are trying to preserve intact the belief in the validity of our Canadian institutions and Canadian habits of thought. If our American brethren do not like it, that is fine, they can go and teach in Tanzania, Singapore or anywhere else that they want, if that is a matter of policy.

It is a matter of policy that, I believe, should be imposed somewhere from the top. The Minister of University Affairs should enunciate the policy as a social policy of this province and this country, that we believe that the way in which we live, our outlook, our habits, are still valid, and that we want to do everything that we can to keep them intact, to promote their health, their flourishment. If that means intruding into the universities of this province, that is all well and good. If somebody gives me the leadership to do that, I will follow with them and support them in it, and no one need be offended.

The Minister of Trade and Development (Mr. Randall) can bring all the branch plant managers that he wants to manage their enterprises. I do not suppose that you could inhibit that in any way. If they want to come and try to make a buck with us, that is fine. We will just say to them, the universities are kind of sacrosanct here and we have some inhibitions against you guys coming in and taking them over. We are just sorry, but other than a certain number, the rest of you are barred.

Now I do not see anything wrong with that at all; there is nothing wrong and nobody need feel that they are unfairly discriminated against. There is the evidence of this Waffle group and I do not suppose, as usual, that our friends will agree with them; they do not ever agree with that poor benighted bunch. You know I understand they supported the member for Scarborough West (Mr. Lewis).

Interjection by an hon. member.

Mr. Sopha: They did? That is the first nexus you have had with them. We would have got Pitman elected if the *Globe and Mail* had not blown it on the Thursday before.

Interjections by hon. members.

Mr. Sopha: No, the *Globe and Mail* blew very hard.

Mr. Sopha: No, the **Globe and Mail** blew it. They came out for Pitman. I did not know the devil, Lucifer, had the right to comment on the next candidate for canonization.

Mr. Deans: We thought he was speaking for you.

Mr. Sopha: That is the trouble.

Hon. Mr. Davis: Mr. Chairman, I will reply very briefly in that we did deal with this at some length in June. But for the member for Sudbury, as I say, I do not have it department by department, but going into disciplines—and there is some relevancy in disciplines at Laurentian—15 per cent in the pure humanities are American citizens. That would be six. In the pure political sciences there are four or nine per cent. The total in the university of American people on staff there is 10, which represents six per cent of the total of the faculty of the Laurentian University.

Mr. Sopha: What about those two factors?

Hon. Mr. Davis: As I say these are the figures we have obtained from the university. I will make just two or three very brief observations because I find it very intriguing. The member for Scarborough East intended to draw a distinction between, shall I say, Americans on faculty and people from the U.K. or the Commonwealth. Just looking at global figures, if we can use that term—

Mr. T. Reid: I still use "Canadianization".

Hon. Mr. Davis: I like to use the term, you know, because of the desire to have greater Canadianization. I think if one says that it is de-Canadianization, then one must accept the fact that the figures are lower this year than last year or vice-versa. This is what we are in the process of finding out. You see I believe in emphasizing the positive, Canadianization of universities.

Mr. T. Reid: Well, do something.

Hon. Mr. Davis: Well, all right. We are in the process. But look at the figures. If you take the U.K., and I must say in my own office where we have had some response to this, there has been very little negative comment with respect to people who are on faculties from either Commonwealth countries or the United Kingdom. Perhaps the member for Scarborough East has the same point of view with respect to people from the United Kingdom and from the Commonwealth but I sensed he did not. If you include those figures in the total picture, and I am not saying from department to department, let us look at some totals. We have 61 per cent Canadian; you add to that the U.K. figure of 12 per cent, Commonwealth of four, you get up to what? 74 per cent, or rather 77 per cent of the total.

Now if the hon. member is referring to certain headlines last June, I should only point out to him that I do not have anything to do with writing the headlines. The figures I gave and that appeared in the press were

those given in response to the question asked by the member for Scarborough East. There was nothing more or less said than was said in the Legislature when I gave the figures to this House and I cannot really control—I was not boasting or otherwise; I was giving factual information to the House relating to the information that we had received.

I might also make this observation, Mr. Chairman; we are making requests to the universities for certain information. I believe that this information should be public and I am really quite optimistic that we will eventually obtain it. I should also hearten the member for Scarborough East and tell him that the submission is in from one of the universities containing the information that, in fact, we had been seeking.

Mr. T. Reid: Directly, in relation to the question of whether we are talking about de-Canadianization or Americanization. It is definitely—

Hon. Mr. Davis: I talked about Canadianization.

Mr. T. Reid: Okay. Canadianization, fine. The point is that it is the absence of having a Canadian voice in departments which determine things like which courses are taught, the subject matter, whether you study about the Ontario Legislature or the Louisiana Legislature, or the Irish Legislature, if you like. It is a lack of the Canadian voice, the effective Canadian voice, at the senior management level, in various departments in this province. That is the crisis. I say to the minister, we must be concerned not with the aggregate statistics in Ontario of 61 per cent, add 12 per cent U.K. add another four percentage points for the Commonwealth; that is not the issue. The crisis is in the sense of the value judgements, the disciplines, the subjects, and that is where you have to look.

Hon. Mr. Davis: Do you not mean departments?

Mr. T. Reid: No, that department I missed. I will just repeat this. In conclusion, Mr. Chairman, on this aspect, as far as I am concerned, there is a crisis. Last year at York University, I think 48 per cent of the teaching staff were Canadians. Let me tell the minister that between September 15, 1969, and September 15, 1970, in the last year, a year during which this crisis was discussed in public, in this place, and elsewhere in Canada, in the last year at York University 118 full-time members were hired; these are new members. There were more Americans hired at York in terms of their citizenship status—no, in terms of their first degree.

Let us get away from citizenship. Let us talk about first degree. Where did the people get their first depree? Where did they do their undergraduate work? Just think about this one. There is a subtle difference. But if we are talking about passing on cultural values, then perhaps it would be better to talk about where people got their first degrees, where they did their high school work, where they went to elementary school. Let us talk—

Hon. Mr. Davis: You mean three years of undergraduate work in an American university is going to alter totally their 10, 12, 13 years of elementary and secondary education in Ontario?

Mr. T. Reid: The minister can reply to this. I will give you the whole thing.

Hon. Mr. Davis: Some of them were there on athletic scholarships. Now that is a form of cultural—

Mr. T. Reid: Some of them are there on academic scholarships. Just let me give the minister the statistics. He can interpret them any way he wants. I will give him my interpretation. There are 118 new members of the faculty hired at York over the last year, when this is the issue with the public, right? Of those, 44 did their first degree in the United States; 43 did their first degree in Canada; 12 did their first degree in the United Kingdom; two in other Commonwealth countries; three in France and 14 in other countries. In other words, over the last year, when this has become a national issue, York University hired only 37 per cent new members who had their first degree from Canadian universities. And that is very significant because that is a marginal rate.

The average rate at York was 48 per cent. The minister has them muddled I think. And then, in this year, the crisis year, what does York University do? Basically, it hired more Americans than it did Canadians. Basically about—yes, sir, I have got it—35 per cent, no—less than that—about 31 per cent of those new 118 new faculty members at York University who were hired in the last year are Canadians. Fantastic! The problem in the last year at York University has got worse instead of better.

Hon. Mr. Davis: Are we talking first degrees or citizenship now?

Mr. T. Reid: I will give you all the various categories. The first one I was talking about. was citizenship—sorry, was country of first degree, right? If you want it in terms of citizenship status first—okay how is that one? It is 38 were Canadian; 36 were from the United States; 14 were from the United Kingdom; none from the other Commonwealth countries; four from France; and 26 others. If you do not like that one, citizenship status at date of appointment. How do you like that one? Of 118 new members of the staff appointed at York in the last year, 34 were Canadian citizens at the time of appointment —34 out of 118. Is that under 30 per cent? Who is a better statistician than I am?

Mr. G. Ben (Humber): Maybe we would be better off if the Americans just burned York again!

Mr. T. Reid: That was at a time when there were Canadians graduating from universities, not just in Canada, who were qualified to hold those positions at York University. But York University hired only 34 Canadians out of 118 new members of the faculty. That is the crisis. That is why those students called President Slater in front of them and asked him some very serious questions. I think it is about time we had these people in front of the standing committee to ask them very polite questions and hope that they will have some answers.

Mr. Chairman: Any further discussion on 2602 or 2603? The member for Sudbury East.

Mr. Martel: Yes. Last year or this past spring, I put a question on the order paper dealing with student awards. As the minister knows, he and I have had a number of letters involving a number of cases with respect to student awards. The answers I received certainly do not even start to answer the questions that were asked. I asked for income levels—I am not talking about the term "disposable income," because even that disturbs me, possibly because I do not understand it quite as well as the minister does. But I can outline cases where what was left after the disposable income in these ranges was greater than the gross income of people who did not receive awards. I just cannot figure out how that happens.

I related to the minister the case of a man with 10 children and I had it all pointed out to me how his second oldest daughter, a second-year nursing student, did not qualify for a student award. He had 10 children in school except one and that one was still at home; his net income was $10,500 and he has 10 children but his second oldest daughter in the school of nursing does not qualify for a student award.

If you look on the list and we start to take off the disposable income with 10 children—calculating rather quickly that all these were entitled $330 each—you will see that is $3,300. The living allowance would be $1,650; roughly $309 for medical; other costs $100. He is down at a very minimum of $6,000 of disposable income. I am sure it must be higher because two of the students were in the school of nursing; one was in a private high school. If a man on $10,500 income with 10 children does not qualify for some form of assistance in the form of student awards and student grants or loans, then there is something wrong somewhere.

I had a woman in my office last week whose husband was on strike for four and a half months last year. They have three children. Had he worked all year he would have earned $8,000. She is a student teacher in North Bay. She has three children, one in grade 11, one in grade 13 and a third in grade 4. Now she is not eligible on a net income of $8,000—they do not qualify. I cannot understand how people qualify whose disposable income is $6,000, $7,000 and more, when people whose gross incomes are not as much do not qualify. This is the point I have been trying to get through to the minister for almost a year. These disposable incomes are greater than the gross incomes for some people and these people do not qualify.

I do not know what the expenses are that they can write off but I know of a case where the husband is a high school teacher, the wife owns a business and they own several houses; yet they get student awards for two children. This is what concerns me about it, and I am just wondering why I cannot get the questions answered that I ask. I want to know how many people on those incomes of $10,000, $11,000 and so on—I am not talking about the disposable income, I am talking about the gross income, or better still the net income, because I know an optometrist's son who obtained a student loan. I just cannot understand it. Possibly the minister could clarify this for me and I could get the answers—I do not care if it means drawing 42,000 files—about the breakdown of who in fact in Ontario got student awards.

Hon. Mr. Davis: Mr. Chairman, the hon. member was provided with the answer but if he wishes to go into some detail with members of the department or myself I would be delighted to explain it in greater detail so that he might understand it better.

The greatest problem we have is trying to to give these statistics relating to matters of gross income. Net income or disposable income is the way the assessments are made. For a person who is on a fixed income of so much per week and so on, this is not difficult to determine. But when you get into the farming community where gross income can be X number of dollars, the disposable income is what they themselves declare on the form and it becomes far more difficult to determine. So we use the term disposable income. This is perhaps where the hon. member has some difficulty in understanding this, but these are the criteria we must use.

We have prepared some figures which I will be delighted to give to the hon. member —in fact, I expect I will be releasing this— that do refer to income ranges but, once again, the income range term we are using relates to the income range terms that are used on the student award application forms themselves. Within the department we do not have any way of checking the income range that is placed on the application form with what is filed necessarily with the income tax department. It is not easy to come up with a total assessment of the figures because of the variety in terms of income which the plan takes into account.

This year so far we have received about 58,000 applications, and we have already processed around 55,000. I am sure the hon. member can find situations where perhaps the mathematics are not easily understood. We would be delighted to endeavour to explain them further to him but I do not know how better to use the term disposable income than in the way we have done.

Mr. Martel: Is this not where the injustice can arise? Certain people in society can write off many more things than, let us say, an ordinary person who carries a lunch pail; he cannot deduct on his income tax the great number of things that other people can write off. Therefore, we have people with higher incomes, because they have this avenue of writing off a great number of things, who show a disposable income much lower than is really justifiable. We have people on higher income, because of these gimmicks, whose sons and daughters get the loans while people on lower incomes, because they do not have that avenue to write off all of these things, who do not qualify. This is why I requested the information on gross income at least. There are just too many cases that come to my attention, and I cannot help these people because they do not have the gimmickry for the write-offs.

Perhaps the whole programme has to be geared to gross income or net income, but we cannot use the disposable income basis because, I suggest, there are quite a few injustices. I am not going to stand up here and, as was suggested some time ago by the minister, give him the names of the people whose particular award I want to question. I do not think it is my function to provide the names of people to see if they filled out the forms correctly. I think my function is to try to get something where it is equitable, where it is fair and, as I say, when I see people whose gross income is greater than disposable income who are receiving awards, then I say there is something drastically wrong.

Hon. Mr. Davis: Does the member mean we should determine what should be income, what should be exceptions from income and so on?

Mr. Martel: Right.

Hon. Mr. Davis: While I have no reluctance in taking a look at any suggestion, I really do not think I have the capacity to come out with another white paper on taxation as it might apply to the student awards programme. This is almost what the hon. member is suggesting.

I think the member has an obligation. I do it for constituents in my riding. If they have not filled in the form properly, very frankly, and if they need some help, that is part of my job and I think it is part of the hon. member's job. These are subject to reconsideration; they are subject to the review board. Anybody who has made a mistake, they take another look at it, I assure you. But to start determining what a farmer should be able to deduct from gross revenue, quite honestly I do not think it is within the capacity of this department to make some of those determinations. We have to deal in disposable incomes.

I have some figures, which I will make available to the hon. member related to income and income groups with percentages that I think he will find very encouraging indeed as to the percentage of young people from the various income groups and what they are receiving by way of student awards. I think there is perhaps a very real change over the past four or five years.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I would like to make a suggestion to the hon. minister that there may be a method of improving some aspects of this programme. In the case

of a student whose parent is going to retire at the end of the year, it is not taken into consideration that in the following years the parent is going to be required to live on a very small income. Under the present system that parent is required to make too large a contribution toward the child's education. I think this should be taken into consideration. I have the case of an individual whose daughter was going to attend a nursing school. Dad was retiring in June, but they did not take that into consideration at all. Bang, they just refused to grant her sufficient funds to enable her to go to school.

I would like to make another comment too.

Hon. Mr. Davis: Mr. Chairman, I do not want to interrupt but with respect I think that it is taken into account. We use the total year's income, and if the father of the applicant is in fact retiring in June so that he is not receiving a full year's income, then the form shows that he is getting two-thirds or whatever of what was the income from the year before. So it is calculated.

If the hon. member is saying that the person who retires in June is going to have additional expenses because of his retirement or outgo, I am not going to argue this. But I do say it is taken into account that if he retires mid-year or through part of the year his income is less.

Mr. B. Newman: Well, I did not find it in the case of the young lady that I brought to the attention of the department. However, I would like to bring another to the attention of the hon. minister. This involves a young lady who could not get employment during the summer and as a result, rather than waste her summer, thought she might as well continue her education. So she took further education during the summer months. In addition, there was a case of health in the family where both the father and mother had to sell their home because of the stair problem and had to move into an apartment where they could get up and down by means of an elevator. And the dad, in addition, had other health problems.

In her appeal for a student award, here is what the department asked—I thought that this was an invasion of privacy; you are asking just a little too much of the parents to provide the department. For example, the young lady had to provide statements from Manpower and firms to which she had applied for employment—gee whiz, a whole list of firms that she has applied to for employment; I think simply a statement from Manpower would have been sufficient. Nothing further than that would have ben needed. She had to provide statements from the music school confirming that she took per performance and associateship in piano and she had to provide statements from the French department that she attended at Trois-Pistoles.

Hon. Mr. Davis: What is so unusual about that? I think it is quite fair.

Mr. B. Newman: All I think she had to do was simply state that she attended with a letter of confirmation. That would have been enough.

Interjection by an hon. member.

Hon. Mr. Davis: Listen to your colleague behind you.

Mr. B. Newman: It is all right for the minister to come along—

Interjections by hon. members.

Mr. B. Newman: I do not think—

Interjections by hon. members.

Mr. B. Newman: There would be no problem at all in providing proof that the young lady attended school. But listen to what was required of the parent:

> Before we can request a review of your award on this account it will be necessary to provide a statement from the doctor indicating the nature of the parent's illness, the period that your father was required to be off work and the amount not covered by his health plan. The proof of prescription costs will also be required. In addition, have your father provide a letter from his employer stating how much his salary has been reduced as a result of his operation.

That is the medical operation that he had to undergo.

I think you are just asking way too much for a parent to provide. Certainly in my estimation there is an invasion of privacy in there. Surely when you sign the application form you are signing, in my estimation, a sworn statement that everything in there is correct. Do you want the individual to come along and salaam to you that this is right, in addition to that? I think, Mr. Minister, you are asking—

Mr. T. Reid: Big brother Billy.

Mr. B. Newman: Yes, you are certainly a club over their heads. The young lady and parents were so insulted at this that they

stopped right then and there. Now let me tell you, Mr. Minister, they were good supporters of yours.

Hon. Mr. Davis: They were.

Mr. Singer: No more.

Mr. Gaunt: You have lost them for good.

Mr. B. Newman: This was above and beyond the call or the need required for this.

I would like to make another pitch to the minister at this time, seeing that the time is late, and that is for grants to students attending American universities. They can get a loan but they cannot get the grant. In the case of students in the city of Windsor they can get certain courses in Detroit and cannot get them in Windsor—

Hon. Mr. Davis: But listen, this is so contradictory to what your colleague was just telling me about the first—

Mr. B. Newman: This is not contradictory. You do not have the courses in Canada.

Hon. Mr. Davis: Who is enunciating the policy for the Liberal Party, the member for Scarborough East or the member for Windsor-Walkerville?

Mr. T. Reid: Both of them.

Hon. Mr. Davis: As long as I know. There is a complete division in the—

Interjections by hon. members.

Mr. B. Newman: Where the individual is taking an engineering course in a phase that is not obtainable in Canada, where is that contradictory now? How? Well answer me. How is that contradictory? It is not contradictory.

You are discriminating against a student that lives in a border town by not giving him the same financial assistance that you give an individual elsewhere: The last thing I want to bring to the minister's attention is—

Hon. Mr. Davis: He can come to Toronto.

Mr. B. Newman: He cannot get it in Toronto.

Hon. Mr. Davis: Oh, he can.

Mr. Chairman: Order, please! We are just to run out of time.

Mr. B. Newman: There is just one other item and that is the reciprocity as far as tuition charges are concerning American students attending Canadian universities. They should be treated the same way as Canadian students attending an American university.

For example, in Michigan the tuition for a one-credit hour is $17 for a Michigan resident; for a Canadian it is $42.50. This goes down to $219 against $547.50.

This is not fair. We should be treating Americans the same way Canadians are being treated over there. Charge them the extra tuition fees when they attend a Canadian university.

Votes 2602 and 2603 agreed to.

Mr. Chairman: This completes the estimates of The Department of University Affairs.

Hon. Mr. Welch: Mr. Chairman I move that the committee rise and report progress.

Hon. Mr. Welch moves the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker. To give notice as to the business of the House tomorrow, we will return to second readings of legislation that are ready. We will start with the resumed debate on the amendments to The Labour Relations Act and I thought perhaps, depending on what we accomplish tomorrow afternoon, we might set aside tomorrow evening if we finish some of this legislation to debate the report of The Department of Justice. That is item number 20 on the order paper, concurrence and supply for The Department of Justice.

Mr. V. M. Singer (Downsview): Mr. Speaker, may I ask the House leader to clarify his language a bit. I think he said "I thought we may set aside the time in the evening." It is my understanding from a whip that this has been definitely determined.

Hon. Mr. Welch: No that is not so.

Mr. Singer: —that the evening hours tomorrow will be devoted to that report from the Department of Justice.

Hon. Mr. Welch: The only thing that would interfere with that is that we do not finish the second reading of The Labour Relations Act tomorrow. In other words, if that is not finished by 6 p.m. then we will go into tomorrow evening until we do finish it. That consideration of the concurrence and supply for The Department of Justice will depend where we are with respect to that second reading. To show you the difficulty: if we happen to finish that second reading before 6 o'clock then we will call some other second readings that take us to 6 p.m. so that we can start at 8 o'clock.

Mr. Singer: Oh, you are a great facilitator.

Hon. Mr. Welch: How does that sound? Does that meet with the approval of the member for Downsview? I would move that the House now adjourn.

Mr. Singer: Oh, that is fine, almost as good as your interpretation of The Liquor Licence Act.

Hon. Mr. Welch: Liquor Control Act.

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to.

The House adjourned at 6:03 o'clock p.m.

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No. 118

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Thursday, October 8, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 8, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: We have guests with us today; in the east gallery, students from the Madonna High School of Downsview, and in the west gallery, students from the George S. Henry Secondary School of Don Mills.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, we have learned today of the death of a former member of this Legislature and a former member of the executive council. The Prime Minister (Mr. Robarts) is not able to be here today but he asked that the following statement be read on his behalf to be recorded in *Hansard* on this particular day.

The death, early today, of Kelso Roberts emphasizes the enormous debt which the people of this province owe to men of his courage and of his ability, and indeed, his dedication.

Kelso Roberts served the people of Ontario ably and well for almost a quarter century as a member of this Legislature. As the Attorney General between 1955 and 1962, he administered justice in our province during a period of rapid growth and development. During his four years as Minister of Lands and Forests, he was responsible for an area which had been one of his lifelong loves, the outdoors, northern Ontario, the native people and the care of our innumerable resources.

In his early years Kelso Roberts practised law in the northern Ontario gold camps of Cobalt and Kirkland Lake and there he gained a deeply felt understanding of the needs and the aspirations of the people of northern Ontario and particularly of the Indians and French-speaking residents of the province.

As the Minister of Lands and Forests he travelled constantly and widely throughout the province, examining at first hand the resources for which he was responsible and developing our system of provincial parks. His retirement was a great loss to the people of this province, the government and myself. I valued his friendship and his counsel. Men such as Kelso Roberts are a breed unto themselves. He will be sorely missed. I extend deepest sympathy to Mrs. Roberts and the members of the family.

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Mr. Speaker, before the leaders of the other parties make their tributes, I wonder if I could inject a personal note of tribute this afternoon because Kelso Roberts, as some of the members may know, was not only a very close personal friend of mine, he was in a way my political godfather and in some sense even a professional godfather of mine.

As a result of Kelso's earlier political activities and because of his efforts, I was originally involved with politics in downtown Toronto. For a number of years I was president of his own local riding, the young Progressive Conservative Association, and later the senior group, as some of the members on this side of the House know.

I played quite a part in his two campaigns for the leadership of the Ontario Progressive Conservative Party and I had a lot to do with his own personal campaigns in his then riding of St. Patrick's.

Mr. Roberts also encouraged me, as he encouraged other younger people, to enter politics, and as well he encouraged me in my legal career because I articled with him for two years when I was at law school. For a number of summers I was able to spend my time working in the north due to his efforts. I last had the benefit of his advice and his counsel and his guidance just two weeks ago in the afternoon the day before he went into the hospital for the last time. Although his death was certainly not unexpected, these things always come as a blow.

Kelso was a fighter, sir. To his opponents, he was stubborn and obstinate. In a lot of ways; perhaps those terms were not handled very complimentarily when they are referred to him. But I saw him over the last 1½ years fight a real battle, stubbornly and obstinately, against a dread disease. I can tell you this really touched me.

His many friends and loyal supporters throughout the House, join me in condolences to his wife, Lillian, and their three boys and their families.

I have lost a real friend and I think the people of this province have lost a devoted servant.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I want to associate myself both with the statement read by the Provincial Secretary and the more personal, heartfelt remarks I am sure, by the Minister of Mines and Northern Affairs. Many of us served with Mr. Roberts in this Legislature. On a personal note, my father, who served in this seat, considered Mr. Roberts one of his closest personal friends. I was glad to hear read into the record once again, the record of Kelso's service, both before entering active politics and in the north.

I well remember when he was appointed Minister of Lands and Forests. There may be a few similar comments made these days when we chided the new minister having responsibilities in the north and representing a seat in the heart of Toronto. But his actual association and interest in northern affairs was, of course, never in doubt. His book of political memoirs particularly makes very interesting reading for citizens and taxpayers—but mostly politicians—as he recounts his involvement in the day-to-day politics of the 1950s and 1960s. He displayed a certain dash and a real independence of spirit, as the hon. Minister of Mines and Northern Affairs has already referred to, and most obviously put his personal principles well above his commitments to anything else, including his political party. This was obvious, certainly in his actions and his statements in this House.

I really have only one regret when I think of Mr. Roberts' career. I well remember the day before the election of 1967. I believe his seat was located over on this part of the House in those days, and he got up and delivered a statement about his career and his views of democracy and what was happening in Ontario. It was obvious that he intended to leave the House, not to wait for the dissolution of the House before the election; he had decided that his service was over and I can remember him closing his portfolio and standing for a moment and walking out the main doors, a thing that he did not customarily do, and he never came back into the House as a member.

I can remember sitting in my place thinking, "This is the time when we—I, some of us—should get up and express an appreciation for his career. And it is unfortunate—as I say, this is the only regret I have—that the sentiments we express are being said now and that we might well have done it earlier.

Nevertheless I, speaking on behalf of my colleagues in the opposition, the Liberal Party, join with the spokesmen in our expressions of sorrow and deep regret at his death and we, too, want to express our condolences to his wife and family.

Mr. D. C. MacDonald (York South): Mr. Speaker, I want to express a few words on behalf of the New Democratic Party. I think perhaps I have had a longer association with Kelso Roberts than any other member of our group. We are all very saddened at hearing this news.

The one thing about Kelso Roberts that I shall always remember is that no one better personified that safety valve in politics which sometimes I think is our saviour in this Legislature. We get into some pretty vigorous and, on occasion, vicious tangles. I suppose that is inevitable in politics. It sometimes has a rather dehumanizing result, and I know of no man who instantaneously, once the debate was over, reacted to his fellow men—no matter what side of the House they were on—with that personal warmth so that you knew without any shadow of doubt that though there had been political differences they did not carry over into the personal area.

I repeat, I think that is a very necessary, a very great, safety valve. Indeed, I think it is the one thing that saves us, and people outside the House sometimes wonder how we operate in this rather schizophrenic fashion of going after each other then being friends.

The other thing about Kelso Roberts which has really been alluded to is that he was a very colourful character, a very volatile figure. We in the opposition did not know what he was going to do next and I suspect those of you on the other side of the House did not know either. That is another way of putting what the Leader of the Opposition has said with regard to him being a fiercely independent person. He had his personal commitments and to a degree that sometimes became embarrassing within the party arrangement and the party structure. He stuck to those personal commitments even when they conflicted publicly, as well as privately, with what some people interpreted as party loyalties. It is a good thing that there are people like that in the political arena, even though it may be uncomfortable for those who have the responsibilities of political leadership.

I salute Kelso Roberts as a friend and a colleague in this Legislature. I am saddened at his passing and I join with all in the House in expressing our sense of bereavement along with that of his widow and his family.

Mr. Speaker: Statements by the ministry.

Mr. M. Shulman (High Park): On a point of privilege, sir.

Mr. Speaker: The hon. member for High Park on a point of privilege.

Mr. Shulman: Sir, my question of privilege is that this morning, as the outcome of a speech which I gave in this Legislature on June 4, I was informed by Mr. Justice Campbell Grant that a hearing is to be held next Tuesday to determine if I am to be jailed for refusing to name one of the persons who supplied information to me for that speech. The hearing next Tuesday is to be heard before a commission appointed by this government and therefore this House must take the responsibility.

The strange aspect of this matter is that the commission did not wish to hear my list of informants. Yesterday when I was on the witness stand I offered to list over 20 persons who had supplied information to me in this matter, plus all the facts they had told me, and neither the commissioner, the commission counsel nor any of the lawyers present wished me to name these people. In fact, I was directed not to do so.

All they wished to know was the name of one informer within The Department of Justice, not because he has anything to tell the commission that has not already been brought out but because, to paraphrase a lawyer for the OPP, morale in the OPP will be damaged unless we find this man and presumably discharge or charge him.

Surely, sir, a member of this House has the privilege of speaking freely in this chamber, particularly when the core of what I said has been proved to be the truth, without fear of being jailed, and I request the protection of this House.

Mr. Speaker: I am not sure that I am perfectly clear on the point raised by the hon. member. It does seem that he is referring to proceedings which are taking place in an inquiry being conducted outside of these chambers and which, I believe, would not fall within the jurisdiction of the member's privileges within this chamber.

Now whether or not there is any breach of privilege conferred by the Legislature is something I am not prepared to determine until I have studied what the hon. member has submitted. I would be quite happy to do that and confer with the proper authorities to determine if, in fact, any privilege has been breached and whether or not any action need be or, in fact, can be taken to correct that breach. If this is acceptable to the hon. member we can dispose of it in that manner.

Mr. J. Renwick (Riverdale): Perhaps, Mr. Speaker if I may—

Mr. Nixon: Mr. Speaker, on a point of order, the matter that you have undertaken to consider is one of great importance involving the privileges of the members of this House. We have surrounded ourselves, sir, with special protections, often laughed at and scorned by those outside the House, but which are designed to give us the freedom to speak on any subject we choose.

In this instance, as we know, the member for High Park made statements that resulted in this public inquiry, so that I hope, sir, when you consider this matter, that you will consider first, the strength and the history and the necessity of maintaining these special privileges, which are designed to make it our chief responsibility to speak without any fear and certainly without favour in matters that we believe to be in the public interest.

Mr. J. Renwick: Mr. Speaker, if I may, in endeavour to be of assistance to you, just recall the sequence of events very briefly that led to the appointment of the inquiry. My colleague, the member for High Park, made a statement in some detail at the opening on June 4 of the estimates of The Department of—

Mr. Speaker: I think the hon. member is simply repeating substantially what the hon. member for High Park has said.

Mr. J. Renwick: Mr. Speaker, I ventured only to make the remarks, because you seem to be unsure of the situation in which you have been placed by the question.

I therefore would ask, considering the urgency of this matter, that you endeavour if at all possible, to report back to this House on this question before the adjournment of the House this evening.

Mr. V. M. Singer (Downsview): May I express myself very briefly on this point of order? I understand fully the point made by the hon. member for High Park. In fact, I was in attendance this morning at the public

inquiry where the matter was being discussed. At this moment, and I think it is confirmed by the remarks of the hon. member for High Park, representations are being made by certain counsel along the lines the member has suggested.

Certainly it is by no means clear that the hon. Mr. Justice Grant is going to rule in a manner which, in my opinion, would infringe upon this member's rights, if he ruled in the way he is being asked to rule. So it is my thought, sir, that until Mr. Justice Grant makes a ruling, which will be no sooner than next Tuesday, that any consideration as to breach of privilege would, in fact, be premature by yourself and by the members of the House.

Mr. Shulman: Well, sir, may I ask that, in reference to the point just made, I would prefer you to consider it now before I go to jail rather than after I am there.

Interjections by hon. members.

Mr. MacDonald: Very good point.

Mr. S. Lewis (Scarborough West): On a point of order, Mr. Speaker, one of the things which might be considered by you, sir—

Mr. Speaker: Something must be out of order to raise a point of order. What is out of order? What is the point of order?

Mr. Lewis: I would like to comment. I am speaking to the point of order.

Mr. Speaker: There was no point of order raised. The hon. member for High Park had risen on what he called a point of privilege.

Mr. Lewis: I am sorry. I would like to speak very briefly to the point of privilege, and say that I would hope that in the decision which you render, there would be taken into account the propriety of placing any member of this Legislature in jail during the course of a legislative session.

Mr. Singer: There is a statutory law about that. Look at The Legislative Assembly Act. It cannot be done. You should know that, as the leader of an important party.

Mr. Speaker: Order. Order please!

I might say that I did listen very closely to the words of the hon. member for High Park.

Order please.

I did listen very carefully to the words of the hon. member for High Park and while he was speaking I determined in my own mind that there were many aspects to this particular situation that required some careful consideration before any sort of judgement could be made on the point raised.

I think I have touched on that in my first comment that if something is taking place in the inquiry outside of these chambers, it does not infringe on any right conferred on a member. Anything that the member said in these chambers, of course, is a different matter. There are different aspects. The hon. member for Downsview raised a very valid one, and I think all of these things must be taken into consideration. I will do so and I will report back to the House at the earliest possible moment and no later than sometime tomorrow.

Statements by the ministry.

The hon. Minister of Lands and Forests.

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I have a statement to make with reference to mercury levels in Ontario fish.

Health authorities have recommended since last May that fish with levels of mercury higher than 0.5 parts per million should not be eaten, especially on a regular basis. The Department of Lands and Forests, in co-operation with the Ontario Water Resources Commission and the federal Department of Fisheries and Forestry and their Fisheries Research Board, began collecting fish in Ontario and analysing them for mercury levels almost a year ago.

Today two federal fisheries laboratories in Winnipeg and one in Toronto as well as one provincial laboratory in OWRC, are analysing fish from Ontario supplied by The Department of Lands and Forests or by the federal Fish Inspection Service. Ontario's Departments of Lands and Forests and Agriculture and Food are in the process of establishing analytical facilities for further studies.

Fish of a variety of species from well over 105 distinct water areas amounting to thousands of samples have been analysed. As a result of the earliest testing which was directed toward areas which were suspected to be critical because of industrial activity, a number of waters were officially closed to commercial fishing by regulation, and anglers were issued warnings to "fish for fun." In some areas all commercial fishing was prohibited but in others the prohibition applied only to one or a few critical species.

I am tabling a list of waters, beginning in northwestern Ontario, moving eastward to the Ottawa River, including the Great Lakes,

from which fish have been tested to date. In some cases, samples were taken from commercial shipments of thousands of pounds of fish. In other waters, only individual fish may have been analysed.

This report records for the direction of the public, all areas and species analysed. "Above" means that levels of mercury are 0.5 parts per million or more, which is the recommended upper level for human consumption. "Below" means that the levels are below this limit and are considered acceptable.

Some of the levels discovered are in areas where there are no industrial activities, and further investigation of such waters is necessary to understand the source of these "background" levels. They may be as a result of mercury in the atmosphere or mercury in rock formations.

It is planned to revise this list at two-month intervals or depending on the significance of the change detected as a result of our continuing programme. Commercial fishermen are being warned to move out of areas where levels are above the 0.5 parts per million, or to change their gear to catch species which are not affected. Anglers, through this statement and by means of posted signs, are being warned to "fish for fun".

Further sampling will continue of species not listed; of different age classes of some species; and of waters not yet tested. We suspect that seasonal variations in levels may exist and plan to develop year-round monitoring of some species.

Those areas previously closed to commercial fishing for all fish are marked with an asterisk and those species closed in a few special areas are marked also.

I will have copies of this statement, Mr. Speaker, for all members of the Legislature.

Mr. Speaker: Oral questions.

MERCURY CONTAMINATION OF WATERS

Mr. Nixon: Sir, questions rising from the statement.

Will the minister make clear whether or not new lakes have had fishing banned in them as a result of this announcement?

Hon. Mr. Brunelle: This announcement, Mr. Speaker, is a warning. No new lakes have been closed. However, if, from additional information gained through sampling analysis, we find that it is necessary to close certain lakes, we will do so. At the moment we feel that we have not conclusive results and therefore we are issuing warnings only.

Mr. T. P. Reid (Rainy River): A supplementary, Mr. Speaker: Could the minister indicate—

Mr. Speaker: Order! I must say that we are not entering into the oral question period yet. This was a question of clarification of the minister's statement.

Mr. Nixon: Yes, but we are in the question period.

Mr. Speaker: And it was to be part of the oral question period? Very good.

Mr. T. P. Reid: Can the minister indicate who has the final authority to ban commercial fishing? Is it the provincial government or the federal government or the two governments acting in concert?

Hon. Mr. Brunelle: Mr. Speaker, we work very closely with the federal authorities. I have communicated with the minister. My officials have also communicated with his officials and I would say that the authority rests with ourselves, the Ontario government, to ban commercial fishing.

Mr. Nixon: Mr. Speaker, a further supplementary: The minister has announced previously that efforts will be made to remove the sources of pollution, particularly in the cases of mercury lying in some form or another at the bottom of certain waterways. There is nothing said about that either in this statement or in the minister's comments recently. Can he report on the efforts to remove the polluting mercury? I think he indicated that they were going to try to dredge the bottom of some of these lakes and that this has been abandoned.

Hon. Mr. Brunelle: On this question, my colleague, the Minister of Energy and Resources Management (Mr. Kerr), is much more knowledgeable, but I would say that there are various types of mercury. There is organic and inorganic; there is metal. At one time—and this is still being considered—thought was given to removing mercury from, for instance, Lake St. Clair, where it is known to be in certain parts of the lake. There are some authorities, who are very knowledgeable and who have the results of what has heppened in Sweden and other countries, who feel that this is not advisable. Trying to remove the mercury only aggravates the situation. That is why, at this time, we are considering and trying to base our plans

according to experience available in other jurisdictions.

The Minister of Energy and Resources Management has just returned from Sweden and other countries where he consulted with those officials on this very matter.

Mr. Nixon: Are we to understand that no cleanup activities are presently underway?

Hon. Mr. Brunelle: Again, Mr. Speaker, this rests with the Ontario Water Resources Commission and I do not know what they have or have not undertaken. I know they have been in consultation with the industries concerned but I cannot say what they have or have not done.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. Can the minister assure commercial fishermen who have been adversely affected by the mercury contamination that they will be compensated for any losses by those responsible for the pollution, since the federal Department of Fisheries announced that there will be no assistance through that agency after September 25?

Hon. Mr. Brunelle: What we are doing, Mr. Speaker, is working very closely with the commercial fishermen. We will try and direct those fishermen to those areas where there is no mercury contamination and to fish for certain species that are not affected. Now that we know from our studies that many, many lakes are suffering—I say suffering—that the fish are contaminated with mercury, not through industrial deposits but through natural backgrounds of the rock formations, or the soil, or the atmosphere.

This throws an entirely different light on the situation, and it may well be—and we do not know, for instance, we need more information—we do not know how long this will last or if this is going to last for a considerable length of time. It may be that in certain areas where it is a natural level of mercury we cannot do anything about this; it may be that we may have to have some retraining programmes. This would be, I would hope, a federal-provincial participation. So at this stage we are still in this exploratory stage, and we certainly do not want to see commercial fishermen deprived of their livelihood without compensation.

Mr. Speaker: The hon. member for Rainy River was going to ask a supplementary?

The hon. member for Sandwich-Riverside on a supplementary.

Mr. F. A. Burr (Sandwich-Riverside): Yes. Mr. Speaker, a supplementary: The minister mentioned the industrial pollution and the non-industrial pollution or the background pollution. Could the minister tell us whether any of the levels exceed 0.5 parts per million where there is no industrial pollution?

Hon. Mr. Brunelle: Yes. On this list, Mr. Speaker, as I mentioned earlier and there will be a copy for every member—there are many, many lakes in northwestern Ontario, for instance, where there are no known sources of industrial pollution—it must be from background level—but which have rates that are much higher than 0.5 parts per million.

Mr. Speaker: Does the hon. member for Kenora have a supplementary?

Mr. L. Bernier (Kenora): Yes, Mr. Speaker, I have a supplementary to the minister's statement:

In view of the fact that Sweden is presently considering raising its standard from 0.5 parts per million to 1 part per million, and in view of the many lakes that are listed in the minister's statement today, are there discussions going on in this country, or with other authorities, on the possibility of raising that standard?

Hon. Mr. Brunelle: That is a very good question, Mr. Speaker. There are many who question whether 0.5 parts per million is a realistic figure. That is why our counterparts in the United States, in other jurisdictions, and in other provinces in Canada are continually looking further into this, because it could well be that that level may be changed.

From the information that I have been given, health authorities have been in northwestern Ontario and apparently at the moment it does not appear that persons who have been eating fish contaminated with mercury have suffered any ill-effects, though this is being looked into seriously.

Mr. Speaker: Did the hon. member for Kingston and the Islands have a supplementary?

Mr. S. Apps (Kingston and the Islands): A supplementary: In view of the fact that the Minister of Lands and Forests has indicated that he is encouraging commercial fishermen who fish in areas that are now banned to go into other areas where they can still fish, would the minister consider allowing the fishermen off Amherst Island to obtain licences to fish in Prince Edward County

waters where they can still fish, whereas in Amherst Island area they cannot? Would he consider issuing licences to these fishermen to fish in waters off Prince Edward County?

Hon. Mr. Brunelle: I would be pleased, Mr. Speaker, to take the hon. member's recommendation into consideration.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): I have a supplementary for the Minister of Lands and Forests. Have any loans been paid out from his department yet to the Lake Erie commercial fishermen who have made application?

Hon. Mr. Brunelle: I am sorry, Mr. Speaker, I missed that.

Mr. Spence: Have any loans been paid to the Lake Erie commercial fishermen from the minister's department yet? Have they received their loans?

Hon. Mr. Brunelle: So far there has been about $270,000 paid by our government on a 50-50 sharing basis with the federal government to commercial fishermen and others who have been affected. And, of course, there is a new agreement, that was agreed upon in the last few weeks, enlarging the areas where commercial fishing has been banned.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

FREEZING OF POSSIBLE SITES FOR NEW TORONTO AIRPORT

Mr. Nixon: Yes, I had a question of the Minister of Health (Mr. Wells), and he has just at this moment walked out the door. Perhaps he will be back later in the question period.

I would like to ask the Attorney General, however, if he has considered the possibility of using the statutes of the province to freeze certain tracts of land in the Province of Ontario, so that the federal government might release the location, the proposed location, of a new airport facility and the citizens of the community, including members of the government and members of the Legislature could take part in this discussion. I ask the question since it is reported that the federal Minister of Transport is trying to find ways whereby the sale of tracts of land could be frozen for limited periods of time so that public discussion would be possible.

Hon. A. A. Wishart (Minister of Justice): The answer, Mr. Speaker, is no. But I would point out, further to the question, that if lands are required for public purposes by any public authority, any government, we have the means to acquire them, by way of expropriation, if necessary.

Mr. Lewis: By way of supplementary, is the Attorney General then saying that he will not co-operate with Ottawa in its effort to freeze and locate areas in advance for the pending airport?

Hon. Mr. Wishart: I said no such thing, Mr. Speaker. I was asked if I had taken such action. There is no suggestion that I would not co-operate with Ottawa. My department co-operates with the departments at Ottawa all the time, so there is certainly no implication of nonco-operation in my reply.

TESTING OF FOOD STUFFS FOR MERCURY CONTAMINATION

Mr. Nixon: Mr. Speaker, a question of the Minister of Agriculture and Food:

In the statement read by the Minister of Lands and Forests he indicated that laboratory and testing facilities under the jurisdiction of the Minister of Agriculture and Food would be used in connection with testing for mercury. Would this be testing of fish or other foodstuffs and, if so, what foods would be tested?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, the laboratory to which my hon. friend referred is a laboratory which serves all departments of the government for various types of contaminant testing. It is not, as I understand it, actually geared up to test for mercury as yet. I gather they are now getting ready from what my hon. friend has said today. I know that earlier this summer when the mercury problem came upon the province we were not geared up to do that. This is the pesticides laboratory testing station at Guelph.

INSURANCE COMPANIES' ROLE IN MEDICAL INSURANCE

Mr. Nixon: Mr. Speaker, a question of the Minister of Health.

Can he tell the House whether or not insurance companies which have been private carriers for medical insurance in the province under that conglomerate called Healthco, have petitioned to be relieved of their responsibility under the statute or if, on the other hand, the minister has informed them that their services will no longer be required in the future?

Hon. T. L. Wells (Minister of Health): Mr. Speaker, think that the hon. member is getting into an area of government policy and in due course we will make a complete statement in the House about this.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

The hon. member for Scarborough West is next.

POLLUTION INDEX: NAMES OF OFFENDING FIRMS SOUGHT

Mr. Lewis: A question of the Minister of Health, Mr. Speaker, put to him, I think appropriately, in the absence of the Minister of Energy and Resources Management, and Prime Minister:

Could the Minister of Health indicate to the Legislature which of the companies in Toronto and Hamilton today constituted a sufficient health hazard to be asked to close down by The Department of Energy and Resources Management.

Hon. Mr. Wells: I am afraid I cannot give that answer at this point, Mr. Speaker.

Mr. Lewis: By way of supplementary, Mr. Speaker, is that to say that the Minister of Health was not involved in or notified of the necessity to close down certain plants in the city of Toronto because of the pollution index?

Hon. Mr. Wells: Mr. Speaker, it is my understanding that this programme comes under The Department of Energy and Resources Management. People in my department would be working with them—our environmental health branch—but I have not been contacted about this. Indeed, I do not think that they have to contact me about every matter such as this. We assign these people to work with The Department of Energy and Resources Management.

Mr. Speaker: The hon. member for Scarborough West has a supplementary; then the hon. member for Grey-Bruce.

Mr. Lewis: This being the first instance in the province's history, I think, under this programme that plants have actually been closed down, no one in environmental health in The Department of Health actually knew of the plants and informed the minister?

Hon. A. Grossman (Minister of Correctional Services): That is not another question.

Mr. Lewis: Certainly it is.

Hon. Mr. Wells: No, Mr. Speaker. I said it is not necessary for the minister to be informed ahead of time. Our people are in constant touch with The Department of Energy and Resources Management, who administer this programme. I think that if the Minister of Energy and Resources Management were here he could answer the question for the hon. member.

Mr. Speaker: The hon. member for Grey-Bruce a supplementary.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, to the Minister of Health in regard to the pollution: When is the minister, either directly or indirectly, going to interfere insofar as the people of this city are being conned by the air pollution index which is being using now—

Mr. Speaker: Order, please. The question is—

Mr. Sargent: Is the minister aware—

Mr. Speaker: Order, please. The question is—

Mr. Sargent: Mr. Speaker—

Mr. Speaker: The question is not supplementary to the previous question.

Hon. Mr. Grossman: In fact, it is not even a question.

Mr. Speaker: The hon. member will be called later on. He will have an opportunity later on. It is not supplementary to the original question.

Interjections by hon. members.

Mr. Speaker: Has the hon. member for Wentworth a supplementary?

Mr. I. Deans (Wentworth): Supplementary question, Mr. Speaker, to the Minister of Health: Could the minister indicate what role his department plays in determining what pollutants will be monitored, the actual health hazard of the pollutants monitored which are to be left unmonitored, and what effect they are having on the health of the public?

Mr. Speaker: That is hardly supplementary to the original question, either. If the hon. minister wishes to answer that one, he may.

Hon. Mr. Wells: Mr. Speaker, our environmental health branch acts as the health adviser to the other departments of this government concerned with pollution. The doctors in our department advise on health

matters in this instance to the air management branch in The Department of Energy and Resources Management and they advise on all the matters that have been indicated by the members.

Interjections by hon. members.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

Mr. Lewis: Yes.

Mr. Speaker: Yes?

Mr. Lewis: Yes, a further question of the House leader, Mr. Speaker. Is there anyone, sir, in his government today who can tell us which of the industries were requested to close down in Toronto or Hamilton because of the exceptional level of air pollution?

Hon. Mr. Welch: I will be very glad to get that information for the hon. member.

OFFER OF JOBS IN ONTARIO FOR QUEBEC DOCTORS

Mr. Lewis: Fine. A question then, Mr. Speaker, of the Minister of Health again.

What contact and with what content has his department had with the Ontario Medical Association or the College of Physicians and Surgeons in relation to the help which they have offered in the dispute in Quebec between the medical profession and the government?

Hon. Mr. Wells: I am afraid I do not follow the hon. member's question, Mr. Speaker, in relation to the help that they have offered. Is he suggesting that the Ontario Medical Association and the Ontario College of Physicians and Surgeons have offered certain help to the doctors of Quebec?

Mr. Lewis: I am sorry, Mr. Speaker. I had assumed that the minister would have seen the letter in which the Ontario Medical Association indicated to its colleagues that temporary employment would be available to physicians from the province of Quebec who might wish to leave the province—it was via the Canadian Medical Association that this request came, and was directed to the Ontario Medical Association. I wondered whether that had been taken up with government and discussed in the light of the dispute.

Hon. Mr. Wells: No, Mr. Speaker, I have not seen a copy of this letter. I have heard of the letter that the member is talking about. This has not been discussed with myself or with anyone that I know of—my deputy minister or anyone. In regard to the college, I understand that there are about 20 doctors from Quebec who have made application to practice in this province.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

DIRECTIONS TO BE GIVEN BY POLICE TO STRIKERS

Mr. Lewis: Just one further question and I will take my place, Mr. Speaker. A question of the Attorney General:

Is it accurate in legal terms within the rules governing the operation of the Metropolitan Toronto police force that individual officers in the field of labour strikes and lockouts should be directed to inform union representatives and picket captains in a strike of the following: "No mass picketing. Only a number sufficient to show that the plant is being picketed. Establish a maximum number of pickets at each entrance. No more than four would usually be required at each entrance"?

Hon. Mr. Wishart: I would have to check the law on that point, Mr. Speaker. I will do so and get an answer to the hon. member.

Mr. Lewis: Thank you.

Mr. Speaker: Any further questions? If not, the hon. Minister of Mines has the answer to a previous question, I believe.

EXPORT OF NATURAL GAS

Hon. A. F. Lawrence: On Tuesday, Mr. Speaker, the new leader of the nationalizing socialist group within this House was asking some questions respecting the attitude of this government at the time the National Energy Board's hearings were held last November in relation to certain gas export applications before that federal agency. I was quite unaware at the time of just what the information was that the hon. member was after because they were public hearings; there were public documents.

There was quite a lot of press comment at the time and he asked that some documents be tabled. I do not want to clutter up the records of this House with certain decisions made at other levels of government. I have got a 300-page booklet here of the National Energy Board decisions. I have got the federal order-in-council respecting the

decisions. I have got the certificate of public convenience and necessity. I also have the actual format intervention by this government which, again, is a six-page submission by counsel on behalf of this government.

I think, really, probably what the hon. member is after is the verbatim transcript of the oral representation by Mr. Robin Scott before that body last November. Mr. Scott was the counsel for the government, so that unless the hon. member has need of anything else, I will table here now, and I do so, the intervention of the Minister of Justice and Attorney General for Ontario before the National Energy Board last November and a copy—it is just a Xerox copy, it is not a certified copy—of the verbatim oral presentation by the councel of Ontario at that time. Is that satisfactory?

Mr. Lewis: That is what was asked for, Mr. Minister, thank you.

Mr. Speaker: Does the hon. member have a supplementary?

Mr. Lewis: No.

Mr. Speaker: If not, the hon. member for Grey-Bruce.

DISCONTINUANCE OF PASSENGER TRAIN SERVICE

Mr. Sargent: A question of the Minister of Transport.

May I ask him most respectfully when is he going to exercise some muscle on behalf of the people of Ontario and appeal the arrogant rulings of the arrogant Canadian Transport Commission? Is he going to appeal this? Do something with some muscle once, will he please?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, this is in line with a question put to me a couple of days ago by the member for Grey-Bruce with respect to the decision and order of the railway transport committee of the Canadian Transport Commission, respecting the passenger service abandonment applications being considered. They came from Canadian National and Canadian Pacific Railways. I said on that day—I think it was two days ago—that we had just received a copy of the order and decision. It was being studied and I would report to the House just as soon as I could express an opinion on it.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Sargent: How long is that going to be?

Mr. Speaker: Any supplementaries?

Mr. Sargent: How long? We cannot wait forever.

Interjections by hon. members.

Mr. Speaker: Is the hon. member asking a supplementary?

Interjections by hon. members.

Mr. Speaker: The hon. member for Thunder Bay.

LOTTERIES AND BINGOS LICENSED IN PRESS, AND ON RADIO, TV

Mr. Stokes: Thank you, Mr. Speaker.

Is the Minister of Financial and Commercial Affairs in a position to make any statement of policy or guidance or recommendation as a result of a meeting held yesterday with people concerned about lotteries and bingos across the province?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Yes, Mr. Speaker. Earlier this year I issued a policy statement which included the following paragraph:

> Licences will not be issued at this time to operate any game which disposes of any cash, goods, wares or merchandise through the media of newspapers, radio or television or telephone for a consideration.

I am pleased to announce today that bingos managed and conducted by bona fide charitable and religious organizations will henceforth be licensed to operate through the media of newspapers, radio and television provided that a provincial licence has been obtained and provided that the total amount of all prizes awarded at any one operation does not exceed $300.

Mr. Speaker: The hon. member for Scarborough East.

GRANTING OF LIQUOR LICENCES TO MOOSE LODGES

Mr. T. Reid (Scarborough East): I have a question of the Provincial Secretary.

Why did the Liquor Licence Board of Ontario, under the minister's jurisdiction, grant to two Ontario lodges of the American Loyal Order of Moose open liquor licences in view of the written policy of the American

Moose order operating in Ontario to exclude Canadians who are not members "of the Caucasian white race" and also to exclude Canadians who are married to anyone who is not a member of the Caucasian white race. Is not the granting of liquor licences by the Ontario government to a white racist organization contrary to the government's own code of human rights in the province?

Hon. Mr. Welch: Mr. Speaker, would the hon. member give me the names of the lodges which got the licences again?

Mr. T. Reid: The two lodges operating in this province of the Loyal Order of Moose?

Hon. Mr. Welch: Which two?

Mr. T. Reid: They are in the minister's records.

Hon. Mr. Welch: I would have to have more information, Mr. Speaker.

Mr. Bullbrook: Look under "M for moose".

Interjections by hon. members.

Hon. Mr. Welch: Why not "L for loyal"?

Interjections by hon. members.

Mr. T. Reid: Would the minister report back to the House on this matter?

Hon. Mr. Welch: Just as quickly as I get the names of the two applicants the member is referring to.

Mr. Speaker: The hon member for Yorkview.

RICHMOND HILL COURTHOUSE

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Public Works:

Has the minister offered on behalf of the government a 10-year lease in a proposed building to be used as a courthouse in Richmond Hill in an area well outside the planned civic centre and in land zoned residential and as yet unserviced?

If so, why, in light of the violence this building will do to the planning in the municipality?

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, the answer is no.

Mr. Speaker: The hon. member for Windsor-Walkerville.

PRICE OF GASOLINE IN ESSEX COUNTY AND WINDSOR

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs. He is entering the House at this time and will be in his seat shortly, so I think I can ask it of him as he proceeds to his desk.

Is the department investigating, has it investigated, or will it investigate, the reasons for the unreasonably high price of gasoline in the Essex county and Windsor area?

Hon. A. B. R. Lawrence: Yes, we will investigate, Mr. Speaker. This kind of thing comes up from time to time. I believe to the north of here last year we had the same kind of problem.

Mr. T. P. Reid: Still have.

Hon. A. B. R. Lawrence: Do we still? The investigation is limited to some extent at the provincial level and in this field, certainly insofar as it relates to combines, I have to ask the assistance and participation of the hon. Ron Basford at the federal level.

Mr. Speaker: The hon. member for Huron-Bruce was attempting to get the floor.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Agriculture and Food and he has since vanished.

Mr. Speaker: All right, the hon. member for Windsor West.

VACANCY IN DIRECTOR'S OFFICE IN MANPOWER SERVICES DIVISION

Mr. H. Peacock (Windsor West): Mr. Speaker, I have a question of the Minister of Labour:

Why has the office of executive-director in the manpower services division of The Department of Labour remained vacant since the beginning of this year? Has this been a contributing factor to the delay in implementation of part 1 of The Employment Standards Amendment Act we passed in June?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, the position has remained vacant because we have not as yet selected the best-qualified person to assume those responsibilities. In the meantime, the office's responsibilities are being carried on by others within the department and that has no relationship to the matters of notice.

I expressed this view the other day. We have received a substantial number of briefs on the matter and we are going into those very carefully.

Mr. Speaker: The hon. member for Rainy River.

EXEMPTION OF THE NORTH FROM STUDDED TIRES BAN

Mr. T. P. Reid: Mr. Speaker, I have a question of the Minister of Transport:

Will the minister consider taking out of the regulations, northern and northwestern Ontario, and allowing the people in those areas, because of their geographical location, to use studded tires after the date that the minister has noted?

Hon. Mr. Haskett: Mr. Speaker, I might say that I would consider it, but the decision was made that we would ban the use of studded tires in Ontario after April 1971.

Mr. T. P. Reid: By way of supplementary, is the minister aware that most of the studies were conducted in southern Ontario and do not take into account the special needs of northern Ontario?

Hon. Mr. Haskett: Mr. Speaker, I think this matter might be referred to the Minister of Highways (Mr. Gomme) when he returns, because it was the matter of highway damage that resulted in the order.

Mr. Speaker: The hon. member for Grey-Bruce.

POLLUTION INDEX: NEED FOR MEASUREMENT BY AIRCRAFT

Mr. Sargent: Would the House leader answer a question of very serious importance with regard to the current situation today of an all-time record in pollution?

This morning my colleague, the member for Essex-Kent (Mr. Ruston), and I went up in my plane with regard to the pollution problem. We found that the pollution at 1,200 feet is double what it is on the ground, so it is real flagrant pollution at 1,200 feet.

Hon. Mr. Grossman: It is caused by airplanes.

Mr. Sargent: A year ago I brought this up, Mr. Speaker, and I got the same laughs, the same treatment.

Hon. Mr. Grossman: A lot of pollution is caused by airplanes.

Mr. Sargent: Mr. Speaker, I would like to ask the minister in charge of the government today to take a new look at the way we are measuring air pollution in the city of Toronto in that, in measuring it at 25 feet, you get a reading of 50, which is dangerous; at 1,200 feet, it is double that. Six months ago, CKEY offered to measure it at 1,200 feet and the government has not yet done anything about it.

I would ask the minister to take a new look at the way the government is measuring air pollution in Toronto today.

Mr. B. Newman: How bad was it? Tell us how bad it was.

Mr. Sargent: I would like to table this with the minister and send it over because this is what happens—

Mr. J. Renwick: What is the question?

Mr. Speaker: Order! The hon. member will please take his seat. I have permitted him to go far beyond the propriety of the question asked.

Mr. Sargent: I know that; you did. But something has to be done about it.

Mr. Speaker: The hon. member for Cochrane South.

COST OF ADVERTISING THE PARCOST PROGRAMME

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Minister of Health:

How much money has been allotted for advertising for the Parcost programme; and, in round figures, what percentage is being allocated to the various media that are being used?

Hon. Mr. Wells: Mr. Speaker, in round figures $160,000 has been allocated. Most of it is going into weekly and daily newspaper advertising; I cannot tell the hon. member the exact percentages.

Mr. Speaker: The hon. member for Parkdale.

CONTROL OF DANCE SCHOOLS

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs:

Would the minister take some action, either by licence or otherwise, in order to

control the dance schools, such as Fred Astaire's and Arthur Murray's, in the kind of contracts they have people sign?

Hon. A. B. R. Lawrence: Mr. Speaker, I will not make a commitment today for two reasons. One is that we are looking into the fringes of this problem through our ministers' committee studying franchises, so it is partly relevant to their deliberations. I am also engaged in trying to assess to what degree licensing, as such, should or should not be extended generally in the commercial field in Ontario.

So I will not make a commitment today; I will simply say that this committee and myself are involved in investigating and canvassing the whole problem.

Mr. Trotter: By way of a supplementary question, could the minister give us some indication when action could be taken, because in essence these schools are rackets in many aspects?

Hon. A. B. R. Lawrence: Mr. Speaker, I hope that the franchise committee will be reporting in December. I expect comments in their report on this subject. Again, we are not looking at this season, we are undoubtedly looking at next.

Mr. Trotter: Just one short supplementary: Could the minister give the House any indication whether or not the committee has had a number of complaints from the public in regard to these dance schools?

Hon. A. B. R. Lawrence: I do not know about the committee, but I know I myself, as minister, have received three or four complaints.

I do not quarrel with the fact that they are a very vicious form of commercial activity, in some cases their contracts are vicious, but it falls really within a bigger problem. In other words we have air charters, we have paving contractors, we have dance schools; it is not an isolated gimmick and we are looking at the whole field.

Mr. Speaker: The hon. member for Humber.

Mr. G. Ben (Humber): Mr. Speaker, in spite of the fact the minister admits numerous complaints of abuse of these franchises and contracts being written solely for the benefit of the vendor, has his department given consideration to passing legislation which would require anybody dealing with the public at large—for instance, a dance hall proprietor or a Grolier salesman or a Britannica salesman—to use a standard form of contract approved by the minister's department with a prohibition against the use of any other contract, so that everybody would know what was in a standard form and one could not deviate from that form?

Hon. A. B. R. Lawrence: Mr. Speaker, it is an interesting submission from the member. I think it makes some sense. I know in the insurance field we are considering tightening up on the uniformity of the form of contract. It does apply in other branches of the supervisory field of my department. I think it is a suggestion that deserves careful consideration.

Mr. Speaker: The hon. member for Hamilton East.

PROVISIONAL PERMITS ISSUED TO AGGREGATE OPERATORS

Mr. R. Gisborn (Hamilton East): My question is of the Minister of Mines:

Since the deadline of September 27 has passed in regard to the receiving of information on the issuing of permits for the continued operation of the aggregate industry, how many permits have been issued to date and how many have been refused? And would the minister table the information as to the reasons of refusal, if any?

Hon. A. F. Lawrence: Mr. Speaker, there have been over 100 provisional permits issued. Roughly about one-third of those are for a one-month period only, in order to have the operators bring into us more information, put dates on some of the material they have supplied which they did not supply in the past, and generally prove to us a greater willingness than they have proved in the past to operate the pit or the quarry in a worthwhile manner and in the public interest, and above all to do some rehabilitation work.

There has been another large percentage that have received three-month provisional permits because the material was slightly better. There has been a small number who have received six-month provisional permits. This is of the just-over-100 group. And a very, very small portion have received 12-month provisional permits.

All of these have included in them the term that they can be revocable at any time if we feel they are not living up to their obligations.

The purpose of this legislation and the purpose of this permit issuing was not to put anybody out of business. Instead, what we

want to do is promote good rehabilitation practices among the existing operations along the Niagara Escarpment. And I think we are succeeding in this.

There have been at least four or five presentations come in to me from operators who wanted to open new pits, and in each case I have persuaded them not to put in an application because the area where they were going to operate would be within the protected zone or would be in the larger area where I certainly felt they should not be permitted to operate. In one case there has been a formal application and I have had to indicate formally to them that they would not be issued a permit. There are still roughly about six or seven other operations that have been in existence in the past and which are not now operating today for a variety of reasons. Again, they are within the protected zone or they have not sent in to us the material that we need before a permit would be issued.

Mr. Gisborn: As a supplementary: I take it, then, there have been no refusals of permission to continue operation?

Hon. A. F. Lawrence: No, that is incorrect. Perhaps if the hon. member would like to read over in *Hansard* what I just said, then he could ask me another question on it. I indicated that there was at least one formal application that was turned down. There have been four or five on which I have convinced the operators not to put in applications because it would be fruitless on their part; as well, there are six or seven others that we thought were operating but who have not applied for a variety of reasons for a permit and therefore they are not now operating.

Mr. Deans: Mr. Speaker, a supplementary question: I wonder if I might ask the minister, in regard to one specific quarry, the Cope quarrying operation in Saltfleet township, whether any conclusions have been reached as to the suitability of the continuation of the operations vis-à-vis the development of the Ontario Housing Corporation programme immediately around it.

Hon. A. F. Lawrence: The Cope operation in Saltfleet has been given a provisional permit only. It is a temporary one until they bring in to us a little more factual information respecting how they are going to rehabilitate that operation. In respect of their future operations, as I say, the purpose of the Act hopefully is not to put anybody out of business. We are taking a different view completely of new operations, but for existing operations we certainly feel it would be a pretty arrogant and abrupt way to indicate to an operator the size of Cope, who employs the people he does and who has the capital investment there, to put him out of business just like that.

Instead, we are asking them for more information as to their future expansion plans and this may certainly be restricted. Certainly, we also want to know in a little bit more detail what their plans are in respect of the rehabilitation of the current situation that they now have out there.

Mr. Speaker: The hon. member for Humber.

OFFICIAL GUARDIAN REPORTS IN DIVORCE CASES

Mr. Ben: I have a question of the Attorney General and Minister of Justice.

In light of the caption in the newspaper that the waiting time for divorces in Ontario is going to be halved—and since it is not a lack of court space that prevents divorces from being heard in a hurry but the wait for the official guardian reports where children are involved—what is the minister doing or what has the minister done to cut down the waiting time for the production of the official guardian reports where children are involved? That is the first part of the question.

Secondly, in the light of the fact that divorces form a huge part of the costs of legal aid, has the minister given any consideration to making official guardian reports unnecessary where the divorces are not contested—especially since, I cannot recall, and I do not think the minister can recall, a case where a trial judge did anything other than confirm the status quo where a divorce was not contested?

Hon. Mr. Wishart: Mr. Speaker, first of all the report in the paper that divorce times will be cut in half is, of course, somebody's speculative judgement. I would hope that there will be a substantial reduction in the time of the average case by reason of the fact that the county court judges, who are local judges of the high court, will be able to hear the cases in the communities where they are resident and where they sit. They will not have to wait for an assize or at least for the sessions coming on. That could reduce the time very substantially.

The second part of the question: What is the Attorney General doing with the official guardian? I would point out to the hon. member, and I am sure he is aware, that certain

times are set for the investigation of the state of the children and the situation of the family of the divorced parents. These are certain times for service, certain times for the furnishing of the report or the return of it and for the filing. I have not looked at the rules or the procedures to see if these could be changed. I think there must be some definite period of time set forth and allotted for that purpose.

The third question the hon. member raises —dispensing with the official guardian's report —I do not think wise. Offhand, I would not think that would be wise, even in the uncontested action, because there are children involved and it is possible that one parent, and perhaps both, may have little concern about the children. But the paramount consideration, I think, when one is dealing with a family matter, whether it be divorce, or separation, or maintenance, must be the welfare of the child.

I do not think the mere fact a case is uncontested by the father or the mother defendant is enough to disregard and forget about the children. I think there is an obligation on our society, an obligation on this government, an obligation on the court, to see to the state of the children, their prospect for schooling, for maintenance, for care, for custody; that these things are inquired into and that some responsibility be taken by the court in seeing that the child is cared for. So I could not, I think, accept that suggestion.

Mr. Ben: A short question: Is the minister aware that it is the lack of staff in the Children's Aid that prevents the official guardian's reports being submitted in time? Lack of staff, in view of the heavy load of divorces that prevents the reports coming down in time, not any prescribed time in the rules of practice and—

Mr. Speaker: The question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Wishart: I beg leave to table the first report of the Law Enforcement Compensation Board, covering the period April 1, 1968, to March 31, 1970. It contains additional statistical information up to June 1 of this year, 1970.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, in the spring of 1968, by order-in-council, an advisory committee on adoption and foster care was appointed. I take the opportunity today of tabling the final report.

Mr. Speaker: Motions.

Introduction of bills.

DAMAGE BY FUMES ARBITRATION ACT

Hon. Mr. Wells moves first reading of bill intituled, An Act to amend The Damage by Fumes Arbitration Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wells: This bill repeals The Damages by Fumes Arbitration Act because the proceedings under this Act are now replaced by the more advanced legislation under The Air Pollution Control Act, 1967.

PESTICIDES ACT, 1967

Hon. Mr. Wells moves first reading of bill intituled, An Act to amend The Pesticides Act, 1967.

Motion agreed to; first reading of the bill.

Hon. Mr. Wells: Mr. Speaker, the important sections of this amending legislation are that the name of the Pesticides Advisory Board is changed to the Pesticides Advisory Committee and the function of examining applicants and holding hearings regarding licences is removed from this body.

The board is also given new functions, the most important being to inquire into and consider any matter that it considers advisable concerning the use of substances for extermination that may affect public health or safety, or the environment, or produce other adverse effects, and any such matters referred to it by the minister and report thereon to the minister.

The Act also sets up new procedures regarding licensing of those using pesticides in this province.

FATAL ACCIDENTS ACT

Mr. Bullbrook moves first reading of bill intituled, An Act to amend The Fatal Accidents Act.

Motion agreed to; first reading of the bill.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, this is an attempt again, by a private member, to bring this statute into the 20th century. It provides for payment of $750 for funeral expenses rather than $300.

NOISE POLLUTION CONTROL ACT, 1970

Mr. Burr moves first reading of bill intituled, The Noise Pollution Control Act, 1970.

Motion agreed to; first reading of the bill.

Mr. Burr: Mr. Speaker, the purpose of this Act is to establish a means of regulating, controlling, and prohibiting excess noise in the surrounding environment.

Mr. Speaker: Orders of the day.

THE LABOUR RELATIONS ACT *(continued)*

Clerk of the House: The ninth order, resuming the adjourned debate on the motion for second reading of Bill 167, An Act to amend The Labour Relations Act.

Mr. Speaker: Are there any other hon. members who wish to speak to this bill before the minister replies?

Mr. M. Makarchuk (Brantford): Yes.

Mr. Speaker: There are? The hon. member for Brantford.

Mr. Makarchuk: Mr. Speaker, one of the matters I wish to raise on the legislation coming before the House on Bill 167 is about the lack of the element of economic justice in this particular legislation and the economic implications it will have upon the people of Ontario. One of the things that it should try to contribute, is to improve the lot of the people of Ontario—to improve their living conditions and their working conditions, and so forth.

If we examine the income distribution of the people of Ontario, despite the strikes, despite minimum wages, despite pious statements and everything else from the government, and despite the statements that after 40 years there has been quite a change and the lot of the average individual has improved, we find that the statistics provided by the Ontario government or any economist, show that there has been absolutely no change in the share of income that is going to the people of Ontario.

I think it is very important that when you bring in legislation such as this legislation, one of the things that you would try to remedy is the fact that a lot of people in Ontario are not getting their share of the economic pie. I think it should be put on the record here just what is happening in terms of distribution of income in Ontario. These are figures that are available in the report of the Ontario Economic Council on Poverty and Institutional Reform. It says that the lowest fifth of the people of Ontario, the lowest 20 per cent, gets only four per cent of the income. The second fifth gets 12 per cent; the middle fifth gets 17 per cent.

What you have, Mr. Speaker, is the fact that 60 per cent of the people in this province receive only 33 per cent of the income. I think it should be significant to note that while the lowest 20 per cent gets four per cent of the income the highest 20 per cent gets 44 per cent of the income.

The other point that has been brought out in this particular study, and I think it should go on recod again, is the fact that despite the 25 or 26 years of unprecedented growth since the end of the Second World War, there has not been any significant change in this share of the pie. The pie itself has got larger and as a result wages have increased. But in terms of changing the redistribution of that pie, there has been absolutely no change whatsoever.

This is something that I think the minister is not taking into account—the fact that his department should be trying to alleviate some of the problems or some of the discrimination that works against the working people in Ontario; the fact that they cannot get a larger share of the pie, and cannot improve their lot. The legislation should enshrine some of these things to put them in a position where they would be able to claim a better share or give them the strength where they can get a larger share of the income of the Province of Ontario, or the income of this country.

Certainly the minister is not doing it. The matter has been raised earlier in speeches, about the fact that it is one-sided legislation and the fact that it is crass legislation. That is what it is because you are in no way trying to balance out the economic forces that operate in our society. In fact, if anything, you are trying to destroy what little balance there is at the moment.

What that really means, Mr. Speaker, is the fact that the minister is a part of the misery of this province. You wish to enshrine poverty. When an individual phones me and complains about the fact that he cannot buy a house, that he cannot get his children's teeth fixed, that he has not enough to eat, that he cannot buy clothing, or that

he has a job that pays $1.70 an hour and with the new regulations he can get fired because someone can be hired for $1.50 an hour or something to this effect, he finds out there is no place he can go to.

You cannot turn to the minister; you cannot turn to the government. You have nothing, really, to protect these people. You introduce legislation which is supposed to try and, shall we say, provide these minimum benefits for the people of Ontario. You certainly fail in this respect. You fail miserably.

One of our responsibilities here in this House, is to try and alleviate some of this misery, this poverty, this economic imbalance that goes on in this province and has been going on in this province and as far back as we can see. As long as that government is in power it will go on in this province. We are trying to change that. We hoped you would bring in legislation to change that. Again you refuse to do that. I think that you should bear in your mind the fact that you destroy the dignity of a lot of people in Ontario who have to work for these miserable wages—people who have no protection who are scared to complain or scared to organize, or are unable to organize because of his legislation. He ruins families. He breaks up families. These are some of the things that he is responsible for and this is something that he should try to remove or eliminate by bringing in the kind of legislation that would provide these people protection.

There are a lot of other matters but I will speak very briefly on this thing. Getting back to the fact that we are interested in raising the standard of living of the people of the province, I realize the minister himself is not going to do it. There are other means that will have to be taken. There is the matter of taxation; there is a matter of providing the social services that the people need; there is a matter of providing adequacy of housing, of education and so on. But surely the minister has a certain function to fulfil, and he is in a position to fulfil, to bring about sort of a better balance in the distribution of income of the people of Ontario.

By introducing this bill, what he is doing is not only sort of enshrining in legislation what has been an unfair practice for a long time, but also he is increasing the economic imbalance, and surely today, in the twentieth century, this is not the kind of legislation we want. This is not the kind of legislation that we should be sitting or standing here in the House and talking about to the people of Ontario—the place to stand—because in many cases they have no place to lie down or sit down. They have to stand; the place to stand! The government here is bringing in legislation which will ensure that the lot of the people of this province is not going to be improved. And I suggest that this is one of the reasons we are opposing it and we are opposing it strongly.

Mr. Speaker: Are there any other hon. members who wish to speak? The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Yes, Mr. Speaker, in finalizing this party's portion of the debate on this bill, I want to say to you that some time ago, about two weeks ago, I read in the newspaper the following headline, "Strikebreakers Can Be a Blessing." And I wondered, without going into the body of the story, who could possibly be saying such a thing.

I thought it must be the president or the chairman of the Chamber of Commerce, or perhaps it was the manufacturers' association representative, or maybe even it was a spokesman for the financial houses of the Province of Ontario. But I must confess to you, quite sincerely, that I was aghast to find that this was the headline that brought to the public's attention the feeling of the Minister of Labour in the Province of Ontario in regard to labour relations. I wondered for awhile what exactly was going through his mind. I wondered how it could be that the Minister of Labour for this province could possibly have made such a statement.

Then I started to think back on the bill that he had introduced and I started to go through it and read again, as I had read it over the summer a number of times, the contents of the bill. And it became increasingly more apparent to me that what was actually happening, and the reflection of what was going on within the government of Ontario in regard to the organized section of the economy in this province, was contained in that headline.

This bill was an adequate and clear indication of this government's intent over the long haul. It seemed abundantly evident that this government is set on destroying the trade union movement in the Province of Ontario. Either that or the minister does not really understand what is meant by bargaining in good faith, what is meant by establishing a good industrial trade union relationship.

I have thought about it for some time. I wondered how I might express to the minister the feeling of the majority of people who have had anything to do with the trade union movement. I wondered how I might get through to the minister in some adequate way what was going to happen to the trade union movement over the next 10 or 15 years if he permitted the kind of feeling that he obviously must have to be put into legislation.

I do not know if the minister has ever been involved in negotiations directly. I do not know his background well enough to know whether, other than in his capacity as a lawyer, he has ever sat across the bargaining table and has felt the inadequacies of being a man off the floor of the shop facing a very highly trained personnel type and trying to put across in some adequate way the needs, the requests and, in some instances, demands of his co-workers.

I do not know if the minister has ever left this feeling of sitting down opposite the man who, that day, that morning, had held in his hand your entire future and to say to him, "Look, what you are offering is not nearly enough, and therefore, we reject it."

I sense in the kind of legislation that we have before us a complete misunderstanding of the role of negotiations. I can imagine well what is going to happen in the Province of Ontario if we continue on the road that we obviously are bent on following.

I want to talk to the minister about what it was like prior to there being some sort of equality developed between management and labour, what it was like back in the late 1800s and the early 1900s when people were afraid to stand up, were afraid to even claim rights which they had. I want to speak to the minister about the effect of strike-breakers in the Province of Ontario and all across the world. I want to suggest to him, as I go on, that what he has done in the certification and decertification areas can do nothing but harm to the unorganized in the Province of Ontario and can prove to be a thorn in the side of perhaps even the most destructive mechanisms in the early bargaining of a newly organized plant. Finally, I want to talk to the minister, following that, about some changes that perhaps he ought to make.

I want to refer back to some time ago in 1892, and I want to read to the minister what it was like then and how his legislation will affect plants in this area in that way. I am talking about a strike that took place in a place called Homestead, Pennsylvania. You may well know of it. It was between a steel company and a fairly newly-formed steel union. It was between Andrew Carnegie, that very famous Scotsman who, from digging into his history, I find not to be nearly as benevolent as one might believe. It tells in this book:

> On July 1, 1892, the mill was closed and locked-out men surrounded the plant with pickets. On July 6 when Frick, who was the manager of the plant, tried to land 300 armed Pinkerton agents under the cover of darkness on the site of the plant and the outraged workers opened fire with rifles, cannons and dynamite—

And we are talking about 1892, may I remind you. The author says:

> By today's standards the affair was small. Only 13,000 struck. However, the vital statistics are impressive. At least 35 men died—one by cannon fire, by the way, and one by suicide. The list of casualities by gunshot and pistol whipping, attempted assassination, beating, gouging and other assorted modes of assault exceeded 400.

The reason this happened was because, with the consent of government, the company was permitted to bring in strike-breakers. These men were fighting for their jobs. These men were, in the early years, trying to establish a right, the right to withhold your services without having someone come in and undercut you and take your job away from you. And if you do not pay heed, then those deaths and those beatings were for nothing. If you are not prepared to pay attention to what happened in those early years, then the deaths and beatings that took place then and the people who were maimed and suffered for the rest of their lives and eventually lost their jobs will be of no avail.

We do not even have to go that far back. I want to refer back for a moment to the first part of the twentieth century when, in Great Britain, there were tremendous difficulties over the miners and how their working conditions were intolerable. And I speak from some knowledge of it because I remember well, sitting at my grandfather's knee and having him tell me, as a miner, what it was like to work in a mine, how he left home before sunup and arrived there and went down the mine under his own steam and worked in water to his waist in a place that you could not stand up in and was there until after dark. There was no fresh air pumped in. There were very few rights conferred upon miners.

And he told how, coming out of there after dark, he went home, still soaking wet, on his bicycle hoping to be able to raise enough

money through that terrible job to provide for a fairly large family; and how he would have had to work seven days a week had it not been that he was religious and would only work six; and how they finally got together and how they finally stood up to the management in those areas and said, "Look, we are entitled to some dignity"; and how many of them died in that confrontation and how many of them died from the effects of the inhuman working conditions; and how even, at that point, in that day in the first quarter of this century the government stood behind management and condoned again the use of strike-breakers; condoned the scabs coming in and taking these jobs, even although at that point they were paid terribly low rates and even at that point, the working conditions were intolerable. These miners won out at the expense of life and injury.

We do not have to go that far back. Maybe we can just take a trip to Picton as we did a little over a year ago and see what happens in the 1969-1970 era when people organize and, after having organized, set out very reasonable demands. They sat down in an attempt to reach some sensible conclusion to what was obviously a pitiful situation and this government, through its minister, again permitted strike-breakers to destroy those people in that area. This government permitted through its minister, strike-breakers to come in and to so undermine and undercut the strike that it eventually was lost. The working conditions there today are no better than they were before and the pay is no better than it was at the time that those men went out on strike, relatively speaking.

Mr. C. G. Pilkey (Oshawa): McFarland is better off.

Mr. Deans: Or maybe we do not even have to go to Picton. Perhaps we could talk about the Peterborough *Examiner* and the situation that occurred; or more lately than that, in the early part of this year when we went out to Scarborough to Honeywell. There they were massed on the sidewalk in front of Honeywell, all of the former employees at that point, because Honeywell was not prepared to admit that they were employees in actual fact. As I stood there, I noticed with considerable horror, I might add, a man in a moment of frustration dash out in front of a car and stop it and say to a young boy, a teenager, "Look, why is it that you are going in there and taking my job? Why is it that you cannot understand that I am fighting for things that are rightfully mine and I am trying to provide for my family?"

When this was brought to the government's attention, to the Minister of Labour (Mr. Bales), to the Prime Minister (Mr. Robarts), to the Minister of Justice (Mr. Wishart), what happened? Nothing. Those strike-breakers were still going into the plant, escorted, as my colleague says, by the Metro Toronto police. The attempt was obviously there to break these people and it is shameful. It shows something. It shows a pattern. It shows that from 1892 in Homestead, Pennsylvania, to 1970 in Scarborough in Toronto, little has changed in the attitude of government toward the rights of the people over whom they are governing in the organized labour sector.

It shows, as far as I am concerned, that government, frankly speaking, does not care for the needs of the people of this province who are battling on their own behalf. That battle ought to have been carried by government on behalf of all the people. It is unfortunate, it is unfortunate.

You cannot help wondering about the minister's capabilities and the minister's ability to understand what is actually going on in the province of Ontario in the area of labour relations because we have made little progress in terms of meeting what are the most obvious problems confronting a man as he in turn confronts his employer over his share of the wealth produced by him.

I know of no worker anywhere who has ever asked for more or expected to get more than the employer was capable of producing. I have yet to see it. There may have been times when the demands appeared to be pretty high, but in actual fact had the books been disclosed, had the records been made open, I am sure that the worker would then have been better able to understand why it was that he was unable to get what he was after.

It shows another area—an area of disclosure—the great necessity for companies operating in this province to make available at least to someone, someone in a responsible position, their financial position, their actual financial position, in order that it can be determined by the public and by the government representing the public whether the demands that are being made are indeed within reason.

When you speak of the public—and I want to interject my own thoughts for a moment—when you speak of the public, it is all too simple to say that something is in the public interest. It is all too simple to say that we only step in when the public is some way in jeopardy. But how do we define who

the public is? How do we make that kind of a definition? How do we say that on the day that the postal workers are on strike, the auto workers are the public, and so therefore they have got to be protected, while on the day the autoworkers are on strike, the postal workers are the public, and so they have got to be protected.

I wonder just from the definition of the minister, who the public is? Or what about all of the unorganized? What happens to all of the unorganized, for whom you have made it increasingly more difficult, in spite of what you might say, to actually become organized. While you may well have reduced the requirements in regard to getting a vote, you have also reduced the requirements in regard to being decertified.

I wonder if the minister is aware of the problems that confront workers in the Province of Ontario as they go about trying to negotiate the very first contract after they have been certified as a union. With trepidation they approach management, and many of them out in the plant are actually very deeply concerned; they are worried. They are worried because they are, generally speaking, earning at the very lowest level. The fringe benefits that are being offered to them or the fringe benefits that they are receiving at the point of certification are generally very minimal and they are without a doubt the most deprived sector of the economy at that point.

The reason they organized in the first place was that they found that they could not get any reasonable rate of pay for fringe benefits from their employer. And what has the minister done? He has made it more difficult for them to sustain themselves. He has made it more difficult—in the face of perhaps having to go on strike to get a very first contract—to withstand the tremendous pressures that are placed on the individual worker by management; the divide-and-conquer rule, you have heard of it. Management goes to the individual worker and says, "Now look, give this whole thing up and come on back with me and I will give you an extra dime or an extra 20 cents." Or he sends out letters saying, "This is what we have offered you; does it not look good?"

It may look good compared to what they were getting, but it does not look good in most cases compared to what they need. Of course, it brings out the point that if the minimum wage in the Province of Ontario was at a reasonable level, then of course we would not be faced with difficulties in battling out these first contracts over wages.

But, you wonder—you seriously wonder—whether the minister understands what happens. The 35 per cent for a vote for certification is equally applicable to the decertification. You know how management can coerce, how they can work behind the scenes, the pressures they can put on to destroy the legitimate requests and the legitimacy of the trade union that is involved. After all, the trade union is simply a gathering of people to collectively assert what they believe to be their rights.

For some reason or other, there seems to be some sort of an abstract term applied to trade unions, as if they were something that no one really knew what they were all about, as if they were some sort of corporate organization where no one was ever actually held responsible. But within the trade union movement that is not the way it works.

The trade unions that I have belonged to—and I have belonged to a number—were not that way. They were very responsive. Sometimes someone in management might have said irresponsible, but responsive to the needs of their members. They were in actual fact simply a collection of people working in the same area who had got together to bargain collectively. When you leave the openings that you have left for decertification, you could quite easily create the kind of gap between those who are fighting more strongly and those who are a little more afraid. This is what happens. You will find a man, a young man perhaps, very strongly in favour of the trade union, while an older man joins because it is in his best interest. But he is concerned because he has three or four of a family at home, and he is more easily gotten at. It is easier for the company to say to him, "Charlie you have been with us for 10 years. If you keep this up old friend, you might not be with us much longer."

Do not think for a moment that it does not happen. Do not think for a moment it does not happen, because it does—right across this province in many areas. We can show you them if you want to know.

It is difficult to follow the attitude of The Department of Labour because I always somehow imagined that The Department of Labour was set up to protect the rights of people and to set the rights in keeping with today's standards. It is quite obvious by this Act that I was completely misled. That was not, is not and will not likely be the purpose of the department at any time. In actual fact the department is operating as an extension of management.

It is meeting the needs and demands of management; it is correcting what the Minister will call an imbalance by failing to recognize that for 1,900 years the imbalance was the other way. If there is an imbalance—and I fail to see it—it has only grown out of the last 10 years. If there is an imbalance—and again I say to you I fail to see the imbalance—it should be in favour of the workers of the Province of Ontario, the citizens of this province, rather than something called the corporate group.

Mr. M. Gaunt (Huron-Bruce): Luminaries.

Mr. Deans: "Luminaries," my friend says.

This is where you fail to protect your own people. It is not your job to protect the investor through The Department of Labour. It is not your job to guarantee that someone from any other part of the world investing in Canada, and particularly in Ontario, is going to get his pound of flesh.

It is the minister's job to guarantee that the workers of this province receive adequate return for the work that they are doing. He failed. And he is destroying the very tools that they have to bring this about. He is destroying them. And how he can, in any sense of the word, call himself the Minister of Labour is beyond me.

Mrs. M. Renwick (Scarborough Centre): He is the "Minister of Management".

Mr. Deans: My colleague says, "The Minister of Management;" I suppose that may well be true.

It is not his fault. I can well understand it. I can understand the difficulties in sitting in the cabinet as it is now constituted and trying to argue on behalf of the workers of the province. I can understand trying to argue with the Minister of Trade and Development (Mr. Randall) about protecting workers' rights. I do not blame the minister. I recognize the problem of trying to argue with some of his other colleagues about guaranteeing that the workers will have a say in the marketplace. It is understandable from this side of the House.

The unfortunate part is that he has not been able to fight back. They obviously are much more persuasive. Either that or they are obviously much more powerful in the cabinet, because this minister is not protecting the people that he is supposed to be protecting.

The bill does not protect the worker. There are few sections in this bill that provide any protection whatsoever or improve, on behalf of the workers of this province, the situation that prevailed prior to it being introduced. And those few, generally speaking—the successor status perhaps; the early bargaining, which was followed by a goodly number of trade unions and managements in any case—are hardly worth the destructive forces that prevailed throughout the remaining sections of the bill.

It is very difficult, because I have spoken so often in this House and I recognize that most of whatever is said is said out of futility because there is not any hope of getting the minister to change his mind. Or if there is any hope we have not gleaned any of it. Surely it must be that he just does not understand. It must be that; it could not be anything else.

When you view the problems that confront the people of the Province of Ontario, one by one; when you think of the millions of people who are living on substandard wages; when you think of the millions of people who are living in duplexes and triplexes and unsuitable accommodation because they cannot get homes; when you view the problems of the people who find the bills that are being sent to them by doctors because of the OHSIP regulations and their introduction—when you view those and the problems of the farmers and you think of all of those things, and then you think of the Minister of Labour coming into this House and introducing this bill which will destroy the very tool that was open to most of those people to improve their lot, since management damn well refuses to deal with them any other way and since government refuses to assist them, what is left?

It is frustrating. We will oppose this bill. We will oppose it in every way that we can, because it is not only the organized in the Province of Ontario who are going to be hurt, it is every individual who lives in this province. It is not only the benefits that already are accruing to those who have bargaining units, it is the depriving of the opportunity for others to achieve the same things. And the Minister of Labour should be ashamed, because he is depriving all of the people of this province who work of an opportunity to avail themselves of what has become a fairly good collective bargaining process.

There has been a lot of effort put into the labour relations between management and unions over the last half century. Many unions and many managements have come to an understanding, if not a liking for each other. And many unions and many managements have been able to sit down and to sort

out their differences. But only where collective bargaining prevailed have those things been done. And by changing those sections dealing with certification, he has made it infinitely more difficult to get an organized group into a plant.

By talking about an industrial inquiry commission all he is doing is giving an out to those managements that are reluctant to bargain in the first place. You have given them the opportunity to sit back and say, "We will just hang on; we will wait. Eventually the government will step in and fix it up for us." It is far too vague. And we do not understand what the minister means by it. Or maybe we do; maybe we do understand what you mean by it. Maybe that is what we are worried about. We understand only too well, because you see what you have done here is you have set yourself up as the person who will make the decision.

There were already avenues opened. There was already the opportunity for conciliation. But that required the consent of the two parties. At this point here, there is no consent required. At this point here, if the management slips into the minister's office some day and says, "Come on, Dalton, old pal, set it up for us," well far be it for me to imply "I wonder."

Anyway, surely you are going to change the whole area of enforcement. No one could possibly put that through. It is very difficult to understand.

I say to the minister, the bill is not good. It does not do what he set out to do, I hope. If it does, then he obviously does not give a damn for the people of the province. We will oppose it.

Mr. Speaker: Any other hon. members wish to speak before the minister summarizes?

The hon. member for Eglinton.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, I hesitate to take part in this debate today. There are several points in the bill that are confusing to me. As some members of the opposition, members of the Liberal Party and members of the New Democratic Party, have pointed out, there are some things that are not quite clear. We would like to know, as time goes on, and perhaps when we have an opportunity in committee these things can be cleared up.

The last speaker, the member for Wentworth, of course, has reminded the House of some of the problems that we had 100 years ago. I share the grief and the responsibility and the thoughts that he has given to the House.

Mr. R. Gisborn (Hamilton East): He also reminded us of the last two or three years when the same thing applies.

Mr. Reilly: Drastic changes, Mr. Speaker, have taken place. No one can begin to compare the things that happened formerly and the collective bargaining process that we have today.

Interjection by an hon. member:

Mr. Deans: Are you wrong!

Mr. Reilly: We cannot begin to compare—

Mr. Deans: Did you go to Honeywell? Did you talk to them at Picton? Did you see what happened?

Mr. Reilly: I was surprised to hear the hon. member for Wentworth read a paper to us in which it says, "Strike-breakers can be a blessing."

Mr. Deans: Do you understand—

Mr. Speaker: Order, please. The member for Eglinton has the floor.

Mr. Deans: I do not care.

Hon. R. S. Welch (Provincial Secretary): Just listen. He listened to you.

Mr. Reilly: Now of course the hon. member for Wentworth knows that the chap who wrote the article and the fellow who put in the heading may be two different persons. And he knows enough about the newspaper business and newspaper articles to know that frequently the heading—

Mr. Makarchuk: We also know the same minister though.

Mr. Reilly: —has nothing to do with the contents. We realize that.

Mr. Deans: Read the contents.

Mr. Gisborn: Did the minister not say that?

Mr. Reilly: My hon. friend from Oshawa suggested he was going to read something from Machum. I wonder if he had a chance to read the article by Mr. Clawson?

I am sorry he is not here at the moment; I am sure he will read it in the minutes anyway.

Listen to it; quiet, if you will, please:

> Having been a practitioner, an observer of collective bargaining for nearly 30 years, I must agree completely with this assessment of the state of health of this very important institution.

Mr. Gisborn: He is the anti-union expert.

Mr. Reilly: To continue:

With respect to the possible demise of collective bargaining, let me say in pious hope this will not occur.

Mr. J. Renwick (Riverdale): Yes, but it takes more than pious hope.

Mr. Reilly: To continue:

Because the process of collective bargaining, if it functions as it is intended to do, must be preserved if at all possible. But I do not think that there can be any question as to the perilous state of its health at the present time.

Mr. E. W. Martel (Sudbury East): Well, The Minister of Labour said so last year.

Mr. Reilly: The article continues:

There is most assuredly a necessity for the administration of intensive care procedures.

Now he goes on to say:

The problems of strikes. Here are a few of the symptoms. Man-days lost: Man-days lost as well as the percentage of working time lost in strikes increased nearly four-fold during the last four years in Canada.

Mr. Makarchuk: Less than one per cent still.

Mr. Reilly: The article says:

During the past few years, Canada's strike record has been the worst in the world by a wide margin.

Mr. Gisborn: That is not true. Not really, is it?

Mr. Martel: You have forgotten Australia.

Mr. Reilly: To read further:

In 1968, the percentage of working time lost, and thus production, from strikes was one-third greater in Canada than in the US, four times greater than in the UK, ten times greater than in Japan, three times greater than in Australia.

Interjections by hon. members.

Mr. Reilly: So you see, today we have to think in terms of our economy. The very thing that you are talking about in this bill is a thing that the hon. minister has tried to do to help the workers of Ontario, the working man, and the very thing that I want to do is to help the working man of Ontario.

Interjections by hon. members.

Mr. Reilly: You see, if you think in terms of why this bill was introduced you will partly recall—

Interjections by hon. members.

Mr. Makarchuk: Said the wolf to Little Red Riding Hood.

Mr. Reilly: In the spring of 1969, do you remember the construction strike? Do you remember that the Brotherhood of Electrical Workers went out on strike for demands that could not be met by management and this was followed up by a lock-out? A lot of small managers under those circumstances just could not keep on going, just could not provide employment, just could not hold out. There is a problem now in the construction business in Toronto, in Windsor, in Hamilton, in all the larger cities. Surely there is not a man or a woman in this Legislature who does not realize there is a real problem from the standpoint of the construction industry.

Interjections by hon. members.

Mr. Speaker: Order, please, Order.

Mr. Reilly: If we agree there is a problem in connection with it, the next thing is what can we do from the standpoint of a solution?

Interjections by hon. members.

Mr. Reilly: That is what the Minister of Labour has been trying to do in connection with it.

Mr. Martel: All of it is attributed to—

Mr. Reilly: You remember what happened in the spring of 1969 with an increase of from 21 to 55 per cent in settlement?

Mr. Pilkey: Oh! Now we are getting to it. Now we are getting why the legislation is being proposed.

Mr. Reilly: Now what does this do to the economy?

Mr. Pilkey: Now you are coming to it.

Mr. Reilly: We have the three sections involved in collective bargaining. There is union; there is management, and too frequently there is the innocent third party.

Mr. Pilkey: Keep talking because I think you are going to expose it here.

Mr. Gisborn: Define the third party.

Mr. Reilly: Everyone else who is outside. Surely you know that there are 30 per cent

of the people in organized plants at the present time. The seven people out of 10 in unorganized plants. Most are ill-affected by much of the increase of 21 to 55 per cent.

Mr. J. Renwick: Because of the poor laws of this province.

An hon. member: Yes, but there is another 65 per cent to get organized. That is all right.

Mr. Reilly: I agree with the hon. member for Scarborough West (Mr. Lewis) when he was referring to some industrial ghettos, as he called them yesterday, or the day before, where there are employees who might be receiving anywhere from $1.55 to $2.05 an hour. I have no room in my heart for situations like this. I cannot defend it. I am not proud of it.

Interjections by hon. members—

Mr. Reilly: Nobody can, under these circumstances, if they are trying to represent the people.

An hon. member: Will you help us organize the men, then?

Mr. Reilly: But what I have learned so far in connection with this bill is that there has been so much misinformation, so much misinterpretation. I wonder if the speakers have actually read the bill or the amendment to the bill.

An hon. member: What is it you would like us to do?

Mr. Deans: Ask the questions.

Mr. Reilly: Have they gone through it from clause to clause?

Mr. Gisborn: You go through them and tell us.

Mr. Reilly: All right, I will. For instance, the member for Scarborough West was talking about an industrial inquiry. He was just throwing it in at will. He said there had been an indictment of our own government. He said that by the whims and the conditions of management they are going to have this industrial inquiry. This is not what I read into the bill at all.

Mr. Gisborn: They are.

Mr. Martel: There is nothing there to read.

Mr. Reilly: Anybody who has anything to do with labour relations, including many of the members of this House, frequently have turned to the minister from this side of the House and said: "Will you intervene? What are you going to do about a strike that is going on? How are you going to help these people get back their jobs?"

How many times have I sat in this House, day after day and week after week and month after month, and heard this: "What are you going to do?" Now the minister comes along and says to you: "Here is what I am going to do." And you say, "I am not interested."

Interjections by hon. members.

Mr. Reilly: No, not on any kind of a whim or a fancy or a prejudice. You see, my friend from Sudbury East has not read it—

Mr. Martel: I read that.

Mr. Reilly:—because he would understand that when it gets to the point where there is no possibility of management and union trying to come up with a suitable contract, then under those circumstances perhaps there would be an industrial inquiry. And what is wrong with that? Surely, he does not want people to carry on indefinitely, month after month, taking away from the husband and the father and the breadwinner the chance to earn his own living. Surely this is not what he wants.

Then I heard my good friend from Windsor talk about threats. If he ever read a one-sided deal it was that—on section 24.

Mr. D. M. De Monte (Dovercourt): What does it say?

Mr. Reilly: Well, perhaps my good friend from Dovercourt has not read it.

Mr. Martel: He read the bill.

An hon. member: Has he?

Mr. Reilly: It says that where there is a collective agreement in operation, no employee bound by the agreement shall strike or threaten to strike. And that was what my good friend from Windsor West read. But he gave 50 per cent of the story only. He gave one side of it only. He should have gone on to the point that no employer bound by the agreement shall lock out or threaten to lock out such an employee.

Mr. H. Peacock (Windsor West): The same thing applies.

Mr. Pilkey: That is like trading a horse for a rabbit.

Mr. Reilly: Under the circumstances, from the standpoint of threats, anybody who knows what is going on in the construction industry realizes that there are threats upon threats frequently.

Mr. Peacock: On both sides.

Mr. Reilly: And they have ill effects upon the working conditions.

Mr. De Monte: On both sides.

Mr. Reilly: For instance, I can tell my good friend, the hon. member for Peterborough (Mr. Pitman), when he talked about the Tilco strike, that one of his constituents came to me and said: "I have a job up in Sudbury. I am going to work in the Holiday Inn. I have to put cable through for the TV—"

Mr. Pilkey: Where, Peterborough to Sudbury?

Mr. Reilly: That is right. You know why?

Mr. Pilkey: Long cable.

Mr. Reilly: You know why, my friend?

Mr. Deans: Tell us.

Mr. Reilly: Because there were no organized men to put in the cable TV. They were not organized. So they brought in somebody who was willing to do the job.

Mr. Martel: The Holiday Inn, too.

Mr. Reilly: The electrical union was not interested in putting through the TV cable.

Mr. Makarchuk: When was the Holiday Inn in Sudbury?

Mr. Reilly: Excuse me, in Timmins.

Mr. Deans: Are you sure you know the story?

Mr. Reilly: If you tune in, my friend, I will tell you.

Mr. Deans: Now that he has gummed up the place, he asks us to believe the whole situation.

Mr. Reilly: If you tune in I will tell you.

Mr. Makarchuk: Where is the Holiday Inn in Timmins?

Mr. Reilly: I will refuse to be set aside by my good friend from Sudbury East. I am telling this House that requests were made to the member for Peterborough to see what could be done about it. The tradesmen who were residents of the Peterborough area drove from Peterborough up to Timmins to put through the cable TV, and they refused to allow them on the job.

Mr. Makarchuk: I think there was a strike; there was not any Holiday Inn in Timmins.

Mr. Reilly: See what happens when these fellows who just do not know and just do not understand it, just do not want to know?

Mr. Deans: Why do you not speak to these people?

Mr. Reilly: Anybody who knows anything about construction knows that threats go on such as: "If your men are on this job tomorrow morning we will pull our men off." Similar threats go on every day.

Mr. Makarchuk: The member for Peterborough was not a member then.

Mr. Reilly: Every day threats in the construction industry go on and—if you are honest you will admit it. We are prepared to try to do something about it. It does not mean, as our friend from Windsor West has suggested, that he is sitting or he is standing by a machine, he is working at it all day long, and under those circumstances he says, "I am fed up with this, I am going to quit or I will go out on strike." That is a threat? Nonsense! And he knows it.

Mr. Martel: Could I straighten the member out again?

Mr. Reilly: No, the member could not straighten me out because he does not understand it.

Mr. Martel: Peterborough was Tory in 1966 when it occurred, so it is not right to refer to the member for Peterborough, the now sitting member.

Mr. Reilly: When it occurred was not 1966; it was 1970, and it was this summer.

Mr. Martel: It was at Tilco.

Mr. Reilly: We are not talking about the Tilco strike in Peterborough.

Mr. Deans: Is the member sure he knows about it?

Mr. Reilly: It is quite obvious—

Mr. Deans: Now it is Sudbury and it used to be Tilco.

Mr. Speaker: Order please! Everyone has a chance to talk, but the member for Eglinton has the floor.

Mr. Makarchuk: We just want him to be accurate.

Mr. Reilly: It is quite obvious I am getting through to them, Mr. Speaker, it is quite obvious.

Mr. Pilkey: The member even has the Minister of Revenue (Mr. White) smiling.

Hon. J. H. White (Minister of Revenue): I am laughing at the opposition members.

Mr. Reilly: Under the circumstances, there are some things about this bill we do not like, but surely—

Mr. Martel: What kind of act could follow that one?

Mr. Reilly: Surely the member for Windsor West realizes if he does not like a job and he threatens to strike, that this is not the kind of a thing for which he is going to receive a $1,000 penalty. This is what he suggested to the House. We realize this was never intended.

In the first place, you know there is a grievance procedure, you know that would be the first thing that would take place. And the next thing, under the circumstances, would be contact with the Ontario Labour Relations Board, which might result in a cease-and-desist order. There must be proof and it must be submitted.

Surely there is no question in your mind. So why misinform or mislead, or attempt to, as far as this section is concerned? Your illustration was never intended from the standpoint of a threat under section 24.

Mr. Peacock: The member has read the side note but he has not read the clause.

Mr. Reilly: Well now, we have another situation regarding a six-month period of time in which an employee has the right to come back to work and he writes and indicates that he would like to have his job back. When I read this clause from the standpoint of a principle, I thought it was a pretty good principle, because I have had many wives telephone me any say, "My husband is on strike, I wish he were not, I would like him to be back." That was the condition that he had to contend with.

Now, do we want strikes to continue longer than six months? If a man wants to go back to work, after a long drawn out strike you would have welcomed the idea and said: "My gosh, regardless of what the circumstances may be, regardless of the conditions, we are prepared to force management to take back an employee up to six months." I thought this was a good clause from the standpoint of an employee.

In many instances, I can tell you it might do irreparable harm or damage to management. The job that he left six months earlier might not be there many times over six months later. Economic condition might interfere, anything could happen.

I thought it was a good idea from the viewpoint of an employee, using, if you want to, the illustration of Tilco in Peterborough. And if you think I do not know Peterborough, my friend, I have been down there, I have a summer home eight miles north of Peterborough, I know the Tilco situation, and I know it well, and there was violence there.

Mr. Makarchuk: The member's own minister said there was no violence, what is the member talking about?

Mr. Reilly: This member's colleague said it —the member for Peterborough said it.

Mr. Makarchuk: Oh no, he did not!

Mr. Reilly: Oh yes, he did! If you want to, look up the minutes, because I almost reminded him across the House.

Mr. Peacock: It was defiance of an injunction. People gathered on a sidewalk across from the plant gate and the member calls that violence.

Mr. Reilly: Well, almost every window in that place was broken, if the member is interested. I drove around the block.

Mr. F. Young (Yorkview): In Tilco?

Mr. Reilly: Yes, in Tilco, in Peterborough.

Mr. Peacock: Check *Hansard* for the Attorney General's statement.

Mr. Makarchuk: The Attorney General's statement—check *Hansard* for that.

Mr. Reilly: The hon. member for Sudbury (Mr. Sopha) has suggested two or three times that he thought bargaining was fine when there was a free collective bargaining situation between antagonists of equal strength, as he calls it. He went on to say, "What right has government to interfere?" and I would agree with the hon. member for Sudbury. As a matter of fact, most people who know me realize that I constantly fight against the encroachment of government into any affair of union or business. I think we should keep government out.

Mr. Makarchuk: Particularly taxes.

Mr. Reilly: We should keep it out because once government comes in, it soon becomes

a senior partner. But there are times in which they have to interfere and it is under those circumstances it was suggested. Now, the Sudbury member has suggested there should be strong contending partners on either side. I say to him, that in the construction industry they are no longer strong contending partners when they sit down to bargain.

Mr. Young: But the member was happy when the balance was the other way around?

Mr. Reilly: Oh, it is a very unequal balance. I am not happy with it either way. I think there should be strong contending partners in free collective bargaining. I think under those circumstances when the antagonists are of equal strength you are likely to come up with something that will be appropriate to both of them.

I think this is fine, but I think under the circumstances today it has changed entirely, the pendulum has swung too far.

In the first place, I think members of unions, particularly in the construction industry, have got to the point of ridiculous, outrageous demands. I do not think they have any intention of ever collecting them or settling for them, but they ask for them. The difficult part—going back to the construction problem that they had in 1969—was that when the electrical workers went out on strike it was followed by a lockout, most of the employees, if not all, were employed elsewhere.

Now, in fairness, I say to the members of the Legislature, if there is no economic hardship it is easy enough to continue a strike. I think if there is an economic hardship, for management or for employees, then you try to get a settlement much more hurriedly.

Mr. De Monte: That is why the construction strikes were settled.

Mr. Reilly: If my friend, the member for Wentworth, is going to operate on the one basis, that you should not allow strikebreakers, then you have to look at it from the other standpoint as to whether you are going to allow management to operate or whether you are going to allow the workers to operate. It has to work both ways.

Mr. Deans: Does the member think that management and workers are the same thing? Does he not realize workers are people?

Mr. Speaker: Order, please.

Mr. Reilly: Yes, very much so, and I have a lot of respect for many workers and for many managements.

Members of the Legislature have talked about the things that perhaps the bill has omitted and it has omitted a number of things.

From my viewpoint, I would have liked to see something in the bill about secondary boycotting. I would like to have seen something about picketing beyond the premises, such as was happening in the Peterborough area at the *Examiner*, where pickets would go beyond the plant and picket elsewhere. I would have liked to have seen something in the bill about that.

I would have liked to have seen the charity clause extended beyond the religious basis where people were excluded from paying direct to unions and could pay to their favourite charity. I would like to see that extended to everyone, and not just on the basis of religion only.

Mr. Young: Lawyers, doctors.

Mr. Reilly: I would have like to have seen something in this bill from the standpoint—

Mr. J. E. Stokes (Thunder Bay): I bet the member would have liked to have seen something in the bill to restrict people from working because of religious convictions.

Mr. Reilly: Exclusive "subcontractors-only" clauses permitting AFL and CIO subcontractors only on jobs should not be allowed—I would like to have seen some exclusion of that in the bill. So if you are talking about omissions, there are many omissions I would like to think in terms of.

Now, our good friend has asked if the minister is speaking for me or if I am speaking for the minister or if I am speaking for the party. Most people in this House know that I speak for Len Reilly; I speak as the member for Eglinton.

Mr. Stokes: The member certainly does not speak for the workers.

Mr. Reilly: And I speak for the workers and I speak from the standpoint of good management and, I would think, in terms of harmonious relations between unions and between management. But if you think that we are going to stop unrest, if you think we are going to have harmony by permitting the things that have happened, then I say you have another thought coming.

Mr. Deans: You are not speaking for the minister?

Mr. Reilly: Did the minister speak to me? Did I speak to the minister?

Mr. Deans: Are you speaking for anyone other than yourself?

Mr. Reilly: I do not know whether you had left the room or not. I just qualified that a moment ago. Perhaps you were out.

I am speaking for a lot of people who live throughout Ontario; residents of Ontario, and apart from the people who live in Eglinton. I am speaking for them—people who are affected by outrageous increases; people who are affected by increases that are ridiculous—

Mr. De Monte: How about 42 per cent profit by the banks?

Mr. Reilly: —people who are affected by increases under circumstances that have an intolerable effect; people who are living now on fixed income—

Mr. Makarchuk: How much did the banks make in the last couple of years?

Mr. Reilly: —people under circumstances who are retirees. All of those people I am speaking for.

Mr. Deans: How about people who are affected by unconscionable price increases?

Mr. Reilly: And you know who else I am speaking for? Presumably for the taxpayers of Ontario, all of them.

Believe me, if you think the construction industry has no effect upon you or upon me or upon the taxpayers of Ontario, you have another thought coming. Because I know no reason why under this set of circumstances that exist in the construction industry today why millions and hundreds of millions of dollars of construction should be delayed and tied up unnecessarily. And that is what is done under our system.

Mr. Young: Let us get a different system.

Mr. Reilly: Yes, that is what happens. I think, from the standpoint of a taxpayer too, we, as a government, are affected through the industry, the standpoint of everything that is built—universities, hospitals, schools, bridges, highways. Do not think for a minute that we are not affected.

Mr. Gisborn: Why did the government not bring a bill—

Mr. Reilly: And the taxpayers are affected. I would hope it was not necessary—

Mr. Gisborn: The member is talking out of both sides of his mouth.

Mr. Reilly: —but when we talk about some of these that you refer to, or the member for Scarborough West refers to, as wages from $1.55 or $2 an hour, who could have sympathy for a situation like that? Anybody. On the contrary, look at the rate here for plumbers' agreements. In Toronto $6.15 was the last hourly rate, with vacation pay of eight per cent added, plus welfare benefit of 15 cents; with pensions of 15 cents; with a sub of another 5 cents; $7 approximately, and that is only the start. Anybody in business knows what happens from there. You add on to that the Canada Pension Plan; you add on to that workmen's compensation; then you add on to that unemployment insurance. And if they do what they are talking about in Ottawa about unemployment insurance, I do not know how much is going to be added—

Mr. Gisborn: What was the member's increase last year?

Mr. Reilly: And you add on to that overhead.

Mr. Gisborn: What was the member's increase last year?

Mr. Reilly: Well, let us deal with some increases. Here we have a situation from the standpoint of the crane operators. The member for Parkdale (Mr. Trotter) said. "There are a few of them and they may only work 36 to 40 weeks a year." You know what the situation was then? From $5 to $5.25 hourly, according to the newspaper report that I saw, to $8 an hour. Well, $8 an hour for eight hours comes to $64 a day; for five days that is $320, for 40 weeks—if you want to even consider it on the basis of 40 weeks as suggested—

Mr. Gisborn: How much will you get for making this speech?

Mr. Reilly: That is $12,800.

Mr. De Monte: What is the matter with a man making $12,000 a year?

Interjections by hon. members.

Mr. Deans: Why does the member not give the aged more money?

Mr. Reilly: So you see we have $12,800 for 40 weeks; and then we add to that vacation—

Mr. Gisborn: And add three months this summer.

Mr. Reilly: Eight per cent of what? Of $12,800. So he has over $1,025, or over $1,000 pay. If he wants to take 10 weeks at

$125 a week he can take it. If he wants to take four weeks and spend $250 a week he could take his vacation. But he is getting over $1,000 vacation pay.

Mr. Pilkey: Right. He may even get off the job for a while.

Mr. Reilly: I am even making provision for that. You know what happened here according to the—

Mr. Pilkey: Does the member know what the average weekly pay of the construction workers was $145.24 this year?

Mr. Reilly: —vice-president of the Ontario Construction Association? Last Wednesday at the Kiwanis Club in the city of Toronto, do you know what he said? The hon. member for Oshawa will be interested in this. He said that the crane operators in Chicago under the operating engineers agreement settled for a $5 hourly increase.

Mr. Pilkey: What about Tanganyika? What happened there?

Mr. Reilly: All right. A $5 hourly increase. The member might attempt to be facetious, but it has a tremendous effect upon us here in Ontario. The $5 was from $6 to $11 per hour.

Mr. Pilkey: What was the average wage in the construction industry last year, in February? I will tell him — $145.24 per week.

Mr. Deans: That is simple arithmetic.

Mr. Reilly: Multiplying this ahead from 1973 when it expires — and if they do the same thing for the next three years, from 1973 to 1976 and the same thing, presumably, for the next three years until 1979—it is projected that by that time the crane operator in Chicago will be receiving $24 an hour, $48,000 a year for 2,000 hours work.

Mr. Pilkey: Could you expand that to 1990?

Mr. Reilly: You see what happens. Mr. Speaker, the members here on my right seem to think that it has no effect or little effect upon people. I am telling you that you cannot be hypocritical about this. You cannot say on one hand, keep down the rents, and on the other side, shoot up the cost of production. Do not be hypocritical about it.

Mr. Deans: The member is not doing either.

Mr. Reilly: Do not be hypocritical about it. It just does not work. You canot say to the tradesman, "We will give whatever you ask", and add all the vacation, pay and all the other costs without it being reflected on the consumer.

Mr. Young: What about executive salaries?

Mr. Reilly: All right. You know what happens, my friend. I will tell you. It gets to the point, from the standpoint of sending out a serviceman from a plumbing service industry, that they are almost ashamed to charge it. They have to charge about $12 to put a tap on a washer.

Mr. Pilkey: No, a washer on a tap. It is the other way around.

Mr. Reilly: Yes, a washer on a tap. Thank you, my good friend from Oshawa. It is the most important contribution you have made this afternoon.

Mr. Pilkey: And let me tell the member that do-it-yourself kits are now, selling better.

Mr. Reilly: They are going to do a lot more of it, but there are a lot of people who just cannot do it themselves.

Mr. Stokes: What is the service charge to fix a lock? How much is that?

Mr. Reilly: Do you know what? I refuse to be detoured from a very important principle now. You cannot do it on one hand and neglect to do it on the other. You cannot say on one hand, "We are going to keep down the cost" and on the other hand, "We are going to raise them." It just is not possible.

Under the circumstances, I think that the members on my right should be interested from the standpoint of the effects that these have on the retirees.

I get a lot of letters from people who are saying "What are you going to do about it?" There is nothing under these circumstances—

Mr. Deans: And you give them a buck a week.

Mr. Reilly: There is nothing that you can do under these circumstances, unless — and I hope it is something we do not have to get to — but perhaps there are two alternatives.

Mr. Deans: The member is lecturing the wrong people. Let him lecture his colleagues; they can change it, we cannot.

Mr. Reilly: There are two alternatives, I suppose. One alternative would be that we could have compulsory arbitration — and I do not think we want to get that.

Mr. Pilkey: I think every plumber should have a Cadillac.

Hon. Mr. White: They have.

Mr. Reilly: The next thing we should do—and it could be that is the only thing—perhaps the member will invite it before He is through, if he supports the ridiculous prices.

Mr. Pilkey: The auto workers will drive a Buick.

Mr. Reilly: The next thing that will happen will be this.

Mr. Stokes: Do you think everybody should have a Cadillac?

Mr. Reilly: Eventually, we will get to a point where we will have to have controls of wages and prices, and that is the last thing that I would like to see. But under the circumstances, it may be necessary—otherwise we are going to completely erode our dollars.

Mr. Young: What about profits?

Mr. Reilly: Every dollar that we have put aside for our future.

Let me tell you now about a chap at the corner of Yonge and Bloor.

Mr. Deans: What about the future of people who have no dollars to put aside for their future?

Mr. Reilly: No, I will tell you about this chap first. There is a chap at the corner of Yonge and Bloor who told me—

An hon. member: Frank Stollery.

Mr. Reilly: No, it is not Frank Stollery. He retired with a pension close to $5,000 12 to 15 years ago.

Mr. Pilkey: A month?

Mr. Gisborn: Get back to the bill; get back to the bill.

Mr. Reilly: Thanks. I am taking my instructions from the Chair. I did not ask you. He retired 12 to 15 years ago; his successor now retires perhaps with 2½ times as much. You know what is going to happen—

Mr. Deans: You must admit he is pretty lucky because his pension is far, far higher than the average person's.

Mr. Reilly: Ten years from now he can have $25,000 and still, under the circumstances, not live well.

Mr. Speaker: Order, please.

Mr. Reilly: And this is what is going to happen, if we completely erode the dollar.

Mr. Speaker: Order, order.

Mr. Reilly: And this is what is happening—

Mr. Speaker: Order.

Mr. Makarchuk: He is enjoying it.

Mr. Reilly: Oh, I enjoy the interruptions, Mr. Chairman. Perhaps I have been somewhat provocative and guilty in summoning them up.

But, Mr. Speaker, I am going to sit down now. As long as I have conveyed to the members of this group that there is a real problem, and that there has been an effort to control the problem, I am not saying for one moment that accreditation is going to be the answer.

Mr. Pilkey: Sure it will be.

Mr. Reilly: Maybe it is a first step. Maybe we are not doing it the right way. All I am saying to the minister and to the people in this House, something must be done; it has to be done. We can sit no longer. It is imperative that some action take place. If this is not the answer, it can be amended. I commend the minister on taking a step to try to make it worthwhile.

Mr. Speaker: Are there any other hon. members wishing to enter the debate before the minister speaks? If not, the hon. minister.

Hon. D. A. Bales (Minister of Labour): No, I will speak for the government, Mr. Speaker.

Mr. Speaker, during the course of Tuesday's debate and today's, I have listened very carefully to all members of this House who participated. I have been rather surprised at some of the mistaken assumptions that quite a number have made. I am going to deal with those, partly today and more fully at the standing committee. But in concluding this portion of this debate, I want to set out some of the positive features that are in this legislation and at the same time deal with some of the mistaken assumptions that I referred to a minute or two ago.

But before dealing with the major aspects of the bill, I want to remind the hon. members of some factors concerning industrial relations in Ontario, and particularly the role of The Department of Labour. I am glad to see the hon. member for Oshawa here because on Tuesday evening in his remarks he quoted a few remarks that I had made in my estimates, in reference to industrial relations.

At that time, the remarks that I made were to demonstrate that industrial relations and collective bargaining function pretty effectively in this province despite all critics of the system. The tenor of my remarks was that nine out of 10 of the collective bargaining situations were settled without strikes or lockouts. And I know that—

Mr. Stokes: That is not what the member for Eglinton said.

Hon. Mr. Bales: I know that last year was a difficult time in collective bargaining. There was actually a decrease in the number of strikes and lockouts, but there was a very substantial increase in the number of days lost because large industries were involved. And there were some points made the other night about strong parties, strong management, strong unions, and certainly that was frequently the case last year. There was very strong and effective collective bargaining, and there is nothing wrong with that.

In the first eight months of this year, there was a slight drop in the number of strikes and lockouts, but a very substantial drop in the number of man-days lost through those strikes, as well as a great drop in the number of individuals involved. As a matter of fact, for the first eight months of this year there were only about one fifth as many man-days lost as compared to the same period last year. We recognize though that with changes in recent weeks, with certain strikes that are on now, the man-days lost are going to build up.

I point this out to you to emphasize that collective bargaining is not in a chaotic state in this province. It is in a pretty good state. But collective bargaining and labour relations require changes from time to time and such is the case now. It is our view in the department that despite the critics and despite the late Mr. Justice Rand's recommendations, that a whole new system of industrial relations is not the answer. But there is a strong feeling, and we believe the public shares that view, that improvements must be made in the system and that we are not alone in taking that position. Both management and labour have put forward recommendations for changes and obviously they must share the view that changes are required.

Now, this brings me to the next point that there are those in this House who believe that The Department of Labour should act solely in the interests of one party or the other, that is, either management or labour. And I object to the fact that they refer to this department as being too closely allied with one or the other. In my view we have endeavoured to maintain a neutral position, to be of assistance to both parties in their collective bargaining.

Mr. Gisborn: You have to agree that is your own Tory party philosophy.

Hon. Mr. Bales: If we lose our credibility with either side, then we throw the whole collective bargaining system into jeopardy. And it is for that reason that I have made sure during my ministry that we have maintained a good and equitable relationship with both sides.

There are too many in this House who ignore the fact that there are at least two major parties involved in our industrial relations system, and they refuse to recognize that this department must work with both groups and give careful consideration to the recommendations of both sides.

That is why The Department of Labour acts as an arbiter between labour and management. We want to make sure that their actions, broadly speaking, are in the public interest and that is why there is a variety of legislation to govern their relationship and their various actions.

Our primary concern is with people, people in their various relationships, particularly their relationships in employment. We are also concerned with the public interest because it must be ever present with us. It is pure political opportunism from people on the other side to claim that this government and the bill before us is anti-labour. Only the prejudiced would make that kind of a statement, and I am quite frank in saying that the public, the working men and women of this province will not accept it. The workers are well aware, I am sure, of the progressive employment standards and other legislation that we have brought forward and the determined programmes to create jobs—and that the government is vitally concerned with the welfare and the prosperity of all individuals of this province, the whole working force.

Mr. Deans: That is not true.

Mr. S. Lewis (Scarborough West): When are you going to proclaim the regulations under the Act?

Hon. Mr. Bales: Which Act?

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Bales: When I recall your strong objections to that Act, I wonder that you are—

Mr. Lewis: My objections to the terms? You are—

Interjections by hon. members.

Hon. Mr. Bales: That is ridiculous.

Mr. Lewis: Then proclaim them.

Mr. Speaker: Order !

Hon. Mr. Bales: First of all, in reference to the accreditation: in the amendments dealing with this, we wanted to bring about increased stability and to improve the collective bargaining relationship in the construction industry itself. We are not imposing associations on employers in the construction industry. Neither are we imposing unions on the workers, but we are creating a system whereby employers can be accredited as bargaining agents for sections of the industry if they can fulfil the conditions that we have set out and just bear in mind the basic condition when one member talked about imposing situations.

We require as a basic condition of an accreditation application that those applicants must represent a majority of the employers, who in turn represent a majority of the employees, in order to obtain an accreditation order. This is certainly not an attack, or intended as an attack, on the building trade unions. As I said, it is an attempt to bring about increased stability to the construction industry and that will be of benefit to both employees and employers alike.

Mr. Lewis: What about the public benefit?

Hon. Mr. Bales: Yes, and the public will benefit, too. In reference to amendments for the certification of trade unions, what we have done—

Mr. J. E. Bullbrok (Sarnia): That is all you are going to say?

Mr. Lewis: That is all? With that violent anti-union speech that came from the member for Eglinton, is that all you are going to say in a non-partisan observance?

Hon. Mr. Bales: We listened carefully to you.

Hon. J. R. Simonett (Minister of Public Works): You did not say much either.

Hon. Mr. Bales: In certification, what we have done is provide a system in which votes will be easier to procure and which will also provide clear evidence of the wishes of the workers themselves. There seems to be—

Interjections by hon. members.

Hon. Mr. Bales: We have no intention of hindering the organizing efforts of trade unions, but it will help—

Mr. Deans: You do not seem to be helping. You have no intention of helping.

Hon. Mr. Bales: But there seems to be a great reluctance by the unions to have votes for certification, or to use a system of votes, on behalf of workers.

Mr. Lewis: I see. Which member of this assembly requires—

Mr. Speaker: Order.

Mr. J. Renwick: The Farm Products Marketing Act requires what percentage?

Mr. Speaker: Order. Each member has had an opportunity to speak.

Hon. Mr. Bales: Mr. Speaker, if we facilitate the adoption of certification of trade unions by free votes and free decision of the individual, then that is going to help in collective bargaining itself.

There is no evidence, either statistically or otherwise, that will indicate that unions cannot win votes if the employees want them for their representatives. When you talk about automatic certification, our statistics show that a very high percentage of the applications for automatic certification come in with substantially more than 65 per cent of the employees—

Mr. Lewis: You know that that is true?

Hon. Mr. Bales: It is true.

Interjections by hon. members.

Hon. Mr. Bales: You are just denying the fact that the employees can express their wishes by means of votes but should get automatic certification only.

Mr. Speaker: Order. This sort of debate should not take place. Perhaps the hon. minister will just carry on with his remarks and disregard the interjections.

Hon. Mr. Bales: One of the most surprising arguments I have heard in this House is in reference to the industrial inquiry commission. This has been depicted as a precursor to compulsory arbitration and with all kinds of dictator intents behind it.

Quite frankly, there are situations, and they are comparatively few, where prolonged strikes and lockouts cannot be solved in the normal procedures that we have available to us. Frequently we must find some other means of assisting them.

Mr. Lewis: Give us some frequent examples.

Interjections by hon. members.

Mr. Lewis: What are your examples?

Hon. Mr. Bales: We will deal with them all.

Mr. Lewis: Why? What are they?

Hon. Mr. Bales: Frequently the example is in a small plant and a strike may last for a long time.

Mr. Lewis: Like which one?

Hon. Mr. Bales: The people want assistance.

Mr. Lewis: Which one? Which plant? Name one.

Mr. Speaker: Order.

Hon. Mr. Bales: There are other situations in which it would be very helpful to have another means of bringing new thoughts to a situation. At the present time, we can establish a royal commission. It is one means, but I do not think it is the best means.

Mr. Gisborn: Are you going to give up your right to do that?

Hon. Mr. Bales: To do what? Establish a royal commission?

Mr. Speaker: Order! May I suggest to the hon. minister that he completely disregard the interjections and complete his remarks. The sort of debate that is taking place is out of order.

Mr. Lewis: Just forge ahead. Think of what you have done to Bill Dickie and his entire conciliation service.

Hon. Mr. Bales: Bill Dickie—if you had been here a little earlier you would have heard some figures with reference to the conciliation situation in this year, how remarkably well it has functioned.

Mr. Lewis: Precisely. Why do you need an industrial inquiry commission when you have such excellent conciliation services?

Hon. Mr. Bales:—because there are some very difficult cases that are not solved by existing methods.

Mr. Lewis: Which cases? Reveal them to us.

Hon. Mr. Bales: Mr. Speaker, I will adhere to your request and in these kinds of situation an inquiry commission might be of help to bring about a settlement. It might focus public attention on the dispute itself. It might bring forward new recommendations, but I have no intention, Mr. Speaker—I can assure all of the members—of using this commission as a means to bring in compulsory arbitration. That kind of situation is and should be reserved for those cases involving the public interest, the vital public interest, where that interest is clearly threatened, and Mr. Speaker, I am pleased that I have not had to introduce a bill in reference to compulsory arbitration during the term of my ministry and that has been a positive intent on my part. I do not wish to bring in compulsory arbitration unless it is necessary.

Mr. Gisborn: Please elaborate a little on this public interest line.

Hon. Mr. Bales: Now, in reference to the craft unions and the matter of mixed crews, there has been clearly a great deal of misconception about that.

This matter of mixed crews is not an attack on the unions. The legislation was drafted to provide additional flexibility for the Labour Relations Board in determining bargaining units in a relatively few cases where it will be advantageous for workers with multiple skills together in a group under the aegis of one trade union.

It has been looked upon by some as if we are trying to fragment the whole craft situation and that is not the case.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Bales: Well, as a matter of fact some of them have indicated privately to us it would be a good thing.

Mr. Lewis: Privately?

Hon. Mr. Bales: Privately.

Mr. Lewis: Is it not in the public interest to reveal—

Hon. Mr. Simonett: Not through the NDP.

Hon. Mr. Bales: No, no. The unions like to do it sometimes privately. They do not want to do it publicly.

Mr. Lewis: I see. They speak to you behind the scenes.

Hon. Mr. Bales: Now, Mr. Speaker, we have heard a great deal of what is not in the bill and also of the matters that are in the bill that are anti-union. I cannot close my remarks today without pointing out a number of factors that are there for the distinct purpose of helping the unions.

First of all, the extension of the power of arbitrators to ensure that they have the right to modify penalties in discipline and discharge cases.

Next, the protection granted to the collective agreement when a business is sold.

The prohibition against unilateral changes in working conditions when a certification application is pending.

A union member's right to reclaim his job, either singly or in concert with others up to six months from the beginning of a strike if he feels it is lost.

Hon. Mr. White: That is good stuff.

Hon. Mr. Bales: And that is a help to the individual in the union.

Mr. J. Renwick: Helping the owner of Tilco.

Hon. Mr. Bales: Next, the change in the definition of employer in a union organization situation where there is a number of related companies involved. Then you go to the creation of a right for union organizers to have access to employer property when the employers live within the property.

Mr. Lewis: Only with the approval of the board.

Hon. Mr. Bales: On application.

Mr. Lewis: Why should he have to make application?

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Bales: Next, Mr. Speaker, provision for permitting earlier bargaining for the renewal of collective agreements.

Mr. Pilkey: Oh, there is a great one. It means nothing.

Hon. Mr. Bales: Yes, and going further, the establishment of a private jurisdictional dispute settlement system, which was worked out by the unions and management, and the other day I heard somebody over on the other side there disputing that kind of arrangement entirely. It was worked out by the parties themselves and we have incorporated it in the bill.

Mr. Speaker, I am glad that this matter is going to the standing committee. We will hear amendments. We will deal with these matters, section by section, as we go through the bill. But when this legislation is viewed as a totality and as a modification and extension of our existing Labour Relations Act. Mr. Speaker, its whole purpose is to create a better means of encouraging what I refer to and emphasize as free collective bargaining and, more than that, it protects the rights of the individuals within the system and hopefully will reduce industrial conflict.

Mr. Speaker, the public, and that includes employers and employees, are looking for constructive changes, and in my view this is the essence of this bill.

Mr. Speaker: The motion is for second reading of the bill.

Will those members in favour of the motion say "aye."

As many as are opposed say "nay."

In my opinion the "ayes" have it.

Call in the members.

It being 6 o'clock, p.m., the House took recess.

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No. 119

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Thursday, October 8, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8:30 o'clock, p.m.

THE LABOUR RELATIONS ACT
(*concluded*)

Mr. Speaker: Order.

The motion is for second reading of Bill 167.

The motion was approved on the following division:

AYES	NAYS
Allan	Ben
Apps	Bolton
Auld	Breithaupt
Bales	Brown
Bernier	Bukator
Boyer	Bullbrook
Brunelle	Burr
Carruthers	Davison
Carton	Deans
Connell	De Monte
Davis	Edighoffer
Demers	Farquhar
Downer	Ferrier
Dunlop	Gaunt
Dymond	Gisborn
Evans	Good
Gilbertson	Haggerty
Grossman	Innes
Guindon	Lawlor
Haskett	Lewis
Hodgson (Victoria-Haliburton)	MacDonald
Hodgson (York North)	MacKenzie
Jessiman	Makarchuk
Johnston (St. Catharines)	Martel
Johnston (Carleton)	Newman (Windsor-Walkerville)
Kennedy	Nixon
MacNaughton	Paterson
Meen	Peacock
Morningstar	Pilkey
Morrow	Pitman
McNeil	Reid (Rainy River)
Price	Reid (Scarborough East)
Pritchard (Mrs.)	Renwick (Riverdale)
Randall	Renwick (Mrs.) (Scarborough Centre)
Reilly	Root
Rollins	Rowe
	Ruston
	Sargent
	Simonett
	Shulman
	Smith (Hamilton Mountain)
	Singer
	Smith (Nipissing)
	Snow
	Spence
	Stewart
	Stokes
	Welch
	Trotter
	Wells
	Worton
	White
	Young—44.
	Whitney
	Winkler
	Wishart
	Yakabuski
	Yaremko—50.

Clerk of the House: Mr. Speaker, the "ayes" are 50, the "nays" 44.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

This bill shall be referred to the standing labour committee.

Orders of the day.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, it was our intention to carry on with item 27 on the order paper. Our undertaking is to provide 2½ hours of debate for this particular item and so, in consultation with the whips, it will be the understanding that we will proceed with this and credit the time between now and adjournment against the 2½ hours. But it is obvious that we will have to provide another 40 minutes or so on this estimate at some other time if there are sufficient speakers beyond the time.

Mr. V. M. Singer (Downsview): The minister might even use up all the time himself.

Hon. Mr. Welch: If the member for Downsview will permit, I will now call item 27 on the order paper.

CONCURRENCE IN SUPPLY, DEPARTMENT OF JUSTICE

Mr. Speaker: Order.

Mr. J. Renwick (Riverdale): On a point of order, I understand that the government

leader of the House is going to change the order of business at this last moment. We were, of course, prepared to proceed with the further second readings which have been called as part of the order of the business, but if the House leader feels constrained to abandon his plans and precipitately interject us into these estimates, we would be glad to do so.

Hon. Mr. Welch: Mr. Speaker, I really hope that the House leader for the third party is not expecting me to take him seriously in this objection. It was clearly understood that the additional second readings printed on the order paper would be called only if we completed the second reading of the labour relations bill before 6. It had been clearly understood that at 8 o'clock tonight we would go into concurrence in supply for The Department of Justice, which we now do. Item 27.

Mr. J. Renwick: Mr. Speaker, on the point of order, I certainly do expect the government House leader to take us seriously.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. J. Renwick: It may well be, Mr. Speaker, that the discomfiture of the government tonight is sufficient to make them change the order of business, but I may say that the members of the party on our right and the members of our party are quite prepared to proceed with the second readings of the three or four bills. I understand there are two bills standing in the name of the Minister of Social and Family Services (Mr. Yaremko).

Mr. Speaker: What is the point of order?

Mr. J. Renwick: —and one bill standing in the name of the Minister of Justice (Mr. Wishart) which we are prepared to debate. It is not going to be convenient for us to debate them at other times.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: Order. I distinctly recall what the hon. House leader had indicated last evening prior to adjournment, and as he has said, the second readings would be called only if the debate and motion on second reading on 167 had been completed. This was clearly indicated last evening. It was not completed—

Mr. Singer: In addition to which—

An hon. member: Was he not here to hear it?

Mr. Singer: Oh, but let him explain—

Mr. Speaker: Order, please. In addition to which it is the prerogative of the House leader of the government side to call the order of business.

An hon. member: He can do what he pleases.

Mr. Speaker: I rule that the hon. member for Riverdale had absolutely no point of order.

Interjections by hon. members.

Mr. J. Renwick: Mr. Speaker, on a further point of order. I think that was—

Interjections by hon. members.

Mr. J. Renwick: On a further point of order, Mr. Speaker. I quite understand that, but it was—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. J. Renwick: —it was equally unequivocally clear from the leader of the government last night that the referral of the estimates—the report of the estimates of The Department of the Minister of Justice and the Attorney General—would come on at 8 p.m. and it is now a quarter to 9. Therefore I would suggest, Mr. Speaker, that it would be very appropriate that we should have for the referral of the estimates of The Department of the Minister of Justice and Attorney General a total connected period as was planned under the rules of 2½ hours.

If there is no government business, we can easily adjourn the House until tomorrow morning and proceed tomorrow morning with a connected period of 2½ hours for the purpose of discussing the estimates of The Department of the Minister of Justice and Attorney General. This was the purpose of the rules, Mr. Speaker. It was the intention of the rules that there would be one unbroken period for the report of any governmental department from the estimates committee. I am asking, Mr. Speaker, that either we continue with the business of the second readings or that the House adjourn. We have been inconvenienced enough today, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: I believe there is nothing in the rules or the standing orders which calls for an unbroken period. It calls for a sitting of not longer than 2½ hours.

Mr. J. Renwick: A sitting of not more than 2½—

Mr. Speaker: Yes, but in the same manner in which we deal with supply. The debates are oftentimes not completed exactly at closing time nor is there a complete sitting taking place. The total hours are counted. Therefore, the total hours have been counted, and while there is not sufficient time, surely it is only fair that while we have not sufficient time this evening, we should add the additional time of the 40-odd minutes or 45 minutes, whatever it might be, to another debate. There is nothing in the rules whatever indicating an unbroken period.

Again I must repeat that it is the prerogative of the House leader to call the order of business, even though he may have indicated what he was hoping to do—what he might have done under certain circumstances.

Mr. R. F. Nixon: (Leader of the Opposition): Like he might not have gone into politics.

Interjections by hon. members.

Mr. H. Peacock (Windsor West): On the point of order, Mr. Speaker.

Interjections by hon. members.

Hon. A. Grossman (Minister of Correctional Services): I still think he is a stranger in the House.

Mr. Speaker: Order please. I have ruled on the previous point of order. Is the hon. member bringing up a new point of order?

Hon. Mr. Grossman: He is not even a member.

Mr. Speaker: I have ruled on the previous point of order. My ruling is not debatable but you may challenge it if you wish.

Mr. Peacock: I do not wish to challenge it, Mr. Speaker.

Mr. J. E. Bullbrook (Sarnia): On behalf of the young man in front of me—

Mr. Peacock: I just wish to say that if the government House leader cannot control his majority—

Mr. Speaker: The hon. member is out of order—

Mr. Peacock: —he does not deserve the right to call the orders of the day.

Mr. Speaker: The hon. member is entirely out of order. The order has been called.

Mr. Singer: May I speak to the twenty-seventh order? Let us have order, Mr. Speaker.

Interjections by hon. members.

Mr. Singer: Mr. Speaker, as the Attorney General's estimates come back to the House after the lengthy debate that we had in committee, I think it is going to be well worth our while to review at some length and very carefully certain of the matters—

Interjections by hon. members.

Hon. S. J. Randall (Minister of Trade and Development): Put your teeth back in!

Mr. Singer: Mr. Speaker, I can stand here much longer than the noisy minister can yell, and if he wants to yell I will just stand while he yells: Yelling period! Do you want to yell? Please do!

All right; when you are through let me know and then I will start to talk.

Hon. Mr. Randall: Be my guest.

Mr. Singer: Well thank you, thank you.

Interjections by hon. members.

Hon. Mr. Randall: Put your teeth back in.

Mr. Speaker: Order!

Mr. Singer: Sorry, Mr. Speaker, I intend to make my remarks notwithstanding the ignorance of the hon. minister, and as soon as we get some order I will continue with them.

Interjections by hon. members.

Mr. Speaker: The hon. member for Downsview has the floor.

Mr. Singer: Thank you, Mr. Speaker.

Mr. Speaker, as I started to say, there were many matters of very grave importance to the people of Ontario, and that generally affect the course of administration of justice in this province, which were reviewed at some length in the committee. Now I think their further review and very careful study, particularly in light of government replies and government lack of action in many of the fields, is what I am going to touch on.

Now the first one I am going to deal with at some length is the whole question of off-track betting, and I think I can start in no more appropriate a spot than to requote the remarks made last evening by the Minister of Justice and Attorney General to the effect that at this moment the Province of Ontario has

no policy insofar as off-track betting is concerned.

If the Attorney General wants to challenge that, I have the quotation from *Hansard* here. If he accepts that, then we can move on from there.

I presume since there is no challenge to that remark, that we can accept as a fact that there is no Ontario government policy insofar as off-track betting is concerned.

Now since we debated this and I made a somewhat comprehensive speech on June 4 in committee on this subject, several additional matters have come to public attention. Number one, Mr. Speaker, are the remarks made by H. H. Graham, the Assistant Commissioner of the Ontario Provincial Police when he delivered a report to the Canadian Association of Chiefs of Police in London on September 2, 1970.

You may recall, Mr. Speaker, as you read the committee reports, that I referred at some very substantial length to the proceedings that took place in Ottawa before the justice committee and I quoted, in some detail, remarks made by senior men in the Royal Canadian Mounted Police, by senior officials of the Ontario Provincial Police, by other chiefs of police from across Canada, who pointed out the very serious dangers of allowing this situation to continue in the manner in which it is continuing.

These remarks apparently had no effect at all on government attitudes. These remarks did not bring from government any positive commitment, any positive statement of policy or any design whatsoever. The Attorney General was prepared to dismiss, and dismiss he did, completely out of hand, the very genuine concern of representatives of all the senior police forces across Canada about the effect that off-track betting could have.

The best we could get out of him was: "We did not like the amendment that the House of Commons enacted and we are going to go off to Halifax in August and we are all going to have a meeting and we are going to discuss it".

Well interesting as that may be, Mr. Speaker, I have been unable to ascertain, and apparently it is obvious why I have been unable to ascertain it, what the position of the Attorney General of the Province of Ontario has been in regard to this very important matter. Yesterday he admitted in this House he had no position, his government had no position, and continues up to this moment to have no position.

Well lest we lose sight of what the views of the police officers are, the senior police officials of this province who are charged with the enforcement of justice, this is what Deputy Commissioner Graham said to the Association of Chiefs of Police on September 2, 1970 in the city of London. He said this, and I have the original text of the speech and I am sure the Attorney General has a copy as well. And for the Attorney General's information this was not purloined from his secret files. I phoned the commissioner and as a result of my phone call to the commissioner the copy came to me in the mail with a covering letter signed by Mr. H. H. Graham.

Mr. Graham said this:

> When discussing organized crime we must not become so engrossed in family-style organized crime, groups such as Cosa Nostra or Mafia, that we fail to recognize the growth of other groups. By this I do not infer that we can relax our surveillance in search for knowledge.

Then he goes on to the section about bookmaking:

> Bookmaking on horses and sporting events is still big business in Canada, and constitutes the greatest area of day-to-day association between organized crime figures in Canada and the U.S.A. The bookmakers are constantly resorting to sophisticated electronic and chemical devices with which to foil the police and present a challenge to the ingenuity of those assigned to the investigations of such offences.

Then he goes on to deal with difficulties of law enforcement and so on.

Mr. Speaker, if the warning sounded by probably the second senior man in the Ontario Provincial Police continues to fall on deaf ears, continues to send no signal at all to the Minister of Justice and his associates in the cabinet, we must wonder what real concern the government in Ontario has about this very serious danger that presents itself today to the people of Ontario.

I think most of us are aware of a recent conference held by Mr. Mooney, who is executive vice-president and secretary-treasurer of the Ontario Jockey Club. The unfortunate personnel of The Jockey Club did a substantial period of research and gathered together a very important report, original copies of which were presented to the Attorney General here in Ontario and to the federal Minister of Justice in Ottawa.

You may recall, Mr. Speaker, I asked the Minister of Justice yesterday if he would

table that report for the information of all the people of Ontario. He refused to do it. I may say that Mr. Mooney has refused to make available to me a copy of that report. But I do have—and this was reasonably freely circulated—a copy of the press release that he distributed at a press conference held Friday, September 25, in this city. Among many other things this press release states some of these points:

> On earlier occasions, as long ago as January of 1969—

And so, Mr. Speaker, let not the Attorney General try to convince anyone that this is a new problem and one of which he should not have been aware, or his officials should not have been aware.

> —as long ago as January of 1969, we of The Jockey Club communicated our concern to both the Attorney General of Ontario and the Minister of Justice in Canada. In the meantime and notwithstanding these warnings—

The press release goes on to say:

> —the system of off-track wagering entirely lacking in government regulation or control has grown up and acquired a de facto quality of acceptance.

And I say sir, when on the seventh day of October in this House—

An hon. member: Eighth day.

Mr. Singer: No yesterday; yesterday. On October 7 in this House, in this Legislature, the Attorney General stands before us and says: "We still have no policy and when we do have one we will let you know." Mr. Speaker, you can see the lack of concern, the lack of decision, the lack of leadership that this government presents in this very frightening field, the control of off-track betting. The system has grown up and Mr. Mooney says what I said on June 4. The system is here with us and it is presenting unbridled opportunity to organized crime to move in, apparently with the blessing of the government of Ontario and apparently with the blessing of the law enforcement system in Ontario. It is an opportunity for them to establish themselves as a going concern and the Attorney General is doing absolutely nothing about it.

The Jockey Club, he says is now completely satisfied that the moneys wagered through such premises do not reach the track in amounts wagered by the public. I said that on June 4, and I had not done the kind of studies that The Jockey Club had. Their studies are here, their outlines, their careful studies. They will stand careful examination. I think the facts are abundantly proved, and not only by what I said as a result of my own research. Police officers have also sworn evidence in statements and in speeches. And also careful research has been done by The Jockey Club.

It is interesting to note, Mr. Speaker, that the estimate of the amount of off-track betting that will be done in Ontario in the year 1970 is about $100 million. One hundred million dollars is being handled by these shops, by this pseudo-legal organization.

This $100 million is subject to no checking. The federal share of money, if the money had been bet through the pari-mutuel, is not being given. The provincial share of money, some six per cent, is not being looked after, and the share of The Jockey Club, some nine per cent, is not being looked after.

Least of all, Mr. Speaker, is any income tax being looked after.

And the Attorney General says: "What can I do? We have no policy. But old John, our leader who is going to live forever, who is going to lead a Tory government in this province forever, has not yet made up his mind as to whether or not we have got to have a policy insofar as off-track betting is concerned."

All right Mr. Speaker, these facts speak for themselves. I am not going to labour the time of the House with the method of testing, that was set up to establish these things. Suffice to say that by reason of placing a certain number of dollars on a certain horse in a certain race through the off-track betting shops, establishing this evidence in detail by means of statements made at the time, then examining the totes at the track, it was established beyond any doubt in two out of three experiments that the money that The Jockey Club bet at these off-track shops was not bet in the total sum at the tracks. This confirms, I think, beyond any doubt, Mr. Speaker, the allegations that were made not only by myself but by every knowledgeable police officer during the course of all of these enquiries and speeches and reaction to this whole system. This system encourages the infiltration of organized criminal syndicates into our way of life and it encourages it with the apparent blessing of the government of Ontario, whose only answer appears to be: "Well, we did not like what Ottawa did but we do not really know what should be done."

I make no brief for The Jockey Club. The Jockey Club is self-interested. The Jockey

Club is not anxious to lose additional revenue that it might be entitled to. As my remarks unfold you will see that I am not building up The Jockey Club's case. But The Jockey Club, having had some experience and having some very intimate concern with what happens, certainly is an authoritative witness to call before the bar of this House insofar as an intelligent discussion of this subject is concerned.

What they say after careful research and what they say on the basis of sworn statements which they say they had is of utmost value.

One other thing they say is that their investigations have revealed that some operators and employees of the shops are persons of such reputation and record that they should not be allowed on the premises of The Jockey Club tracks. Again, couched in very nice language, what they are saying is what I said in committee on June 4 and what many police officers have said: In the operation of these off-track betting shops, Mr. Speaker, there is a known collection of persons with criminal records of whom the police have abundant reason to be suspicious.

There is no question or doubt in my mind, and I do not think there is any question or doubt in the minds of any police officers investigating this subject, nor is there any question or doubt in the mind of Mr. Mooney or his associates of The Jockey Club, that the allowance of this unfettered off-track betting to go on in the manner in which it is doing, is allowing known criminal persons to begin to have a tremendous influence on our economy to the extent that in 1970 they are going to be handling $100 million worth of money bet by people who want to bet on horse tracks.

What is the Attorney General worried about, or should he be worried about, and if so why? I say that in this day and age, when we have to be concerned about the infiltration of organized crime into our society, that if the Attorney General and Minister of Justice in this province at this date, now on October 8, Mr. Speaker, has no concern, no opinion, no position on behalf of himself, and/or his government, then we must presume that the Attorney General and the Minister of Justice of this province really is not interested in the infiltration of organized crime into this city, this province and into this country.

It is all very well, Mr. Speaker, to have the investigation that is going on down below, go on. I think that there are a lot of red herrings drawn across the trail, but since that is before the honorable commissioner I am not going to comment on that. I do not think that properly within the rules I can.

But I say that what is presently not being discussed, this question of off-track betting, is far more serious than any allegations that were made that led to the calling of that public inquiry. In fact, it is the most serious thing that has ever faced the law enforcement authorities in this city, in this province and in this country. Unfortunately, Mr. Speaker, we see the Attorney General sit by and, as I say, as late as tonight, still have no position on behalf of government as to what he wants to do or what the province is going to do.

What do we have? We have a group of people who run ads—look, big ads—in the newspapers; quarter-page ads, in all the newspapers in the province. These cost a lot of money and those of us who have been through election campaigns have some idea about this kind of expense.

This one I have here says: "Isn't it nice to know that you can legally bet on a horse race without being there?" That is right, without being there. Then there is all sorts of text. "Off-track betting service; we will go and bet for you".

What greater offer of public service for no promise of reward could possibly be made, because when you ask these people they tell you: "We are just getting in on the ground floor." The Attorney General repeated this statement to us. They are just getting in on the ground floor—"because we hope that that nice fellow Turner up in Ottawa, and that other nice guy Wishart here at Queen's Park, are going to go along and they will allow us to have a monopoly, a privately owned monopoly because we were there first, and that is why we are investing hundreds of thousands of dollars."

Mr. Speaker, if you can believe it—I do not—but that is what they say, hundreds of thousands of dollars to rent expensive stores. There are over 40 of them in Metropolitan Toronto; how many others throughout the province I do not know. They run expensive ads in the newspapers, have a group of well-dressed, well-spoken, polite employees in all of their stores, and they are doing it all for nothing.

They tell us—what do they tell us?—they tell us: "If you want, you can contribute to our racing sheet." The Court of Appeal in Ontario—and the Attorney General is well aware of this—said this flim-flam of the racing

sheet—this nonsense is a pie in the sky designed to fool absolutely no one. If the Court of Appeal did not believe it, I do not know why the Attorney General should be taken in by it.

They tell us: "We are just doing it so we can get our foot in on the ground floor." You know businessmen, Mr. Speaker; I know businessmen; we all know businessmen. They do not spend hundreds of dollars a month in rent on expensive ground-floor premises, that we see all over this city, just because nice old Johnnie Turner or nice old Art Wishart are going to change the laws so that they will have a monopoly. It is a bunch of damn nonsense and the sooner we face that, the better off we are going to be. They are in because they are racketeers. They are in because they are taking illegal rake-offs and the job of policing them is an almost impossible one.

Here is another ad: "We will go and bet for you and all your money gets there." Well, I say that is a fable. I say that is a phoney, Mr. Speaker. I say that all your money does not get there. I said that in June. The Jockey Club says it in September and I say it here tonight. All your money does not get there and I would doubt very much whether very much of your money ever gets there.

Mr. Speaker, having said that, I think we can expect these certain things. The Attorney General and Minister of Justice for the Province of Ontario should have been the first to stand in his place and say: "We in Ontario cannot and will not tolerate it."

Maybe he has a point, that the Criminal Code was not amended to his liking. But have we heard his voice? Have we heard him say: "We in Ontario, we, the government of Ontario, do not like the way the Criminal Code now defines this section that deals with off-track betting"? We have not heard him say a word publicly. Maybe he said something in August. We do not know what it was. He was not prepared to say it to the House yesterday.

Surely, Mr. Speaker, the least we can expect from the Attorney General is to say: "We do not like it and we in Ontario ask, beg, demand that the government of Canada give us a proper legal sanction to bring this matter under immediate control."

How should we bring it under control? There has been a lot of discussion about this. I do not think that in this day and age very many people are going to enunciate from a political platform the moral sanction that if we allow betting, whether on-track or off-track, we are all going to go to rack and ruin. I think, by and large, the moral argument against gambling or against our ability to prohibit it by passing statutes has faded somewhat. We must be realistic and we must recognize that all of the studies and all of the articles indicate that people want to bet. The estimate is that $100 million is going to be bet off-track this year in Ontario. What do we do about it? Surely, we must control it. I say, Mr. Speaker, that it lies within the power of the government of Ontario to control off-track betting in a meaningful law.

Hon. A. A. Wishart (Minister of Justice): Not without federal law .

Mr. Singer: I accept the minister's "not without federal law". I accept the minister's interjection. He says, "not without federal law". But by sitting quiet as a little mouse in his seat over there on the government benches and never once saying what he wants, what kind of law he expects, never once raising a storm or even attempting to raise a storm, he is certainly not going to get any federal law.

If he and his leader had screamed and yelled about off-track betting in the same way they attempted to scream and yell about Medicare and all these other things where they do not like federal action, surely, Mr. Speaker, one could expect that there would have been some federal reaction to Ontario's view on this very important point.

This is my major complaint and I am glad that the Attorney General emphasized it: "Not without federal law". But we are not going to get a change in federal law unless Ontario has a position. And Ontario has no position, no position at all; and the lack of position was clearly enunciated here in this chamber yesterday afternoon.

Having again said that there must be an Ontario position, I say that there is no excuse, there is no reason, when this kind of business is going to go on—and I say that the moral objection, by and large, has disappeared —why we in government must say that it should go on, but it must go on with the strictest and tightest of controls.

Having said that, I say that this is a new business, comparatively new. It will be a new legal business. It will be, in fact, a monopoly, if it is to be run at all and there is no right in government to give this monopoly to any group of private entrepreneurs. This business, if it is going to exist—and I say it is going to exist, either honestly or dishonestly, either with the infiltration of organized crime or without—I say it can exist honestly, legally,

if we get the changes in the law, as a monopoly; but only, Mr. Speaker, under the absolute control of government.

Now on many occasions my colleague and I will object to putting government into monopoly positions, but where we have something that is brand new, where there is not an industry to be put out of business like the insurance industry, where there is something that is important to be controlled for the public good, I say we believe in, we encourage, we accept, we endorse, we beg the government to say to Ottawa: "We want the power to have the monopoly to control off-track betting. We will run it by civil servants; we will run it in the same manner as we run liquor stores".

And immediately, we can run it through liquor stores. And in doing this what are we going to achieve? 1. Honesty; 2. The elimination of criminal persons from a—

Mr. M. Shulman (High Park): Mr. Speaker, I am sorry to interrupt, but we do not have a quorum.

Mr. Singer: Does the member want to ring the bells again? Go ahead.

Mr. Speaker: Apparently we are without a quorum. We will ring the bells for four minutes.

Mr. Singer: What is your count, Mr. Speaker? Well, ring your bells.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: There is a quorum now. Will you please stop the bells.

Mr. Singer: Is it all right with the member for High Park that I continue?

Mr. Shulman: I thought the member's remarks were important enough that he should have a few people here to hear them.

Mr. Singer: Thank you. As I was saying, Mr. Speaker, I think that the position of the government of Ontario has to be on behalf of all the people of Ontario, that monopoly control of this new industry be exercised by and on behalf of and for all the people of Ontario, run by civil servants, run in the same manner as liquor stores are run. And run, probably at, and perhaps for an indefinite period through, the liquor stores. We have the facilities already available.

There is a case or an argument being made, I would suspect in the presentation by The Jockey Club. It is perhaps the first gun, that since they were first in, they should have a right to take over off-track betting.

I quarrel with that, Mr. Chairman. I think the people of Ontario have been good enough to the Ontario Jockey Club over many, many years. We have granted them, and the shareholders, private individual businessmen, the right to make a substantial profit out of a monopoly business—the running of thoroughbreds on the racetrack.

They have not taken over complete monopoly control of the running of standardbreds, but I see no reason, Mr. Speaker, why The Jockey Club and its shareholders should be allowed to profit on this $100 million business at the expense of all the people of Ontario.

So I think we can spell out a programme and I think this is what we expect from our Attorney General: Number one, that he say in unmistakable words in the clearest language possible: I ask, on behalf of the government of Ontario, the government in Ottawa, give us power to control off-track betting. Number two, that we will control it as a monopoly, for, by and on behalf of all the people of Ontario, and that we will not give it out to any private businessmen or any private entrepreneurs. And number three, that we will not run the business for the benefit of the shareholders only of The Jockey Club.

In that way, several things are going to be achieved. As I say, Mr. Speaker:

1. Here will be a substantial if not complete—there should be a complete—elimination of any criminal elements from off-track betting.

2. The federal government will get the money it is entitled to.

3. The provincial government will get the money it is entitled to.

4. The people who want to bet, who are interested in this, will be assured that they have a facility available that is guaranteed by all the integrity that the Ontario government can bring through its command and control; that the money will get to the track; it will be properly treated, properly accounted for.

If they make big wins they will get paid off at the proper odds. They will not be told, as they are now told when they make big wins—and it has happened in many documented cases—"Gee, we are sorry, Mr. Doe. That 50-to-1 bet that you made and your horse came in; we just did not get it to the track, so here is your $2 back. We are sorry we cannot give you your $100 back." This

happens, and the Attorney General knows it happens and the police know it happens.

Can anything be more obvious? Can anything be more simple? Surely, Mr. Speaker, the Attorney General and his government have to move in this field. The fact that he was unable as late as yesterday afternoon to give us a definite position is just ridiculous. Sufficient for that subject.

The second topic I want to deal with—unfortunately, I would like to speak for several hours; I am not going to do that tonight, but there are many subjects that involve the full question of administration of justice—the question I want to deal with now, and again at some length, is the report of the Board of Commissioners of Police on an inquiry into allegations made against certain members of the Metropolitan Toronto police force in 1970.

I have here, Mr. Speaker, a document that runs through almost 100 pages, 99 pages in fact, which is a report of four highly respected and eminent gentlemen who sat for over three months on 19 different days of hearing and listened to evidence—which runs, I am told, through 23 or 25 volumes of evidence—and finally emerged in September of this year with this fascinating report.

These gentlemen, I think the records should show, were His Honour Judge C. O. Bick, chairman; Mr. H. A. Crothers, member; Mr. Albert M. Campbell, member; and Mr. Hugh Bruce, QC, member.

Of the four, I know personally and have known for many years, Judge Bick, Mr. Campbell and Mr. Bruce. I do not know Mr. Crothers personally. Of the four only Mr. Bruce is a lawyer; he is the only one who has had any legal training. The bestowal of the title upon C. O. Bick of "His Honour the Judge," did not give him or endow him with any legal training. Mr. Bick is an esteemed and honourable public servant and has been for many years; a very honourable man.

I suggest to you, sir, that neither he nor Mr. Crothers nor Mr. Campbell—and I know Mr. Campbell, he is the chairman of Metropolitan Toronto—are endowed either by reason of experience, by reason of educational facility, or by reason of training, with any ability to conduct an inquiry of this kind. Nevertheless by reason of our peculiar system of running police forces, when a serious matter has come to the attention of authorities, insofar as the administration of a very large police force is concerned, apparently the only vehicle available to investigate the charges is the vehicle of an investigation by four persons, three of whom have no legal training whatsoever.

Mr. Hugh Bruce who happens to be—and by the purest accident—a member of that police commission is the only one who has legal training. Mr. Bruce is a very fine young man, a good lawyer, and a man who has given good public service as well.

But what, Mr. Speaker, have these people been asked to do? They have been asked to investigate the running of the Metropolitan Toronto police force, the administration of that force and the question of whether or not ticket fixing has gone on, which involves bad procedures, and perhaps even worse, on behalf of the senior officers of the force.

Who inquires, Mr. Speaker? The very people who run the force. Caesar is asked to inquire into Caesar. The Metropolitan Toronto Police Commission is asked to inquire into itself.

Well what comes out, Mr. Speaker? What comes out is a 99-page whitewash report, and one can expect little else. What comes out, Mr. Speaker, through many, many cases, through all these days of hearing, through all these volumes of evidence, to 99 pages of report What comes out?

Apparently there are four villains, and listen to who they are. There is a chap named Lott, a former police constable. Mr. Lott was facing, not a Criminal Code charge, but a police charge that he accepted bribes from a person that he had come in contact with in connection with his carrying out of police duties.

Fascinatingly, Mr. Speaker, no one asked the question—at least in this report, whether they did in the evidence, and I even waded through all the pages, whether they did at the hearing or not—why was Lott not charged under the appropriate sections of the Criminal Code? Why was Lott not brought before the court in order to ascertain whether or not he committed any criminal offence?

So it was quite easy, Mr. Speaker, to damn Lott. Lott was a bad fellow, they had laid a charge against him. The charge had never been dealt with and Lott decided, for better or worse, he was going to resign from the Metropolitan Toronto police. In fact, they had great difficulty in getting him before the inquiry at all.

Was Lott a good man? A bad man? Was he guilty of the inside charge that was against him? He never had a public trial so we really do not know. But Lott emerges as one of the villains.

Villain number two, Constable Ian Samuel. And who was Constable Ian Samuel? Constable Ian Samuel is the man who over the years, gathered together a great number of case histories which apparently brought on this investigation.

Now Constable Ian Samuel—and I am going to repeat some of the things these commissioners say about him—Constable Ian Samuel must have been a very, very bad man, because almost inevitably, as we go through each one of these charges that he made, Constable Samuel was wrong and all of the senior police officers were right.

Well, if Constable Ian Samuel was such a bad man, and the police commission obviously thought he was, is it not strange, Mr. Speaker, that there was no recommendation in this report that Constable Ian Samuel should no longer be a police officer? He is a bad fellow. He does all these terrible things; he brings false charges. But look as I might through all of these recommendations—let me read just at random from page 87:

> Samuel's character emerged very early in the hearing. Admittedly a hard-working constable who would brook no disagreement with his judgement, choosing to believe the worst of anyone who might overrule him in the laying or drawing of charges, he was prone to listen to guard-room gossip, picking and choosing those bits and pieces which appeared to fortify his opinion of police or court officials who exercise discretionary powers. Samuel even gave only a qualified apology in one particular case. His actions were not only despicable but they cast a doubt on his reliability as a police officer and as a witness and cast him as a person with exaggerated suspicions.

What worse can anyone say about a police officer, Mr. Speaker? Now here is this eminent police commission giving this impartial review. They said all this about this terrible man Samuel, but look as I may, there was no recommendation that one would expect: "Samuel, because of the things he said, is not fit to be a police officer; he should be fired. Let us get him off the force and let us carry on."

What is Samuel doing today? He is back on the job. How can we tolerate a man of Samuel's character as depicted by the Metropolitan Toronto police force to be back on the job?

Villain number three, Mr. Speaker, a Crown attorney named Kerr. Mr. Kerr came before the police commission and gave certain evidence. In essence, the police commission said he was a liar. Here is a young man charged with the administration of justice, charged with a very important role to be played in our courts, an assistant Crown attorney in our largest municipality, who is in fact told by the police commission that they cannot accept his evidence. If you want specific references to that, if the Attorney General wants them, I have got them marked here in my copy of the report; I can certainly make them available to him.

And I am going to couple Crown Attorney Kerr with Crown Attorney Roell—R-o-e-l-l—Assistant Crown Attorney Roell; he also is put into the position of not having his evidence believed. Roell came forward and gave certain evidence and the only conclusion—I can find the specific words, but it really is not worth the time I am taking on it.

In essence, what the report says is you cannot believe Roell and you cannot believe Kerr. There is no explanation of their motives. Kerr apparently hated some senior Metro officer, and the only motivation for Kerr to come forward voluntarily and give evidence before the police commission was because he hated some senior officer in the Metropolitan Toronto Police Force and he was going to fix him. What Roell's motive was, I do not know.

Here is a young Crown attorney, trying on a job that he apparently likes, that he is trained for, that he has been in for a number of years. He feels he has a public duty to come forward and tell the commission, under oath, and facing cross-examination, certain things that he did not believe were proper. And he, in fact, is called a liar.

And look as I may through the report, Mr. Speaker, there is no suggestion that either Roell or Kerr be relieved of their jobs as assistant Crown attorneys. One would think that if you have an assistant Crown attorney who comes before a public inquiry and gives evidence on oath and the inquiry says, "We do not believe him," then his usefulness as a Crown attorney is more than a little suspect.

One would think, sir, that where you have a person who is acting in a very important legal position of trust, that if a public inquiry has found that they can no longer trust him, that they should report this to the disciplinary committee of the Law Society of Upper Canada, because as a member of that society, I would like to think that when matters of this importance come to the attention of a public inquiry, that the public inquiry must be given credence and that the

disciplinary body of our association be charged with the responsibility of ascertaining whether or not these two gentlemen are fit and proper persons to carry on in legal practice at all.

But was there any recommendation like that, Mr. Speaker? No. And where are Kerr and Roell? They are back being assistant Crown attorneys. And has anybody raised a question about it? Not a single soul. Everybody wishes it would go away.

Well, it will not go away, Mr. Speaker, because four men, rightly or wrongly, have been ruined by this kind of an inquiry.

Well, what then is the answer? Or perhaps there is one more phase. Notwithstanding all the complaints about senior officers, the explanation insofar as they are concerned—and I am not going to pick them out individually—was that they were exercising their discretion, perhaps injudiciously: "Let us withdraw a summons or a charge for drunken driving or ability impaired against good old Doctor X because he has promised he will not do it again, so let us withdraw it." That was a bad exercise of discretion; no condemnation of the police officer; maybe he did exercise his discretion badly. Or, "Good old Bill"—or somebody else—"he is in here too. Let us withdraw a charge of drunken driving against him, because I am going to bring him in and have a talk to him. He has got an alcoholic problem, and he certainly is not going to do it again."

One wonders, Mr. Speaker, how anybody can expect an impartial inquiry to be conducted into this kind of allegation. I say the inquiry was a farce. I say the inquiry was a whitewash.

I say that the time has come that we in Ontario must do away with this kind of apparent pseudo-control of police forces by appointed commissions, and that control of commissions must be given back to the elected persons, the councils charged—in this case the Metropolitan Toronto council. If there is this kind of a problem, then let us have a proper public inquiry conducted by a Supreme Court judge or someone else who is impartial and has no connection at all with the running of the police force.

Let us not forget, Mr. Speaker, that this is the same police commission that thumbed its nose at the Attorney General of Ontario when he asked that it inquire into the case of Shirley Hunter. Shirley Hunter was the lady who was subjected to great indignity when she was arrested one night. The police thought she was drunk; in fact, she was a sick lady who was suffering all sorts of problems.

Notwithstanding letters that the Attorney General wrote to the police commission, saying, "Hold an inquiry, I ask you to"—I do not think he used the words "instruct"—he wrote two or three letters but they refused to hold an inquiry. Hopefully the matter went away.

This is the same police force that refused to investigate the case of John Bennett. John Bennett, you may remember, was the sad gentleman who had a very serious alcoholic problem. He was on Skid Row.

They picked him up one night as a drunk. They hauled him in, and said, "Oh. John Bennett. You are the fellow we have been looking for for a long time. In addition to being drunk in a public place we want you on a driving charge." Poor old John Bennett protested at great length that he had never driven a car in his life, he did not know how to drive, he did not have a car, he did not have a driving licence.

Well, it took umpteen days before this was sorted out and poor old John Bennett, who was a nobody, finally was redeemed, but in the meantime he spent a few extra weeks in jail. Was that investigated by this concerned police commission? No, sir. Because who was poor old John Bennett? He was just a bum on Skid Row, that is all he was. He was not some guy of whom a senior police officer would say, "Too bad he has an alcohol problem; we will withdraw the charges and I will have a chat with him."

Now, Mr. Speaker, surely to goodness the time has come where we have to have some kind of the impartial civilian control of police which can be exercised in the public interest as often as the occasion demands. Let me go one step further.

There was the police shooting of a young Portuguese man that has been entirely unexplained—completely shoved under the rug. There has been no proper public inquiry. In addition to that, this past summer there were two men who were shot by the police on Wilson Avenue in the borough of North York in a store in the vicinity of Dufferin and Wilson.

It would seem to me, sir, that where the police use firearms and where some person is killed, that automatically there should be an impartial inquiry to ascertain whether or not the use of firearms was justified in the circumstances that led to the death of the persons involved. To this date—and I know there is an inquest pending, the coroner's inquiry, and I am not satisfied that the coroner's inquiry is going to be sufficient—to this date

there has been no explanation of this shooting incident on Wilson Avenue and Dufferin Street, other than the fact that a senior police officer of Metropolitan Toronto says he is satisfied that it was necessary.

I suggest to you, sir, that it is most important for the cause of administration of justice in this province that not only senior police officers be satisfied that the use of the firearms in connection with the death of persons is justified, but that the public be satisfied. And that there be a full, complete public inquiry to satisfy the public.

This has not happened, and the very serious danger, Mr. Speaker, that follows from this, is that, in so many instances, we, the civilians who are elected to control the administration of law and order in this province, are giving away our duty and responsibility to persons who apparently we do not want to control in any way whatsoever.

I say, sir, that the introduction of the Ontario Police Commission has been no answer, that the appointment of police commissions in these municipalities is no answer, that the sooner the control of police is given back to the elected officials in the municipalities the better. Where incidents such as the one that the Metropolitan Toronto Police Commission attempted so badly to deal with arise, or incidents such as fatal shootings come up, there is only one answer—that there be full and complete public inquiries conducted by impartial persons of some legal training who can be expected to come down with impartial decisions.

Certainly, Mr. Speaker, in any case where someone has been shot by the police use of firearms, there has to be, for the public satisfaction, that kind of public inquiry—not an inside inquiry, but an open inquiry—so that the public can be satisfied.

I want to make one more point—and I think this is equally serious. I want to tell you about what I think is the near collapse of the whole system of administration of justice in our Metropolitan Toronto provincial judges' courts. I think this is happening for a variety of reasons. I touched very briefly on some of the things that are not being done to protect assistant Crown attorneys Roell and Kerr. Certainly if these gentlemen are worthy of continuing as Crown attorneys they should have had some support somewhere along the line.

If you look down the list of our assistant Crown attorneys in Metropolitan Toronto, fascinatingly enough there is not one QC in their group. A QC does not necessarily mean that they have the highest standards of qualification, but at least it means, according to the Attorney General's present rules, that they have 12 years' experience. I would say that the average experience of the assistant Crown attorneys is little more than three or four years and there are very few with more experience than that.

I was told the other day by one young Crown attorney—a fine young man—"I like the job. I do not mind working nights and weekends. All I want is enough money to live on." He said, "I am married and I have a young daughter but there is just no incentive for me to continue. I am here. I am making $12,000 a year after three years. I work hard; I enjoy working hard. But I just cannot pay my way. I have colleagues who graduated from law school at the same time as I did. They are assistant Crown attorneys in other jurisdictions out of Metropolitan Toronto and they are getting far more than I."

I found this a little hard to believe and I asked the Attorney General that the other night. He said, "Oh yes, that is true. If your young friend, the one you were talking to, wants to go to Sudbury we will give him a 50-per-cent increase in pay with the same experience." Eighteen thousand dollars, I presume, instead of $12,000. How can the Attorney General justify that, Mr. Speaker? How can he possibly justify that?

During the course of the estimates we made quite a fuss about the inability of the Attorney General to find a new senior Crown attorney for Metropolitan Toronto within his established staff or even somebody who worked and lived in Toronto. Where did he go? He went to Hamilton and he took Harvey McCulloch, who has got a good record, who has been doing a good job, and said, "Harvey, old boy, you have got two jobs now. You are in charge of Hamilton and you are in charge of Toronto." Harvey, apparently, goes backward and forward and the real control of the Crown attorney's office is not being done.

The Attorney General can expect that four or more assistant Crown attorneys within the Toronto office are going to quit at the end of this year for no other reason than they are not getting enough money, and I think this is a disgrace. The Attorney General has to admit that his organization is so poor that he has not been able to find, within the complement of assistant Crown attorneys in Toronto, someone able enough to take over the senior

job. The Attorney General must admit that he is bankrupt of organization and the administration of justice accordingly must suffer.

One other very important point in this regard—and this is a personal incident. Sometime in June, Mr. Speaker, I drove through a red light. As I got through the red light there was a policeman sitting on the opposite corner in his yellow car. He stopped me, a big smile on his face, and said, "I guess I have got to give you a ticket"—and so he did. He took the particulars of my licence and said, "You will get a ticket soon." About the middle of August I was served by a mail summons with a ticket for going through a red light.

Mr. Shulman: Did you pay it?

Mr. Singer: Yes, I did. The court date was fixed for the middle of January, 1971. That was the mail service. Had I chosen, as I have every legal right to do, to wait until I was personally served, the trial date for as important an offence of which I was guilty probably would have been as much or as little as a year after the event. Surely, Mr. Speaker, this bespeaks volumes for the absence of organization in our courts here in Metropolitan Toronto. If it takes seven months to bring to trial a simple offence like a driver going through a red light, then what, for goodness' sake, is wrong with the way the thing is being operated?

In the city of New York, I have been told quite recently, their system of administration of justice has got into such chaos that if somebody pleads not guilty of a minor offence, the odds in the favour of their never coming on for trial are better than two to one in their favour. Surely, Mr. Speaker, we can do no greater disservice to our cause of the administration of justice than to allow this situation to worsen itself by reason of lack of system, lack of control, lack of Crown attorneys, lack of trained personnel.

I suggest to you, sir, that the Attorney General's efforts in these particular facets I have touched on tonight—and there are many more, but I have spoken for about as long as I want to—speak for themselves. The Attorney General really no longer deserves the support of his colleagues on the cabinet benches, notwithstanding the fact that he is a nice fellow and has brought in certain important reforms. The basics about the administration of justice seem to have escaped his notice. When he cannot properly staff the courts in our largest city; when he cannot properly ensure that our police forces are properly run; when he cannot properly ensure that inquiries are made in an impartial manner—then I think, Mr. Speaker, that the time has come for the Attorney General to take his well-earned rest from the halls of this Legislature.

Mr. Speaker: The member for High Park.

Mr. Shulman: Mr. Speaker, on June 4 last I made a speech in the estimates of this department which referred to organized crime in this province, to the OPP and to related matters. A portion of that material is now being examined by a royal commission, so obviously I will not comment on that at this time.

However, the commissioner in his wisdom has ruled that two things are not going to be looked into by the royal commission. One is the role of organized crime in this province and the other is the efficiency of the OPP. Those are two subjects on which I have accumulated some material and about which I would like to make some comments.

I have prepared a very lengthy brief as a result of the work of many people over these past several months on the role of the Mafia and organized crime in Ontario, which I intend to deliver in the House but, because of the lack of time tonight, I will put that off until my budget speech and will restrict my comments tonight to the OPP.

The problem with the OPP basically lies in the intelligence section and in the superior levels of the force, at which place there is going to have to be a change, and an early one, or we are going to be in very serious difficulties. The Attorney General of the province was sadly misled some weeks ago when he rose—and we were all embarrassed for him afterwards—and he said that he had done a very thorough examination of the matter that had come up. And he proceeded to read a speech that was studded with inaccuracies, mistakes and outright misstatements of fact.

For this I am not blaming the Attorney General. He read a speech that was handed to him by his deputy, which was handed to the deputy by the commissioner of the OPP and which was prepared under the directions of the commissioner by the intelligence section of the OPP. That particular speech that was read by the Attorney General contained 20-odd absolute misstatements, misrepresentations.

In the discussion that followed the Attorney General said that officers had been sent out. I will read the exact quote on page 1036. I asked him:

> Tell me, in the course of your investigation into Mr. Duke's driving problems, have you found that

there are any cases where police officers were going to lay charges but the charges were not laid?

Hon. Mr. Wishart: No.

Mr. A. R. Dick (Deputy Minister): We had an inspector go out to interview all the officers that had been involved in the offences to see if there was anything. It was recorded verbally that they could find nothing untoward.

I went on:

What I am specifically asking on the subject is, whether there ever, to your knowledge at this moment, or your deputy's knowledge or the commissioner's knowledge, were cases where an officer wished to lay charges and his superior officer told him not to do so?

Mr. Silk: Certainly not.

Well, we know that is completely untrue now. We have had case after case come out in the royal commission. The problem was not the Deputy Attorney General's. Rather, the basic responsibility must be his but the problem arose because the commissioner of the OPP handed the Attorney General a report which just was not true.

Now, I have the reason for that here; I have it in my hand, a secret government report. There are a lot of secret reports prepared by the government. It prepares so very many of them, but it does not keep them secret very well, unfortunately. I will just hold that back for a moment. There is an explanation of what is wrong with the OPP —a complete explanation of what is wrong with the OPP and paid for by the government.

Mr. Speaker: Perhaps I should caution the hon. member that he should not make any references to any matters concerning the OPP that are now before the royal commission. I do not intend to stop him from discussing the OPP but I just want him to be careful not to make any mention or reference to any of those matters that are now before the royal commission investigating the matters he raised previously.

Mr. Shulman: This particular report I have just referred to I attempted to raise at the royal commission and the commissioner, or the counsel in his wisdom, ruled that it was outside of their terms of reference. So if he has ruled it is outside their terms of reference, obviously it is all right for me to discuss it here.

Incidentally, there was no investigation at the royal commission of the OPP investigation which took place in June of the matters raised. When I attempted to question Mr. Silk about that I was also ruled out of order, so if it cannot be brought up there, obviously it can be brought up here.

On that particular matter, the thing that upsets me is that the Attorney General rose in the legislative committee and said that these men, referring to Duke and Papalia, had been under complete surveillance—those are the words he used, "complete surveillance"—and there had been no contacts between them except for casual contacts about the city.

Mr. Speaker: Order, please.

Hon. Mr. Wishart: Mr. Speaker, what the hon. member is talking about—he talked a moment ago about charges being not laid, or withdrawn; the contact of the gentlemen whose names he has just used—certainly these things were before the royal commission of inquiry, are still before that commission. I do not have any personal objection to the hon. member discussing these things but it is against the rules of this House; it is improper. I think we must ask the hon. member, and I appeal to you, sir, to see that he abide by the rules and only for that reason.

These matters have been investigated. The commission of inquiry is not yet closed. The judge who is conducting that inquiry will make his report with reference to these matters. Surely, in the light of that inquiry and in the light of the rules by which we conduct ourselves, the hon. member should refrain from verging on that at all.

Mr. Shulman: Sir, when I attempted to raise these matters at the royal commission the commissioner said very clearly that what was said in the House was of no interest to him. He said it was a matter of politics and should not be discussed there. They cannot be discussed there; surely they can be discussed here.

Mr. Speaker: I must point out to the hon. member that our new procedural rules, or standing orders, at page 3, "Rules of Debate," rule 16(a) clearly indicate at item 7 that:

> An hon. member may not refer, and will be called out of order, if he refers to any matter that is pending in any court or before a judge for judicial determination, or that is before any quasi-judicial administrative investigative body constituted by the House, or by or under the authority of an Act of the Legislature, where any person may be prejudiced in any such matter by the reference.

I must point out to the hon. member that he must not bring any matters before this Legislature that are in any way under any investigation by the royal commission constituted to investigate the matters the member previously raised. Surely, even by naming the names he has named, this is a breach of the particular rule.

Mr. Shulman: Well, sir, I will be very careful to refrain entirely from mentioning anything the royal commission is investigating, but surely, if the commissioner has ruled that the matter is outside of his jurisdiction and he is not going to investigate it, I can discuss it here. In any case, what I really wanted to discuss was the senior level of the OPP and I will—

Mr. Bullbrook: Are you going to let that go?

Mr. Shulman: I am not going to belabour it, particularly because—

Mr. Bullbrook: If I might rise on a point of order. Without in any way taking issue with your ruling, I invite the consideration of yourself and my colleagues to the fact that the Attorney General, together with the government of this province, in the ordering of the business of this House, have brought before the House tonight the estimates of his department, knowing full well that one of the essential debates that took place during the currency of those estimates was the allegation made by the member for High Park, which resulted in the very inquiry which he wishes to refer to tonight.

I want to say on my behalf, certainly not on behalf of this party—I cannot presume to do so—that I see an extreme degree of inequity and unfairness therein. I do not agree with many of the things that were said by the hon. member for High Park during the currency of the estimates, but surely it must be a matter of equity and fairness and the privilege that he is entitled to now, in discussing the report of these estimates to the House, to allude to the deliberations that took place in that committee. If, as a matter of fact, you are correct in your ruling, which, sir, I do not challenge, in fairness the Attorney General should withdraw, right now, the report he makes to this House.

Mr. Speaker: I must say to the hon. member for Sarnia that the Chair can only be guided by the standing orders and the rules of this House, and I read that particular rule to the hon. member. At this moment I have no alternative but to go by that rule. These rules were adopted by this House and the continuance of discussion of any matters before the royal commission is necessarily out of order.

I do not in any way discuss the matter raised by the hon. member for Sarnia as to the propriety of bringing this matter before the House for discussion. That is another point. I am guided only by this particular ruling.

Mr. S. Lewis (Scarborough West): On the point of order, Mr. Speaker. It is obvious to those of us on this side why this estimate was called tonight and why the Attorney General felt compelled to intervene—

Mr. Bullbrook: I do not associate myself with that remark at all.

Mr. Lewis: I am not seeking association—

Mr. Bullbrook: Why do you make such statements?

Mr. Lewis: Because I call it the way I sense it. That is what you said. You do not have to retreat from it now.

Mr. Speaker: Order.

Mr. Bullbrook: A point of order.

Mr. Lewis: I am putting a point of order to you, sir, that when the member for High Park says—and I know that he looked at it very carefully—he is scrupulously endeavouring to remain within the bounds of the House rules, specifically excluding from his remarks those things to which the commission directly pertains, then I think that the Chair should grant him that indulgence because it is well within the rules of the House under those circumstances.

Hon. Mr. Wishart: Mr. Speaker, to that point of order, if it was a point of order, I must say this: It is unworthy of the hon. member to suggest for one moment that the estimates of this department were called on this occasion, at this time, for the reason he attributed.

Interjections by hon. members.

Mr. Lewis: Why are they being called?

Hon. R. Welch (Provincial Secretary): They are on the order paper and have been for some time.

Mr. Lewis: There are other estimates on the order paper.

Hon. Mr. Welch: Which other report is on the order paper right now? Name another report on the order paper right now.

Mr. Speaker: Order.

Hon. Mr. Wishart: Mr. Speaker, the estimates of this department were considered in committee, in the very closing days of the session which was adjourned in June—I think the night before the session broke for the recess—and in the ordinary course, of events, had the session continued another day, we would have been doing these estimates back in the House. They continued on the order paper in that respect, and in that respect only, and in that way. And to suggest anything else, I say, is very unworthy of the hon. member. There is no attempt to evade any discussion.

All I ask you to do, sir, is to see that the rules of the House are obeyed.

Mr. Bullbrook: May I speak to the point of order, sir? I do not for one moment, when I rise here, impute any insidious motivation to the Minister of Justice of Ontario. How can I do so? I have no foundation for doing so, and to do so is completely outside the rules of this House. What I say to you is this—

Mr. J. Renwick: Why did you raise it?

Mr. Bullbrook: I imputed no motivation. I talk about equity and justice here, and if we cannot demand it as members of the Legislature, who in the public can?

I want to vigorously put to you, Mr. Speaker, this proposition: The Minister of Justice and Attorney General of this province knows full well that there is a continuing inquiry into the matters involved during the currency of his estimates. Now, it had not arisen until the member for High Park rose in his seat to enjoin himself into these debates and he raised the questions that were raised initially in the estimates of the Minister of Justice. And now, to restrict him in his right of debate is completely a self-closure attitude. I implore you, sir, to recognize the implication of what is going on in this House tonight. I implore you to do so.

Disregard motivation. Disregard it entirely. But what you are doing, sir, is depriving a member of this Legislature, elected by the public, to say what he wants to say because the government appoints a commission or inquiry to investigate something he said before.

Do not let these words of mine, sir, in any way imply that I agree or disagree in one tittle or iota with the member for High Park. But what I want to convey to you and I want to convey to you as sincerely as I can, is, let us not establish tonight a precedent that in any way fetters or restricts our right to discuss matters.

We are paramount. Mr. Justice Campbell Grant, as much as we respect him, is not paramount, because we are elected by the people. I exhort the Attorney General, in view of these circumstances, to consider the propriety of continuing now with his estimates once the member for High Park has brought up this matter and said, in effect, to the public of Ontario, "I want to debate this matter further."

Hon. Mr. Welch: He did not say that.

Mr. Bullbrook: He wants to, and was ruled out of order. Now let me continue without interruption if I might.

If in my 2½ years in this Legislature I was vitally concerned with any matter—and I do not mean to be melodramatic, but I want to enforce my position—I am absolutely and equivocally concerned with this.

We cannot establish a precedent where a member of the Legislature is restricted in his free right of debate because of the constitution of any judicial or quasi-judicial involvement. We cannot have that. Because once we begin that, we begin collaterally the restriction of the right of the public to open and free discussion.

Hon. J. H. White (Minister of Revenue): You are off your rocker, old boy. You do not know what you are talking about.

Mr. Bullbrook: Now we just cannot afford that. And I exhort you, sir, before you rise, please, through you, I exhort the Attorney General in the circumstances, now that it has arisen, to say that we will no longer continue with the report of these estimates until that inquiry is finished so that the member for High Park has the right to discuss fully that which he wants to do within the relevant rules of this chamber.

Mr. Speaker: In view of the rather delicate nature of the matter I have permitted the member for Sarnia to embark upon what constitutes more or less a speech, rather than speaking to a point of order—

Mr. Bullbrook: Yes, surely it does.

Mr. Speaker: —and I hope he appreciates that I permitted this only in view of the delicacy of the matter.

Again I must say that I can only be guided by the rules adopted by this House. I can see no area in which anything is out of order

in the proceedings tonight. The calling of this debate is perfectly in order. The only thing that has been out of order is the fact that the rule I recited to the members has been broken by the hon. member for High Park in his references to matters that are presently before the royal commission.

As the acting Speaker I have no alternative but to be guided by these rules. I cannot suspend rules. This is the rule by which I must be guided. I therefore rule that any further references to matters which are before the royal commission are necessarily, by this rule, out of order.

Mr. Singer: Mr. Speaker, on a point of order. Could I ask you if you have before you the terms of reference which specifically referred the inquiry to his lordship Mr. Justice Grant?

I would think only on that basis could the rulings be properly made as to what is the form and what is not. Unfortunately I was not in the House when this discussion began so I hesitated getting into it, but it would seem to me that, under the present rules, if the member wants to discuss matters that were not in the terms of reference he is at perfect liberty to do so.

Merely because he is discussing an ancillary matter, or even that the same people are involved, does not mean that he is out of order, provided that he is not going within the terms of reference.

Mr. Shulman: May I speak to the point of order? Sir, if you will recall, my original allegations involved three basic matters. But for reasons which have not yet been made clear, the terms of reference as set up have very little if anything to do with my allegations.

The terms of reference state that the judge is to look into—and I may quote the terms of reference or paraphrase them—relationships between personnel of the OPP and persons of criminal origin specifically as alleged in the speech of Dr. Shulman on June 4; relations between the OPP and Messrs. Duke, Gasbarrini, Papalia and LeBarre.

The fantastic thing is that at no time did I ever make any suggestion that the OPP personnel had ever had any relationships with Mr. Papalia, Gasbarrini and LeBarre, so whoever wrote those terms of reference either was completely unaware of the circumstances, or deliberately misstated the facts.

Obviously, nothing I have said tonight has had anything to do with the relationship between the OPP and Messrs. Duke, Papalia, Gasbarrini and LeBarre, so I cannot understand the Attorney General's interfering. Even less can I understand the phoney terms of reference he has set up.

Mr. Speaker: I do appreciate the position of the hon. member for High Park, and I appreciate the words that have been spoken by other hon. members.

I believe that my first words were as a caution to the hon. member to be careful not to introduce matters in this House that were under the consideration of the royal commission.

I was listening very carefully and I felt that at one or two points he was introducing matters that we have all read in the press which were brought out during the proceedings of this royal commission.

I am going to permit him to continue. But I am going to ask him to be very careful to leave out any references to those things which have been discussed or brought before the commission and the inquiry to date. If he will do so I am sure he can continue his debate and remain in order. But if he persists in bringing up matters that have been discussed and are before the commission I must be guided by this rule.

Mr. Bullbrook: Well, Mr. Speaker, if I might, if you will permit me, I rise reluctantly, because of my personal attachment to you and because of my extreme admiration for your position, to challenge that ruling.

Hon. Mr. White: Wonderful.

Mr. Bullbrook: I do, I do. You might well regard this as an insignificant matter. I regard it as this because what you are saying in effect by your ruling is that the member for High Park can in no way discuss matters before the royal commission.

I say this to you, that if you logically follow this, sir, there is one able method on the part of the government to fetter opposition, and that is to create public inquiries or royal commissions into matters of public concern. I therefore rise solely, alone obviously, to challenge you.

Mr. Lewis: Mr. Speaker, having participated in the delicate drafting of these rules some months ago, we in this party will not support the challenge to the Chair. We think the distinction the Chair has made is a viable distinction and the member for High Park should be allowed to make his case within those terms of reference, although we further feel that the House leader should in fact stand down this order of debate until the commission of inquiry has sat.

Mr. Bullbrook: Well, there is a Casper Milquetoast approach to a matter of principle.

Mr. Singer: With regret, sir, on a point of order, I cannot support the position of my colleague for Sarnia.

Mr. Lewis: Well, there is a Casper Milquetoast.

Mr. Speaker: I must say to the hon. members that I have made a ruling in an effort to permit the hon. member for High Park to continue, hopefully that he could continue in order. Now one member has risen to challenge that ruling. I believe that we must have five members in order to challenge a ruling. If five members rise, then we will have a vote as to whether my ruling stands or not. Otherwise, my ruling stands.

The hon. member for High Park may continue.

Mr. Shulman: All right sir, let me stress again that the terms of reference of the royal commission are purely and simply to look into the relationship of the OPP with persons of known criminal origins. Specifically named are four persons.

I am not going to discuss that. I am going to discuss one matter which is allied, sir, but is not under the terms of reference at all. I am not only going to discuss the relationship, I am going to discuss the surveillance that was carried out by the OPP, or the lack of surveillance.

It was stated in the Legislature that the OPP had two gentlemen under constant surveillance, neither of them members of the OPP. They stated those men had not met for any social or business purposes, but had merely had casual contact in the city. We have now discovered this is absolutely untrue.

I am not worried about that being untrue, what I am worried about primarily is what is wrong with the surveillance, with the intelligence, in the OPP. How could they have a group of people under constant surveillance and be unaware of constant meetings, or intermittent meetings?

Mr. Speaker: The hon. member is speaking in general terms, may I take it that way?

Mr. Shulman: I am speaking of nothing to do with–

Mr. Speaker: As an example?

Mr. Shulman: All right, as an example. But the answer is really very simple, and now I come to a matter which definitely has nothing to do with the royal commission.

This government–this Conservative government–has a habit of spending money for surveys. They love surveys and they hired a firm by the name of Hickling Johnston, who did two surveys of the OPP. I am referring at the moment to the one that they completed last December.

Actually, it was a traffic survey originally, but Hickling Johnston are management consultants and they went further. The man who was in charge of that was a man named Jerry Hillis of Hickling Johnston, and the Hickling Johnston team made an interesting discovery. The first discovery they made–and perhaps the less exciting one–is that there was not a single university graduate in the whole of the OPP.

I have had numerous discussions in recent months with various police forces, the New York State Troopers, FBI people, the crime commission in New York State. When I related this to each of the senior representatives of these police forces they expressed great shock to me. They said there are certain departments where you have to have university graduates, as on the New York State Troopers, which I suppose are roughly equivalent. They said they could not add the number of university graduates, but they were in the dozens.

Hon. Mr. White: How many in the Toronto force?

Mr. Shulman: I am not aware of how many are in the Toronto force. This is the provincial force.

Mr. Singer: He is talking about the OPP.

Mr. Shulman: I am discussing the OPP. There was not one. But the more serious thing that Hickling Johnston said–and this is really the crunch of the matter, and I do not agree entirely with this statement–but this is what the man from Hickling Johnston said–let me just find the quotation here:

> The efficiency level of the OPP up to staff sergeant is very good, but the efficiency in the higher posts was deplorably bad; in fact, in inverse proportion to the level of the position.

That is what they said.

Now this is not true. I know from personal experience and firsthand knowledge this is not true of all the senior officers. But the fact that this should be the opinion of a management consultant firm called in to examine the OPP is damning.

Let me say immediately that the officers

who have done the investigation for the royal commission should be excluded from this. There are some very competent men. Mr. Lidstone comes to mind at once. There are others. But this general statement sums up what is wrong in the OPP in general, but in the intelligence branch in particular.

We have discovered in recent weeks, that the head of the intelligence branch, Mr. Graham, was aware of serious matters that should have been brought to the attention of the commissioner and he did not bother to do it. We have discovered that the OPP is unable to do proper surveillance. I have material here from other police forces—American police forces—on which I am going to go into in detail another time, which indicates that they were forwarded information of key importance about organized crime in southern Ontario and took no action.

I have information from the crime commission in New York State, that a key meeting took place here at the Inn on the Park—I have the date, in April last—between various persons involved with organized crime, who had come up from the United States for that meeting. These police informed the OPP, who staked out the Inn on the Park, but did not find anything because they did not know what the criminals looked like. They had not thought to get pictures beforehand. So they took down the licence numbers of all the cars that came there. They did not realize that these criminals rent cars. It was inefficiency all the way down.

There was a key heroin smuggling case, information of which was first picked up by wiretapping in the United States. The information was sent up here. It leaked out to the press, and through the press reached the Mafia people involved. The heroin smuggling was cancelled. It was supposed to be sent in cheeses of all things, from here to the United States. There is something seriously, very seriously wrong in the senior levels of the OPP.

The member for Downsview spoke at some length about the betting shops, and we cannot blame the OPP for that, but they are not controlling the bookmaking, the out-and-out bookmaking, which we have ranging from Niagara Falls right up to Hamilton, Guelph and Toronto.

They are not doing an efficient job in intelligence, whether that intelligence be in the fields of narcotic smuggling, bookmaking or Mafia infiltration into a labour union, great details of which I have here. These details have been in the hands of the OPP for some time, the complete details of which I intend to present in my budget speech. They, in some way, do not have all the tools they should have.

I went down to see the United States attorney, Kenneth Schroeder, who has given me model laws which we should have here in Ontario if we really wish to control organized crime. I am going to present copies of those to the House also. Since there is now only 10 minutes left tonight, there is no use attempting to go into that at this time.

So the tools are not all there. But basically, the problem is with the senior personnel, and where I must lay the responsibility is on the shoulders of the commissioner.

Now a crucial error was made seven years ago; you did not put a policeman in charge. You cannot expect to run the key police force in this province with the efficiency that is required in order to control organized crime if you do not have an experienced policeman in charge, someone who preferably has had some experience in the intelligence division, because that is where the heart of the whole matter is. To take a lawyer—delightful lawyer that he is—as the head of the OPP is foolishness.

Hon. Mr. Wishart: When he asks us to get some laws from the United States, I wonder is the hon. member suggesting we should follow the methods of crime control and perhaps achieve the same results they are achieving in the United States?

Mr. Shulman: It is all very well for the minister to refer to the problems in the United States. We do not have Weathermen; we do not have Black Panthers; we do not have the coloured problem, for which we should be very grateful. We do have organized crime and the minister is not controlling it, and the reason he is not controlling it is he does not have an efficient police force. He has great personnel; he has a great number of things going for him, but he does not have an intelligent intelligence squad. That is where the problem is.

I will tell him one thing the Attorney General should be copying that they are doing in the States, in New York and in the other areas. They are breaking the Mafia and we are not. Now the Mafia comes up to Canada. They love to come to Toronto, to Turkey Point, to Port Rowan. All the hoodlums come from down there. They have regular meetings up here because they are not bothered up here. When our hoodlums try to go down there, the American state police, or the FBI,

or the bureau of naturalization, pick them up within hours and they keep a very careful watch.

When did one last hear of one of their hoodlums being deported from here? I do not recall one in years, not in years. So they have found that there is a haven and this haven is north of the border. The reason this haven is north of the border is that our police are not bothering them. Anybody can come up here.

There was an incident just a few months ago, in the late spring, where one of their hoodlums, a Buffalo hoodlum, was about to be arrested by various authorities down there for income tax evasion. He disappeared. His car was found in the Niagara River; presumably he had drowned. Well, Sheriff Amico in Buffalo, whom I have had the pleasure of meeting and having discussions with, received a tip where this man was. Where was he? He was in Oakville, of all places.

Sheriff Amico sent his chief up here, Sam Giambroni, and Mr. Giambroni came to the local police, who said he had broken no law up here. And he had not. And he is still here. But he is not in Oakville now; he has moved to Niagara Falls, Ontario. He is still staying here and he has no intention of going back to the United States. Why do hoodlums consider this such a great place to come? Why is Turkey Point the key place? You hear it time and time again. I have a list of the people who meet there. And who do we have coming up there? The big shots in the Mafia from northern New York. They meet with people here, the little shots here. They meet with politicians—not ours, thank goodness—and yet this is the safe place. Ontario is the haven.

An hon. member: The province of opportunity.

Mr. E. W. Martel (Sudbury East): A place to grow.

Mr. Shulman: The province of opportunity! But for whom?

The problem basically comes back to the intelligence department of the OPP and it comes back to the way the OPP is being run. We are not going to get the OPP to be run properly until we get an Attorney General who says we are not going to tolerate these things—and I use the words of the member for Downsview because he is right. He is right about everything he said tonight. He is right about the Samuel case. He is right about the off-track betting.

Hon. Mr. Randall: You want another medal?

Mr. Shulman: The Attorney General's reasons are incomprehensible to those of us in both parties on this side of the House as to why he will not take the action that is necessary to drive organized crime out of this province.

The OPP and the men in the OPP, I think, are honest to the last man. They are decent human beings. They want to do it. They are not doing it because they are not getting the proper direction, and the direction has to come from the top. It has to come from Silk; it has to come from Graham—and it is not coming. And it is not coming from the Attorney General.

I say through you, sir, to the Attorney General, there is tremendous pressure being exerted in New York State and across the United States by the special crime commission that has been set up by President Nixon. They are harassing organized crime. They are harassing the Mafia. They are driving them out of business down there. They wiretap them; they charge them. They are breaking up their cartel. They are breaking up the bookmaking, breaking up the heroin smuggling, and they are stopping the loan sharking. The result is that these people are moving—and they are moving to our jurisdiction, and we are going to get more and more of them.

I met with Mr. John Barnhard from the Justice Department's task force on organized crime, and Mr. Edward Stillwell of the bureau of criminal investigation, and they were extremely disturbed at the fact that their criminals were moving north. When they come up here they use the telephones, they use the methods of communication, they use our minor hoodlums, and there is no effort being made to keep them under control, to keep them down in the States, to keep them from coming up here.

There is no real co-operation with the American forces. There is great communication. If the American forces ask for information, they are given it immediately and vice versa. There is tremendous and steady communication. I am aware of it. But we do not have the muscle up here, and I do not understand why.

It is almost as though we do not care about organized crime. Do not kid yourself that it is not here. It is here in great depth and great length. I have had a detective and a number of volunteers working on this matter; I will give all the details to the House as

soon as I am given time for my budget speech, and I am going to name the names of the people involved, the people who have been coming here to Toronto, and the couriers.

But what I really am disturbed about is the fact that in The Department of Justice and in the OPP nothing is being done, and that is where I am directing myself tonight, sir. Thank you.

Mr. Speaker: Perhaps the hon. member would find this an appropriate time in his remarks to move adjournment. Then I should say that the record should say that there shall be a further 40 minutes, I believe, of debate in this concurrence.

Mr. Shulman moves adjournment of the debate.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, before moving adjournment of the House, the order of business tomorrow: We will introduce in the committee of supply in the House the estimates of The Department of Education.

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 120



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Friday, October 9, 1970

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, OCTOBER 9, 1970

The House met at 10 o'clock a.m.

Prayers.

Mr. Speaker: Statements by the Ministry.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, it is my privilege to call to the attention of the hon. members of this House that tomorrow being October 10, starting at sundown tonight and continuing until sundown tomorrow night, those of the Jewish faith observe this day of atonement referred to as Yom Kippur. It is the climax of their holy days and while some of the members of this House are of the Jewish faith, I feel it should be noted that we, as a single body, should be aware of the very deep significance of this day, not only for members of this faith but for what it says for the whole of our society.

I understand this holy day teaches that in order to be forgiven, which is the whole significance of atonement, we must make amends with our fellowman for any wrong we may have done to him. So this sense of social responsibility, of co-operation, of needing and wanting to live in harmony with one another, is a very important message for our times.

There is in this teaching a very tangible repayment to our fellowmen. It is this message, as part of the message of the Jewish faith, that is essential in fostering the harmonious integration of all of our cultural and religious groups into the life of the whole community. It is of significance to all mankind.

Mr. Speaker, I am sure that I speak for all members of the Legislature in expressing best wishes to all of the Jewish faith in the province for a very happy New Year, the year 5731, which began on October 1, and that indeed it would be a year of peace.

Mr. Speaker: Oral questions.

INCREASE IN HYDRO RATES

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would like to ask the Minister of Trade and Development if, in his capacity as development minister, he was consulted by Ontario Hydro before the nine-per-cent increase in rates was announced?

Does he not agree that such a far-reaching decision should at least be a policy decision of this government which would involve his special ministerial responsibility.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, in the first place I was not consulted, though I have had a number of conversations with Mr. George Gathercole, the chairman of Ontario Hydro, about many matters pertaining to the cost of hydro for industry, particularly as it pertains to the Niagara power group and the factories in that area. But Hydro, like everybody else, is faced with increased costs.

They just completed a wage negotiation and it is obvious I think to everybody in this House that if we are going to have these services they have to be paid for. If costs go up they have to be passed on to the consumer. One of the difficulties Hydro faces is that I do not think it can make ad hoc arrangements with industries in various parts of the province without placing that burden of increased costs on perhaps someone else who can ill afford it.

In discussions I have had with Hydro, while I recognize that it would be nice for me as Minister of Trade and Development not to have any increased cost in services, I also recognize the necessity of passing those costs on if they do occur.

Mr. Nixon: A supplementary question: Would the minister agree that when a far-reaching decision is taken in a public corporation such as this, that hopefully the Legislature, or at least the members of the government, ought to have the right and the responsibility to pass on it, before the decision becomes final?

The alternative would be enactment to see that such changes are reviewed and approved or disapproved by the energy board as is the custom with more and more of the economic changes—and energy changes particularly—in this province.

Hon. Mr. Randall: Mr. Speaker, I would be interested in talking to the Hydro officials any time they contemplate an increase, but I do not think it is incumbent upon me as Minister of Trade and Development to make that decision for Hydro. The corporation is one of the most efficient, I think, anywhere in North America. As far as this government is concerned I understand that they have had conversations with. . . . We have a representative of Hydro here, the member for Muskoka (Mr. Boyer). I understand they do have discussions with the Prime Minister (Mr. Robarts) and The Treasury Department on these matters and I still say that I think that is the prerogative of Hydro without my interfering.

Mr. Speaker: The hon. member for Grey-Bruce has a supplementary?

Mr. E. Sargent (Grey-Bruce): I am sorry I did not get the gist of my leader's question but is the Minister of Trade and Development aware of an agreement between Minnesota Pulp and Paper Company Limited and Boise Cascade in providing transmission lines to them in Minnesota? Is he aware of that?

Hon. Mr. Randall: Yes, I am aware that they do supply some hydro from the Canadian side to the American side.

Mr. Speaker: Has the hon. Leader of the Opposition any supplementaries? The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): In view of the large costs to industry—and power is considered a part of the material that goes into their products—and in view of the fact that they are in a very competitive business, after the recent announcement of Cyanamid of Niagara Falls to lay off 200 people because of the competitive position they do not enjoy, would the minister not, when talking to the Hydro people, take up the question of competitive enterprise with other countries? We are getting this large layoff not only in this industry, but many others. I think this would be a good area for them to consider, if I may, Mr. Speaker, the possibility of being a little bit flexible in their rates because of the cost and the layoff of many people in this province.

Hon. Mr. Randall: Mr. Speaker, let me say that when I first came with the government in 1963, the Niagara power group users had a number of meetings with me and the Prime Minister. They felt that, as the hydro lines and the power was developed at the base of Niagara Falls, that has all been paid for and that their prices should not be as high, for instance, as Algoma Steel in Sault Ste. Marie.

On the other hand, the people in Sault Ste. Marie said "As the power is developed from our water resources up here we should be getting our power free". So, you look at it and the guy in between is going to pick up the load one of these days if you start an ad hoc programme on power rates.

I am aware of the difficulties that have been caused for American Cyanamid. I think 23 per cent of their manufacturing cost is the use of power, and whenever they get a power increase it is obivous that their product is going to increase in price. I am also aware that the product they manufacture—which I think is melamine or carbon black, for one of those companies over there—they export 99 per cent of it to the United States.

As I say, it is a big export item here, but on the other hand they recognize that they want to build more facilities and we have been talking about building more facilities. They say unless they can get a better power rate over a longer period they cannot build that facility here. They have a facility in the United States and they are apparently deciding at their management level whether they can afford to spend that kind of money and build new plants in Canada or have it manufactured in the United States where it is used.

This is the difficulty I see with some of the problems of American Cyanamid company. We have had a number of discussions with them and we are still trying to find a solution to their difficulties on power rates.

But I may also say, and I do not have the figures here to back it up, but in discussions with the Hydro—we get told how cheap the power is, say for instance in New York State —I think if you compare the power costs in the United States it is no cheaper than the power costs right here from Ontario Hydro. I think they can trot out a number of facts and figures that may confuse you and I, who are not entirely familiar with how they set up their power rate structure, but the feeling that has been expressed to me by Hydro is that we do have low cost power here in Ontario, despite the fact that we do have these increases, as your leader has said. However, other companies, other utilities, are having the same kind of increases.

When we recognize in the province here that we have to double our power within the next ten years—and producing power with

the kind of facilities we have today—we have run out of water power as you well know—is a very expensive way to generate power. I do not think there is any simple answer to it. Again I say the Hydro is faced with cost increases involving the people who work for Hydro, like the rest of the economy, and I do not see where they can continue to absorb these increases indefinitely without the taxpayer having to pick up the difference.

I would be inclined to believe that we have a very efficient operation at Hydro, from what I know about it from the investigations I have made. There is no easy solution to providing cheap power. We have been told that companies will leave here and go down to Quebec where they will get cheap power. Perhaps in Quebec the Quebec power company may use their Hydro utility as a means of attracting industry, but that is only for a period of time and then I think they are bound to run into the fact that they are selling power at a loss and they have to adjust the rate.

I do not think there is any easy answer, but we are aware of what is taking place.

Mr. Bukator: I have another supplementary.

In view of what the hon. minister just said about power in Quebec, was the minister acquainted or was he here in the House when there was a fraction of difference in price between Quebec and Ontario and Atlas Steel from Welland moved a $40 million plant into Quebec because of that particular small fraction of cost in hydro? Is the minister acquainted with that; and can we not stop this from happening when they are going to lay off 200 families?

Hon. Mr. Randall: Well yes, I am familiar with that.

Also I think we have recognized that we do not want to go into competition with some of the other provinces who are trying to attract indusry. We do not like to lose an industry—

Mr. R. Haggerty (Welland South): Is that not the minister's business?

Hon. Mr. Randall: We do not like to lose an industry out of any municipality in Ontario, but if the Province of Quebec or New Brunswick have a proposition whereby they can attract industry, I think if Ontario bent over backwards to undercut them or whatever they were using to get industry in there, we could be highly criticized.

Now I do not have the factors on Atlas Steel going down there with that percentage—

Mr. Sargent: We are criticizing the minister that he did not do it.

Hon. Mr. Randall: Just a minute now!

Whether that percentage is right or not, I am inclined to believe that there are other factors in Atlas Steel going down there besides hydro power. I have talked to the former president, Mr. George Young—

Mr. Sargent: It is a shocking admission!

Hon. Mr. Randall: We had a number of discussions with him in reference to locating in Ontario, and there are other factors besides power that entered into that negotiation.

Mr. Bukator: Mr. Speaker, just to keep the record straight: In that particular instance, it was only power. Macaulay was here at that time, and in the 11th hour of that particular day they agreed to give him the price; but they had packed their bags and they were on their way.

Mr. Speaker: The hon. Leader of the Opposition.

JINGLE PROMOTING ONTARIO ANTI-POLLUTION STANCE

Mr. Nixon: Mr. Speaker, a question of the hon. Minister of Tourism and Information.

Did he approve, or has he even heard, the insipid and misleading promotional jingle that is being broadcast under the auspices of his department over the Toronto radio stations which claims that Ontario has the most rigid and strictest pollution laws in North America? Would he not agree that this is an ironical—

Hon. Mr. Randall: Can the member prove we do not have?

Mr. Nixon: —sort of jingle to be broadcast over local stations in an effort, apparently, to attract people from other countries to visit this area when the radio stations do not even have that range? What would the cost of this promotion be and how could it be justified?

Mr. J. B. Trotter (Parkdale): Good question!

Hon. J. A. C. Auld (Minister of Tourism and Information): The hon. Leader of the Opposition has a good audience this morning.

Mr. Nixon: More than the minister has.

Hon. Mr. Auld: All I can say to the hon. leader is that this is not a programme sponsored by my department. I am afraid I am not familiar with the jingle he talked about.

Mr. Nixon: Mr. Speaker, for the information of the minister, it is a Tourist and Information programme, otherwise it must come under the auspices of the special projects branch of The Department of Trade and Development. I would like to direct a question to the Minister of Trade and Development to ask if he is aware of this advertising programme and if he approved of it?

Hon. Mr. Randall: Yes, Mr. Speaker, I am aware, and what the jingle says is exactly correct. We do have the most rigid and the best pollution control legislation and restrictions—

Mr. T. P. Reid (Rainy River): They do not enforce them.

Mr. J. E. Stokes (Thunder Bay): They never enforce them.

Hon. Mr. Randall: —of any state or any province in Canada. If we have not, prove we do not have them.

Mr. Nixon: I would like to ask the minister, then, if he feels that our laws and regulations are strict enough in view of the fact that we had the highest air pollution count in our history in this city and in the city of Hamilton yesterday.

Mr. Sargent: The minister gives you hell for not going to church!

Hon. Mr. Randall: Let me point out that this emotionalism that has built up on pollution is perhaps a very good thing for all of us. Let me also point out—

Mr. Nixon: It is certainly not a very good thing.

Hon. Mr. Randall: —the economic factors, my friend. If you want to stop that pollution completely, then I suggest that you will throw thousands of people out of work.

Mr. V. M. Singer (Downsview): Come on, answer the question!

Hon. Mr. Randall: I am answering the question. Just listen. The member will learn a lot.

Mr. Singer: Answer the question! Get down to the case.

Hon. Mr. Randall: I suggest, Mr. Speaker, that what we say in the jingle is absolutely correct. We are making people aware of the fact that we have spent in this province since 1965—

Mr. Nixon: It is just a part of the minister's political programme.

Interjections by hon. members.

Hon. Mr. Randall: The member asked me a question and I will give him the answer. If he does not like the answer, I am sorry.

Mr. Nixon: I certainly do not like it.

Hon. Mr. Randall: But we spent $2.5 billion in this province since 1965—between government and industry—solving the problems of pollution and we have the best pollution programme going of any state bordering on the Great Lakes.

Interjections by hon. members.

Hon. Mr. Randall: It is the best, but it is not good enough.

Mr. Nixon: A supplementary question, Mr. Speaker: Ostensibly attempting to—

Mr. J. L. Brown (Beaches-Woodbine): What a programme!

Mr. Nixon: —attract American citizens to visit Ontario, how does he rationalize the use of local Toronto stations rather than stations down in the United States? Surely his real audience is the people who he hopes will continue to support his administration.

Hon. Mr. Randall: Mr. Speaker, I think that this has the ripple effect. The more people we talk to the more people will spread the news.

Interjections by hon. members.

Hon. Mr. Randall: You know, Mr. Speaker, we used to say in the appliance business that the best advertising to use is the user. So we are using the user.

Mr. R. F. Ruston (Essex-Kent): Then why does the minister not go back to it?

Mr. T. P. Reid: The minister is still in the appliance business.

Mr. Speaker: Order. Did the hon. member for Grey-Bruce have a supplementary?

Mr. Sargent: Yes, to the same minister. What does the minister know of the forgivable loan to the Ontario Minnesota Pulp and Paper Company?

Mr. Speaker: Is that supposed to be a supplementary?

Mr. Sargent: Yes.

Mr. Speaker: If so it is out of order.

The hon. member for Downsview.

Mr. Singer: I wonder if the minister could tell us how much these insipid jingles are costing the province?

Hon. Mr. Randall: I remember, Mr. Speaker, when we brought out that motion picture in 1967 they called that an insipid motion picture, but it was judged the best kind and won an Oscar award for it.

Mr. Singer: How much did it cost?

Hon. Mr. Randall: Now to answer the insipid question from my hon. friend. We are spending $450,000 in domestic advertising for 1971 and $350,000 for international. So that is the way the advertising programme for this government is operating. It totals $800,000 in international and domestic advertising. My colleagues in Treasury give me the discretion so that if I find we are getting too much in the way of imported foreign goods as we are at the present time—I can spend the whole $800,000 in the domestic market; if we find that our export market is going down the drain and we are not getting our fair share, I can swing that $800,000 into the international market.

We are very flexible. We spend the money where it does the best job for the people of Ontario.

Mr. Singer: A further supplementary: Could the minister please answer how much the present jingle programme is costing the people of Ontario?

Hon. Mr. Randall: I do not know what the actual rates of the various stations are. We will spend a total of $450,000 in radio, television, newspapers between now and the end of March. As to what each and every programme costs I do not have the figures with me. I will be very glad to get them for the hon. member if it means anything which I do not think it does.

Mr. Speaker: Are there supplementaries? The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, is the minister aware that the advertisement claims that Ontario has the toughest pollution laws in north America? If so, has he compared the laws in California with those in Ontario?

Hon. Mr. Randall: Yes, we did quite a bit of research on various legislation in the United States and Canada. We got into trouble the other day for talking about research and surveys. But I can assure my hon. friend that we did research it before making these statements. In working with my friend the hon. Minister of Energy and Resources Management (Mr. Kerr) I can assure the member that this statement is correct.

Mr. Speaker: I would think that there have been sufficient supplementaries. More than one third of the time for the question period has elapsed. Does the hon. Leader of the Opposition have any further questions? If not, the hon. member for Scarborough West.

ALIENATION OF FOREIGN INVESTORS

Mr. S. Lewis (Scarborough West): Mr. Speaker, a question of the Minister of Trade and Development: In his speech to the Ontario Industrial Commissioners last night, the minister indicated, in a gentle rebuff to economic nationalists, that they were needlessly alienating foreign investors. Can the minister tell the House precisely which foreign investors have been alienated from Ontario?

Hon. Mr. Randall: Mr. Speaker, I was in Columbus, Ohio, two weeks ago. I go on these business opportunity missions and the first thing the reporters in those towns ask me is: "Do you really want American investment in the Dominion of Canada? According to some of your politicians it is indicated that you are trying to discourage it." I do not think I have to answer that question from my hon. friend because he knows very well that the ground swell of anti-Americanism, particularly by himself—

Interjections by hon. members.

Hon. Mr. Randall: —can build up—

Interjections by hon. members.

Mr. Speaker: Order! Order!

Does the hon. member for Scarborough West have further questions?

Mr. Lewis: Mr. Speaker, I want to know from the minister the name of one investor or one industry that has been, to use his words, "needlessly alienated from Ontario." One!

Hon. Mr. Randall: I think, Mr. Speaker, that the hon. member is playing with words.

Mr. Lewis: The minister is the most hyperbolic member of this House.

Mr. Speaker: Order!

Interjections by hon. members.

Hon. Mr. Randall: The member is the master of hyperbole, he knows that!

Interjections by hon. members.

Mr. Speaker: Order, please! This surely is a misuse of the oral question period. It surely must be.

Interjections by hon. members.

Mr. Speaker: The minister need not answer the question. I must point out to the hon. members that the questions directed to the ministers may be answered or need not be. They may answer those questions in any manner they see fit and we are just wasting oral question periods.

Interjections by hon. members.

Hon. Mr. Randall: Mr. Speaker, I know this is one morning "I should have stood in bed."

Interjections by hon. members.

Hon. Mr. Randall: Mr. Speaker, what I am trying to do in my capacity of protecting the jobs of the thousands of union trade workers in this country—

Interjections by hon. members.

Hon. Mr. Randall: —so their leaders can support the socialist party, I am endeavouring to maintain those jobs by bringing in as much foreign investment as I possibly can and maintaining those we have here.

Mr. Lewis: Answer the question.

Hon. Mr. Randall: I just suggest to my hon. friend over there if he keeps up that diatribe of Yankee-go-home nonsense, we will not have jobs here for anybody.

Mr. P. D. Lawlor (Lakeshore): Just answer the question.

Hon. Mr. Randall: We want to have the—

Mr. Lawlor: Just answer the question.

Mr. Lewis: Mr. Speaker, will the minister not then—

Mr. Speaker: Is this a supplementary?

Mr. Lewis: Yes, it is a supplementary. Will the minister not then admit that his speech last night was a speech of exaggerated misrepresentation on every single count? Name one industry to this Legislature which has been alienated from the Province of Ontario by those who believe that industry should owe an allegiance to this country. Name one.

Hon. Mr. Randall: Mr. Speaker, the master of exaggeration has just sat down and let me say to you, my hon. friend, and say again—I am not in a position this morning to name one industry. I will be the first to admit it.

Interjections by hon. members.

Hon. Mr. Randall: I simply say to members—

Mr. Lewis: Then do not make—

Hon. Mr. Randall: —I simply say to members that if they keep up that kind of socialistic nonsense they will drive industry out of this province, and do not forget it.

Interjections by hon. members.

Mr. Speaker: Order! Order!

Mr. M. Makarchuk (Brantford): Mr. Speaker—

Mr. Speaker: All right, the hon. member for Brantford with a supplementary.

Mr. Makarchuk: A supplementary question of the same minister: The minister stated that he is protecting the job of the workers. Could he indicate how he is protecting the jobs of more than 500 workers who are now being laid off in Brantford by Cockshutt and White Motor Company?

Hon. Mr. Randall: Mr. Speaker, I think that question could be directed to Mr. Trudeau and Mr. Young up in Ottawa.

Mr. Makarchuk: But the minister said he was protecting the workers.

Hon. Mr. Randall: We are.

Interjections by hon. members.

Mr. Speaker: Order, please! The question may be in some manner related to the topic but it is not supplementary to the original question. Does the hon. member for Scarborough West have more questions?

EXPORT OF NATURAL GAS

Mr. Lewis: I have one more, Mr. Speaker. I thank the minister for his admission this morning, though. It certainly cleared the air.

A question of the Attorney General—the Minister of Justice and the Attorney General.

In the light of the fact, according to the documents on the Energy Board hearings which were tabled by this minister yesterday —in the light of those documents, that the government of Canada paid no heed to the one specific request which the government of Ontario made, namely that the past and future effect on prices be calculated before the deal was consummated, has the minister subsequently made protest to Ottawa at this indifference to Ontario's position?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, these documents were not tabled by this minister yesterday. They were tabled by my colleague, I believe, the Minister of Mines and Northern Affairs (Mr. A. F. Lawrence). We carried the legal presentation to the energy board.

I am not certain also, Mr. Speaker, of the statement contained in the hon. member's question that the board paid no heed to that particular submission that there be a study on price effects for the consumers in Ontario in the future. I am not sure at all that that is so.

Although I could not prove it or state it here at this moment, I am quite certain that the board would definitely take into account in its whole deliberation the question of effect on price to consumers in this province.

It was, I think, indicated in the newspaper reports that this was one of the very cogent matters that the board was considering, so I do not accept that proposition at all that the board did not take those things into account.

I have made no further representations to the board on that matter. We have not stopped our own consideration of this whole matter. I think it is a very broad and very important question and I appreciate the interest of the hon. member. But the board which deals with these matters, of course, is a federal board. We can only make our plea and state our case. I am sure we shall have further things to say in this part.

Mr. Lewis: A quick supplementary, Mr. Speaker: The government submitted that the criteria for costing employed by the board on export prices for domestic consumption in Ontario were not met. Has the government been satisfied since that they were met? Or is the government now prepared to go back to the Energy Board and oppose any future gas sale?

Hon. Mr. Wishart: Mr. Speaker, this would certainly have to be a matter of government policy. I could not stand here in my place this morning and say what I am prepared to do. It would have to be a matter of government policy. But I am sure the government will be considering these matters continuously, because they are of great moment.

Mr. Speaker: Does the hon. member for Scarborough West have further questions? If not the hon. Minister of Transport has an answer to a previous question.

DISCONTINUANCE OF PASSENGER TRAIN SERVICES

Hon. I. Haskett (Minister of Transport): Mr. Speaker, on Tuesday last the hon. member for Huron-Bruce (Mr. Gaunt) raised some questions respecting the decision and order of the Canadian Transport Commission with respect to the discontinuance of passenger train services in the Bruce Peninsula, and I undertook to come back to the House with some further information when we had had an opportunity to study and digest the contents of that decision. I am able to do that now.

First of all, may I point out that with respect to appeals, I was not able to give him the specifics on limitations.

Section 53 of The Railroad Act provides for two appeals. The first under subsection 1 is to the Governor-General-in-Council. I think I intimated on Tuesday it was to the minister. This appeal lies at any time in the discretion of the Governor-General, upon petition of any interested party, to vary or rescind any order or decision. Any order made by the Governor-General-in-Council is binding.

Subsection 2 of section 53 provides for an appeal to the Supreme Court of Canada on a question of law or jurisdiction, as I intimated, if leave to appeal from a single judge of that court has been granted. The application for leave must be made within a month from the decision complained of. This period may be enlarged by the judge.

I would like to point out with respect to the decision, it is not our intention to appeal the decision.

Mr. Sargent: It is not?

Hon. Mr. Haskett: This intention is based principally on the fact—

Mr. Sargent: What is the minister's thought?

Hon. Mr. Haskett: It is not our intention to appeal the decision.

Mr. Sargent: Why did the minister go to the hearings and oppose them, then?

Mr. Speaker: Order!

Mr. Sargent: Why did the minister go to the hearings and oppose these things?

Mr. Speaker: Order! Order!

Hon. Mr. Haskett: Mr. Speaker, it is not our intention to appeal the decision. This intention is based principally on the fact that the decision sets a precedent as to relationship between revenues and costs, which could in the long run be beneficial to the citizens of Ontario. Let me explain.

The communities served by the CNR and CPR between Owen Sound and Toronto are the beneficiaries of two other excellent modes of transportation, namely the private motor car and bus, both modes being high grade because of the high quality of the highway system provided.

Mr. Sargent: That is a real laugh that is.

Mr. Speaker: Order!

Mr. Sargent: He is telling a bunch of nonsense, Mr. Speaker.

Mr. Speaker: Order, please!

I would ask the hon. member for Grey-Bruce to please observe the rules of decorum of this House or I shall exercise the provisions of the rules that permit me to take particular action in such a case. I would ask him to observe the rules of decorum and courtesies of this House.

Hon. Mr. Haskett: The average revenue per passenger on the CPR service between Toronto and Owen Sound is $3.36 in relation to the 1968 loss per passenger of $19.61. If the services were to be continued on the same basis, the Canadian taxpayer, by way of subsidy to CPR, would pay up to 80 per cent of the loss, or $15.69. So distributing the cost on a passenger basis, there would be $3.36 paid by the passenger, $3.92 borne by the company and $15.69 by the taxpayer.

As for the CNR, the ratios would be approximately the same except in isolated situations.

Our position with respect to passenger train services in Ontario is to deal with them on a system basis and not to treat each separate service in isolation. We have discussed with both railways the development of a minimum passenger train service for the province. The railways' reaction to this suggestion has been sympathetic.

The proposition has been made to the Canadian Transport Commission, but there has been no reaction from that tribunal so far as we are aware.

It is our intention to urge the commission to take no further action respecting ordering discontinuance of passenger train services in Ontario until a minimum or frozen passenger train network has been established in Ontario. This position will be enlarged at the hearing of the CNR Canadian service in Ottawa later this month.

If any of the municipalities between Owen Sound and Toronto should contemplate an appeal, the technical staff of our transportation division has been instructed to give them whatever assistance they require.

An hon. member: Always looking after the member's interest.

Mr. M. Gaunt (Huron-Bruce): A supplementary question, Mr. Speaker: As I understand it, is it not true that the position of the department at the hearings was for the Canadian Transport Commission to waive any decision until the province had a transportation policy as such? Is the department now moving away from that position?

Hon. Mr. Haskett: Mr. Speaker, I amplified that in my last few words. I said that we have put that proposition before both railways and have had sympathetic consideration from them. It has also been put to the Canadian Transport Commission and so far we have had no reaction from them on that proposition. It will be further advanced later this month in Ottawa when we are attending the hearings on the discontinuance of the CPR Canadian service.

Mr. Speaker: The hon. member—

Mr. Gaunt: A further supplementary:

In the commission's decision—it is pointed out, I believe, on page 46—in the view of the commission the road transportation systems in the area are adequate. Does the department feel then that this is so? I gather the department feels this is the case.

Hon. Mr. Haskett: Mr. Speaker, it would appear from the little use that is made of the train service and the very great use that is made of the highway services that the road service is excellent. I made the point of that in my report.

Mr. Speaker: Any further supplementaries? The hon. member for York Centre was up on a supplementary.

Mr. D. M. Deacon (York Centre): A further supplementary: Has the province considered requesting that Ottawa introduce legislation which would make the railway rights of way available to others than just the CN and the CP, others which might wish to provide transportation service over the rights of way within the province, so that we are not confined to dealing with just the two railways who seem to wish to get rid of the passengers whatever way they can?

Hon. Mr. Haskett: Mr. Speaker, I think this is another matter not quite germane to the report and order of the CTC.

Mr. Sargent: Does the minister not know the answer to anything?

Mr. T. P. Reid: It is an alternative to the minister's lack of policy.

Mr. Gaunt: Mr. Speaker, one final supplementary: How can the minister take the position that no further action should be taken until the transportation policy is evolved when the railways have already taken on a unilateral action to discontinue the service in one part of Ontario?

Hon. Mr. Haskett: Mr. Speaker, I think this was in my reply; that we are still pressing both the railways and the commission to consider the matter in the overall totality of a network system for Ontario.

It is already considered by the railways favourably, or sympathetically I think was the term I used. It is before the CTC for their consideration. We have as yet not heard any determination from them on it. It will be further advanced later this month in Ottawa before the railway committee hearings with respect to the CPR Canadian, so that is still a matter under consideration.

Mr. Speaker: Does the hon. member for Windsor West have a supplementary?

Mr. H. Peacock (Windsor West): A new question, Mr. Speaker.

Mr. Speaker: Are there further supplementaries?

Mr. Gaunt: Is it possible then, in the study of this minimum train network, that one or more of these trains that have been cancelled could commence running again under this new programme?

Hon. Mr. Haskett: Yes Mr. Speaker, I think that would be a fair enough assumption. I would not say that they would be the ones chosen, but I would not rule them out.

Mr. Speaker: The hon. member for Grey-Bruce has a supplementary.

Mr. Sargent: Is the minister aware that our brief said that the federal compensation should be amended insofar as we are concerned? I would like to ask the minister what he thinks we should do when our highways are impassable up there, like highway 10. We have no air service and now we have no train service; what should we do up there?

Mr. Speaker: Order!

Mr. Sargent: As the Minister of Transport, Mr. Speaker, he should know the answer to some things. If I were the Premier I would fire that man because he does not do his job.

Mr. Speaker: Order!

Hon. Mr. Randall: On a point of order, Mr. Speaker, I wonder if the hon. member would tell the House how he gets back and forth from Owen Sound to Toronto.

Mr. T. P. Reid: Is that a point of order?

Hon. Mr. Randall: Sure it is a point of order.

Mr. Singer: In his own plane.

Interjections by hon. members.

Mr. Speaker: Order! Does the hon. minister wish to add anything further? Any new questions? The hon. member for Windsor West had a new question.

FEDERAL MINISTRY OF URBAN AFFAIRS

Mr. Peacock: Mr. Speaker, I have a question of the Minister of Trade and Development.

How does he intend to reconcile the apparent conflict of jurisdiction that now arises with the announcement yesterday of the establishment of a Ministry of State for Urban Affairs under Mr. Andras?

Hon. Mr. Randall: I do not see any conflict, Mr. Speaker. I will be meeting with Mr. Andras, I think, before the end of this month. We have a number of matters to discuss and I think it is a good appointment. I think Mr. Andras will do an excellent job and I am looking forward to working with him.

Mr. Speaker: The hon. member for Kent.

AGRICULTURAL COURSES AT FANSHAWE COLLEGE

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Agriculture and Food.

Will the minister table the letter of understanding that he sent to Mr. John Lawrie, chairman of the board of governors of Fanshawe College on May 13, 1967, regarding the division of responsibility between The Department of Agriculture and Food on one hand and the College of Applied Arts and Technology on the other, for instruction and maintenance of agriculture at the Woodstock-Simcoe centres of the community college?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, first of all the matter of tabling the letter, I have no objection to doing that.

I was not aware that the letter had been made public. It was a piece of correspondence confirming a conversation which had taken place between Mr. Laurie, then chairman of the board of governors of Fanshawe College of Applied Arts and Technology, with members of his board and the president of the college along with myself and members of our staff, in trying to evolve some type of joint programme that could be worked between our department and Fanshawe College in providing the opportunity for young people to attend a satellite of Fanshawe College that was to be established at Woodstock.

I was not aware that the letter had been made public and I see no reason what it should be. It was purely an arrangement that we were trying out on an experimental basis to see what the results would be. It was prior to the expansion of the residential accommodation at the Ridgetown College of Agricultural Technology, when at that time the college was reasonably well filled with students from southwestern Ontario. It was also at the time just prior to the opening of the Centralia College of Agricultural Technology, which also provided extensive residential accommodation.

The agreement called for our department to provide certain staff to Fanshawe College who would provide the teaching of this particular course. The course was to be directed and under the administration of Fanshawe Community College. The arrangement was tried. However, we found that since there was all kinds of room at the Ridgetown college for additional students, and since there was a research farm with all sorts of buildings and accommodations and facilities, we felt that it would be more opportune for us to try to fill that school to its capacity rather than to generate additional courses at public expense. And it is really coming out of the same pocket—the taxpayers' pockets of this province—were we to provide additional courses at community colleges throughout the province.

It was for this reason that we have come to the conclusion that the efforts of our department should be directed in as far as it is possible to the filling of the accommodations that are available now in the agricultural colleges operated by this government rather than to develop courses that may not be as necessary as we were first of all led to believe they might be.

As far as the situation at Belleville is concerned, there has been no breakdown whatever in communication. The Belleville college, as I understand it, offers a course in agriculture, not on the same basis as that developed between the Fanshawe College and our department. I do not think it met with as great success as to the student body as it had been hoped it might. However, I believe that the hon. member, Mr. Speaker, may be referring to the courses that have been provided for farmers. Special training courses are located at various locations in the province.

They had been carried out at Belleville in connection with the community college on a seasonal basis. But as I am sure my hon. friend will realize once that course has been in a community for any given period of time it absorbs those people who can come to that course. Since this is for adult farmers, then it is expedient that the course should be moved to another area so that those farmers can come in to take that course. This has been going on through the history of The Department of Agriculture in this province where we had special short courses held in various parts of the province.

These particular courses, business of farming courses that were held through Manpower and our department, simply were worked out as an arrangement with the Belleville Community College. There is no breakdown in that it is being transferred to some other area. Some other area is getting the opportunity to participate that Belleville originally had.

Mr. Spence: A supplementary question: This document was not setting up a model

for any other agriculture courses in other community colleges, was it?

Hon. Mr. Stewart: No, Mr. Speaker, the agreement was simply reached between our department and Fanshawe College on a trial basis to see what would happen.

Mr. Speaker: I think we have time to squeeze one more question in. The hon. member for High Park.

LLBO RULINGS ON ACTIVITIES IN LICENSED PREMISES

Mr. M. Shulman (High Park): I have a question of the Provincial Secretary, a question about the liquor regulations, Mr. Speaker.

1. Can the Provincial Secretary explain to me why Ed Mirvish's Folly has been instructed that it may no longer sell hot dogs?

2. Why Julie's has been instructed in future people may only drink sitting down in the upstairs bar and not standing up?

Mr. Lewis: The minister knows what that does for the young singles does he not?

Hon. Mr. Welch: Mr. Speaker, the answer is no, I do not know that.

Mr. Speaker: The oral question—all right, a supplementary.

Mr. Shulman: Would the minister inquire as to this brilliant piece of new work by the chief?

Hon. Mr. Welch: Yes, I would be very happy to. What can one do upstairs that one cannot do downstairs, again?

Mr. Speaker: The oral question period has now expired.

Hon. Mr. Stewart: Mr. Speaker, I rise on a point of personal privilege. I have in my hand a copy of the *Globe and Mail,* dated Friday, October 9, in which there is reference made to the experience we had in the House yesterday afternoon following five o'clock. In this article you are referred to, sir, as Speaker Cass, and I am sure that you would want this to be corrected.

I wonder, Mr. Speaker, if I might also add the fact that my name is listed among those ministers not in the House. I would like for the record to clarify this, Mr. Speaker, and I am sure you would want me to do this.

I was here to hear my hon. colleague, the Minister of Labour (Mr. Bales), deliver his address, and I was here when the bell started to ring at five o'clock. I remained here until six, and I was here when the bells were still ringing at eight o'clock and when the vote was held. I am sure the *Globe and Mail* has simply overlooked this fact, and I am sure the paper will be quite willing to correct it.

Mr. Singer: It is not the minister's privilege; it is the Speaker's privilege.

Hon. Mr. Stewart: I would also—

Mr. Singer: Oh, the minister was here.

Hon. Mr. Stewart: I want to clarify—

Mr. Singer: Four hours later.

Hon. Mr. Stewart: —that I was here when the vote was held.

Hon. A. Grossman (Minister of Correctional Services): The article stated there were 49 members for the opposition at the beginning. I would like to know how they got that figure.

Mr. Speaker: The records will now show the correct situation.

Petitions.

Presenting reports.

Motions.

Reports.

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I beg to table a report under subsection 2 of section 2 of The Fisheries Loans Act, 1970, for the period ending September 30, 1970.

Mr. Speaker: Introduction of bills.

Before we proceed with the orders of the day, referring to the request made by the member for High Park yesterday, I have no hesitancy in reaffirming in general terms the ancient Parliamentary privilege of freedom of speech, which has been given statutory recognition in section 37 of The Legislative Assembly Act. Further, *May* in the 17th edition says that a member "is protected by his privilege from any action for libel as well as from any other question or molestation".

You might see also the United Kingdom House of Commons Debates, 1960-1961, 630, cc. 385-7 in which it is stated there is no doubt that, while the House itself can punish a member for offensive words, no action will be taken outside the House with respect to anything said by a member therein.

Mr. Lewis: Hear, hear!

Mr. Speaker: With respect to the specific incident referred to by the member for High Park, I must point out that if a breach of privilege is committed there is proper procedure for laying a charge before the House and submitting evidence in support thereof. The determination of such charge then belongs to the House, not to the Speaker individually.

Moreover, I am not, of course, aware as to whether or not the hon. member has made any statements at the Royal commission inquiry or elsewhere outside the House; nor is it any concern of mine if he has done so. I merely point out that his Parliamentary immunity does not extend to any such statements outside the House.

Mr. Shulman: Thank you very much.

Mr. Speaker: Orders of the day.

Clerk of the House: The twenty-ninth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF EDUCATION

Mr. Chairman: Estimates of The Department of Education, page 28. Does the hon. minister have an opening statement?

Hon. W. G. Davis (Minister of Education): Mr. Chairman, we have what is called the minister's relatively brief statement.

Mr. T. Reid (Scarborough East): Is that two hours?

Hon. Mr. Davis: No, I will be done before lunch. I have also had some background papers prepared which we did last year, and which will be made available to all the members. I have copies here for the opposition critics, so they will have them almost immediately.

Mr. J. L. Brown (Beaches-Woodbine): They are spokesmen.

Hon. Mr. Davis: Spokesmen. Yes, there are a number of critics; I guess the term spokesmen would be more appropriate.

So just to lead off the discussions, Mr. Chairman, and I know within the limitations of time there are many issues that the members opposite will want to discuss, I will quite frankly try to minimize my contribution at this moment, perhaps with a lengthier one when the opposition spokesmen have concluded their remarks later today or on Tuesday.

However, I do want to comment very briefly on two or three aspects of the educational situation in this province, and I think it would be appropriate to begin my remarks by referring to the enlarged jurisdictions for educational programming in this province. I think that one can begin to see, emerging from the change that has taken place, some of the very positive aspects of the enlargement of the school administrations. We can do this now, Mr. Chairman, from the standpoint of certain economic factors; we can do it from the standpoint of the availability of capital provisions and the assessments that are being made by the boards themselves.

It is not quite as easy at this moment to make the evaluations related to the kinds of programming, the improvement in numbers of facilities and the improvement we think that is taking place with respect to the quality of the programme itself. These are not as easy to assess nor can they be, perhaps for a period of time, completely defined for the members of this House.

I think in any assessment of this kind one must also take into account the situation that existed in 1968, and it is very encouraging to note, Mr. Chairman—and I think this will be of interest to the members opposite—that on our preliminary run-through of the figures in 1969 and 1970—and I must emphasize that these are still on the basis of some degree not of speculation, but the final figures just are not available to us. It would appear as though the percentage increase in cost in 1969 over 1968 is somewhat less than 1968 over 1967, and it would appear as though this were the trend as well in 1970 over 1969. It would indicate that with all the difficulties that were experienced a year and a half ago, as far as total expenditures were concerned, as far as increase on a percentage basis of cost were concerned, that the enlarged jurisdictions in fact have not imposed any significant additional burden in total dollars. And perhaps there is every real indication that in total dollar terms the cost increase appears to be, shall we say, tapering off to some degree.

Mr. E. Sargent (Grey-Bruce): How is it tapering off when it is millions of dollars?

Hon. Mr. Davis: No. I would say that it is really quite encouraging, and I will perhaps even get into some dialogue with the member for Grey-Bruce as to the actual figures as they relate to his own county board and how they have done really quite well in

many situations. I am sure the hon. member would want to agree with that; I am sure he would.

However, when one makes these comparisons one has to keep in mind that we are dealing with rather different situations. We are dealing with county boards now, or larger boards, that have taken upon themselves some very real responsibilities that were not part of their prior responsibilities with respect to supervision, development of curriculum and, quite frankly, a more autonomous role as far as education is concerned.

Here we get into one of the very real problems that we face in education today—and I say this with great respect to the spokesmen opposite—that when things are tough, when things are difficult in the educational field, there is a growing tendency—and this is not even part of my so-called prepared remarks, but I want to emphasize this—there is a tendency to look to the central administration. There is a tendency to say inadvertently to the central administration, "You move in and resolve the problems that are basically those traditionally and under legislation of the local school authority".

Yet we get other situations that emerge from time to time when even members opposite—and I think we even draft legislation which supports what I am saying—where they say vary specifically this should be the responsibility of the local board, we should have legislation ensuring these things as being responsibilities of the local boards. We face in this province, Mr. Chairman, from time to time, not necessarily a conflict, but certainly a contradiction as to what the philosophical approach should be.

We have endeavoured within the department, and as a matter of government policy, to recognize, and I think it is relevant, that the local communities have a very real role. I am not talking economics now; I am talking philosophically in the development of an educational programme as it applies to the young people within those communities. I must reject, Mr. Chairman, and I say this very objectively, the thoughts expressed by some people that education should be totally centralized, whether through economics or any other reason, and if you do it through economics, the other, I think, by and large, follows suit.

I do reject the philosophy whereby education will be totally centralized within The Department of Education in this province. I think, Mr. Chairman, to develop an approach whereby we say that the school boards will operate so that at 11 o'clock on a Friday morning the Minister of Education of the Province of Ontario can say to himself, "In grade 2 in every school in the province of Ontario they will now be taking mathematics. They should be on page 6 of a particular text." Then he would have complete control, complete involvement. And this is true in some jurisdictions, as the members opposite fully appreciate.

I think in this day and age, with the changes that are taking place in our society, that this—in my view at least—would not be the appropriate direction to take. So I say to some of the members opposite, some of the opposition spokesmen, that when we get into the debate, when we get into individual situations, I recognize the responsibility of the minister and the department. But let us deal with them on the basis of having them at least in some way logical, and the recognition that to have complete centralization in my view is highly undesirable. When we expect local boards to have some responsibility, some autonomy, we must anticipate that they must discharge these responsibilities themselves.

I relate, Mr. Chairman, some of the experiences that the local jurisdictions have had in the past couple of years. They have been rather traumatic times for the school boards. A great deal of work has been done, a great deal has been accomplished. There has been the equalization within the counties themselves, equalization of salary situations, establishment of administration procedures, an assessment of total needs of the school board jurisdiction.

To give one or two economic indications, Mr. Chairman, it is encouraging—not encouraging, it is factually correct—that a substantial number of boards in the area of capital investment have been able to reduce the estimates that were emerging three years ago with respect to capital requirements. It is now possible for a county board to assess the number of pupil places available throughout the total county, and then determine where they can adequately either add to or move students to see that we are getting maximum utilization of the school plants themselves. It is also now possible for the boards, and they are in the process, of taking a look at a more efficient use of school plant itself. I get into some detail in this perhaps—

Mr. Sargent: At great hardship to the people though.

Hon. Mr. Davis: Well, Mr. Chairman, with great respect, I do not suggest that there

have been no hardships to the people, the hardship being basically in that area of mill rate with the understanding that with the equalizing factors, the distribution of costs, which is always a problem, Mr. Chairman, that one is endeavouring to treat everybody the same. This is the whole basis of what is being done with respect to the distribution of costs.

One can argue, Mr. Chairman, as to better ways and means of distribution, and I am quite prepared to discuss this with anyone. I still am in the process of explaining to the House that when it comes to total dollar commitment — total assessment of the programmes of the new school jurisdictions — one can be very encouraged, (a) as to the total amount, and (b) as to the way the school systems themselves are being administered internally.

I think one can visit any of the jurisdictions, Mr. Chairman, and find a substantial degree of expertise with respect to school planning and school utilization now coming into being; a recognition that if you have a school of some 1,200 or 1,300 students, perhaps there are more efficient ways of distributing teacher loads, which is, in my view, very relevant at this precise moment; a recognition that, perhaps, it costs less to transport a busload of children from point A to point B, rather than have schools that one could say are totally competing 10 or 15 miles apart.

This was the case in the past—I make no bones about it, Mr. Chairman. One of the problems we faced in this province for years was the very understandable and human desire on the part of the 4,000-plus school boards and the municipalities, to have our schools in the centre of our municipality to serve our children. Totally understandable.

Mr. Sargent: When is the minister going to watch the costs?

Hon. Mr. Davis: But, Mr. Chairman, when you begin to assess today the real impact we can have with respect to capital expenditure, realizing that young people are perhaps not as concerned about boundaries as we traditionally have been, there is no question that in the area of capital expenditure, literally millions of dollars are in the process of being saved by the establishment of the larger school units.

Mr. Sargent: In 10 years?

Hon. Mr. Davis: Mr. Chairman, I would say to the hon. member that there have been savings not within 10 years, there have been savings within some county jurisdictions as of the year 1970. This is how immediate that type of response has been to this kind of programme. I think it should also be stated—and I am being just a little bit philosophical—that there is a tendency to relate some of the problems of education today to the question of administration, to the question of boundaries, to the question of just what structure has been developed.

I say with respect, Mr. Chairman, that many of the things we face in education today would have been with us, are with us and will continue to be with us, without any relationship whatsoever to the type of administrative organization that is there. The question of young people within the school system challenging some of the traditional ways of the educational process; and the question of teachers becoming more involved and wanting to develop a different approach, and to develop some of their own curricuum.

Thank heavens that this is emerging. This is part of what is happening in the educational community today and should be encouraged. Because when we centre on economics, which is very relevant—I emphasize this—but with our concentration on this, our desire to create greater efficiency, we sometimes forget there are other things of relevance happening in the school system which should be of concern and interest to all of us in this House. I do not think I need mention them here on this occasion but they should be of concern. There are many of them encouraging—and I emphasize this—and others that give us pause to reflect and to say, "Are there other ways and means of attempting to resolve the problems?"

I guess I visit about as many schools in this province as anyone in this House and talk to numbers of students—not always in a positive way, from their standpoint—

Mr. R. F. Ruston (Essex-Kent): How about Essex county?

Hon. Mr. Davis: We have been to Essex county; we have even been to talk to county councils down there, if my memory serves me correctly, as well as to students.

I think it is very fair to state that, as minister—and I convey this impression to the House—while we sometimes emphasize the negative of what is happening, we can be very encouraged by the response of the vast majority of students within the school system of this province. I am prejudiced, you know—

Mr. Sargent: I think the minister is flogging that word "encouraging."

Hon. Mr. Davis: Well, I am one of these people who like to be encouraged. I am not quite as negative as my friend—well, he is not always negative.

Mr. Sargent: The minister knows he is in trouble but he is trying.

Hon. Mr. Davis: Listen, none of use would be in this House if we did not have difficulties from time to time. Life would be rather dull if we did not. I am sure the member opposite has his own problems from time to time; I do not know what they would be, but I imagine he would have the odd one.

Hon. A. Grossman (Minister of Correctional Services): Their difficulties have lasted for 27 years.

Mr. Sargent: Yes, but we are emerging.

Hon. Mr. Davis: Without being provocative I would be prepared to suggest to my colleague, the Minister of Correctional Services, that the difficulty may be with our friends opposite for many more years yet to come.

This is a very non-partisan, totally objective approach to the educational problems, and I have only reached page 3 of my preliminary remarks. I do emphasize this, Mr. Chairman, and I think it has to be restated from time to time, because there are people in the community, and understandably so, who have developed a certain concern and perhaps a negative attitude, because of things they see happening with the very small minority of young people in this province. I just want to say—for the record, if we can use this term, Mr. Chairman—that I, for one, am very encouraged by the constructive attitudes, the responsibility and the talents that are being expressed by the young people in the school system in this province.

I might also say, Mr. Chairman, not that it is any comfort for any of us, that what we are experiencing here in the field of education is not unique to Ontario. I refer to the unrest, the concern, the desire for change and yet the reluctance to accept change which are part of what we are going through. This is something that is evidenced in every other provincial jurisdiction. There is evidence of this in most jurisdictions in the western world.

I find it very intriguing. I am sorry the member for Peterborough (Mr. Pitman) is not here, but people are beginning to say, should we in fact be providing educational services from kindergarten through and beyond? Should we, in fact, be looking at moving some students out into the world of work at earlier stages? Have we, in fact, moved too far?

I am very disappointed, quite frankly, Mr. Chairman, that in the University Affairs estimates, we did not get into the question of what should be the eventual long-term philosophy of this jurisdiction and others with respect to university education?

We emphasized certain things the other day—all very relevant; Laurentian and others—but, you know, we really did not come to grips with what I think is one of the very major concerns, one of the policies that will have to be established.

I can recall, not too many years ago, when the member for York South in this House got up and enunciated very specifically total freedom or accessibility to post-secondary education. I do not think anyone was going to debate this at that point—free tuition, which we do not hear as much about these days—and yet the member for Peterborough, not only here but in some speeches, has been questioning whether or not this is right, not on a matter of economics solely but on the question of philosophy. These are the questions I think that have to be raised.

Mr. D. C. MacDonald (York South): You are confusing what his views are.

Hon. Mr. Davis: What?

Mr. MacDonald: You are confusing what his views are.

Hon. Mr. Davis: I do not think I am, because if I am confusing what the member for Peterborough's views are, then I say, with respect, his own views may be somewhat confused, which is understandable, because nothing is set. I do not think there is much set in education today.

I must also make this point, Mr. Chairman, when we are discussing education in a very general way, it is pretty easy to be negative about structure. It is pretty easy to say that education itself is somewhat confining. I am quite prepared to admit this. I happen to have five people who are very directly involved in the confining nature of education every day. But I also must make this observation that when we bring about change—and it has been substantial in this province—we must also accept the fact that we cannot give away the store in the process.

Our society is so structured, so developed, for better or worse—and I think it is for better and there is lots of room for improvement—that it is part of any educational system for young people to learn that they must live in

a total context, in a total society, where there are certain disciplines, where there are certain traditions and where there are certain responsibilities. Despite the fact that one wants to move ahead with some programmes and one wants to give students far greater freedom and flexibility, one must also recognize they still need a very real degree of leadership and guidance within the process itself.

I do not mean to be personal but I will take the youngest member of our family. She is a very average child. She is in grade 2 at McHugh Public School in the town of Brampton. If one were to—

Mr. T. Reid: McKeough?

Hon. Mr. Davis: McHugh, a very great name in the town of Brampton. There is another school, but my children do not attend that other school with that other name in the town of Brampton. But you know, people talk to me, some educators even, some members opposite in years gone by, about the total freedom a child should have in the selection of curriculum, whether or not they want to do homework, and so forth. Do you know what Meg would opt for, Mr. Chairman, if she had complete choice at this precise moment? She would want recess from 9 to 11 o'clock and lunch from 11 to 12.

Hon. Mr. Grossman: Very understandable.

Hon. Mr. Davis: That is an exaggeration but you must recognize—

Mr. Sargent: What is her background?

Hon. Mr. Davis: I do not know what her educational or her political outlook is. All I am trying to say is very simply this, that as we make these changes, as we give greater flexibility, and I emphasize this, this does not mean a degree of permissiveness. I am getting a little weary of people in the adult world saying that the school system has become so permissive that it is leading to many of the social problems we have, because, Mr. Chairman, this is not factually correct. But I do have to emphasize from my own personal standpoint that a school system does mean a respect for law and order. It means a respect and a certain degree of discipline in the enlightened sense of the word, and it does mean that young people still need a little bit of leadership, guidance and, shall we say, motivation on the part of an enlightened teacher. We cannot completely give away the store in the process of change that is taking place.

Two or three other things I guess, Mr. Chairman, as I move on through my remarks, relate to the need for change and updating of curriculum. I guess we have here, Mr. Chairman, not an area of conflict, but we have an area of concern on the part of many parents, and as a parent and I think I have some objective viewpoint on this. One of the concerns we have is what is being taught within the educational system today, but I think very frankly, Mr. Chairman, that perhaps we —and when I say we, I mean the educational community—should be making a greater effort to communicate not just mill rates—this has a way of communicating itself—but we should be communicating to a much greater extent with the parents and the adult members of society as to what is happening within the school system as it relates to curriculum itself.

Mr. T. Reid: That is my speech of two years ago.

Hon. Mr. Davis: With great respect, I have read all the hon. member's speeches. I may even get around to two or three that maybe he wishes he had not made, Mr. Chairman.

Mr. Ruston: Where do you get time for all that?

Hon. Mr. Davis: Are you saying that your colleague makes too many speeches?

Interjections by hon. members.

Hon. Mr. Davis: I read the speeches of the member opposite. I was delighted, although I do not entirely agree, with a contribution the member for Lakeshore made of a very philosophical nature to one of the leading daily newspapers in the city of Toronto not too many weeks ago, if memory serves me correctly.

Mr. P. D. Lawlor (Lakeshore): You got honourable mention in that.

Hon. Mr. Davis: Yes, yes. I recall that as well.

Mr. MacDonald: That is why you read it.

Hon. Mr. Davis: No, I read it before I noticed that.

Interjection by an hon. member.

Hon. Mr. Davis: I started at the bottom paragraph. I do this quite often. You know I read the bottom paragraph, Mr. Chairman, to see what the writers are really trying to say, because in the last four or five paragraphs they should at least attempt to sum up

their thoughts. I can sometimes tell from that how relevant the balance of the article is going to be, so when I read the member's article, I had to re-read the total article twice.

Mr. Lawlor: As a youth you must have been addicted to detective stories.

Hon. Mr. Davis: I will make this very frank confession to the members of this House, Mr. Chairman. Not just in my youth; listen, I still read the odd one. I do this for diversion, I guess one might say.

Mr. MacDonald: Back to the store before we close it.

Hon. Mr. Davis: I have temporarily lost my train of thought, not really.

Dealing with the question of curriculum, Mr. Chairman, as I visit parent groups and discuss some of these situations, very understandably there are still suggestions made to me and to members of the department and to the school boards, such as: Why can't we have a set or pat curriculum for every student, say, within the county's jurisdiction at a certain grade level? Why is there, shall we say, the diversity of programme? Why is it necessary to have the options that are available, particularly at the post-secondary level? Would it not be easier for us as parents—and this is what they are really saying—to understand our children, if they were in fact engaged in an educational experience more closely related to the one that we enjoyed or did not enjoy?

Mr. Chairman, I think it has to be very clearly stated, from my personal point of view at least, that we live in a day and age when changes in curriculum are part of what we are doing. They will continue to occur. There will be, in my view, greater flexibility, a greater relationship between traditional disciplines, if you can use that term, in the elementary and secondary school system. Not only is it inevitable, Mr. Chairman, it is highly desirable because this is the way our society functions today. I think that the solution to the problem, if it exists, is a far greater effort on the part of the school jurisdictions and the department—and I am prepared to admit this, to make a greater effort to try and acquaint parents and the general public with what is happening in education itself.

I think, Mr. Chairman, there are two or three other areas with the college programme —and I can get into this without appearing to deviate from the estimates of The Department of Education—and that is the whole concept and where we are going with post-secondary education. I was amazed, Mr. Chairman, very frankly that we did not have some discussion of the Economic Council of Canada's very recent report. Last Wednesday afternoon, I really thought some members opposite might seize upon this as a good area for dialogue. In that they did not, I will give them the opportunity by making reference to it myself, because what that council's report has done—and really, as I read it and assess what it has said, it really is not quite in keeping with the initial reports that I saw when I was at the CEA meetings in Edmonton when the report was first made public.

It raised one of the very basic concerns. It traces the enrolment patterns in the last 10 years and the cost factors in the last 10 years, and projects these ahead 10 or 15 years and says, "Can we, in fact, afford it?"

Mr. MacDonald: You sound like the hon. Treasurer (Mr. MacNaughton).

Hon. Mr. Davis: The part that was somewhat interesting in the report, Mr. Chairman, is that it posed the problem—and I am not being critical of the report but, with great respect, we know of the problem—but it did not present, shall we say, the alternatives; it did not present solutions. Certainly greater efficiency is relevant. I think we can have greater efficiency in all areas of the educational programme, but really it did not say that perhaps some of the hard choices will have to come down to this.

To what extent can we provide post-secondary education for those people who feel they have a need and who can benefit from it? This is the hard decision that perhaps we will have to tackle some time in the future and maybe in the not too distant future. Are there other ways and means of doing it? Is it possible for students to move out of secondary school, as has been suggested, for one or two years in a role of work and then move back into the post-secondary field?

With respect, Mr. Chairman, maybe this would work, but at the same time, you postpone and you are still playing with the same total numbers. With respect, you have to recognize the same dollar commitment because you have the same number of people.

I happen to believe, Mr. Chairman—and I am not now representing what may or may not be future government policy—that our society should make every effort to see that, in fact, we can provide whatever form of

post-secondary education is relevant for those people who want it, and can effectively benefit from it.

I do not know what the alternatives are; I just hate to imagine what they may be. I say to the members of this House, I know, as they do, that alternatives in this concern are being discussed, not only here but in many other jurisdictions. I am sure that there may be some—and a school of thought, I think, will develop, Mr. Chairman—that will suggest that we should, in fact, very substantially restrict for one reason or another the flow of people or students into the post-secondary field. I would regret this developing here in this province because I do not think that is the answer to the difficulties we face. I say this somewhat as a personal point of view.

Mr. Chairman, there is no question that in the field of economics, in the cost that is being imposed upon the public of this province, we must, as a government—and I say this very frankly to the members of this House—make every effort to analyse, to seek out ways and means of accomplishing the same purpose. I believe it can be done without the incremental cost that has gone on in the past with respect to the investment that is being made.

We talk about these things—the member for York South has raised them on a number of occasions—whether or not the trimester system, which has been tried at Guelph and which has been tried at Ryerson, will in itself lead to greater efficiency or greater numbers of people going through the post-secondary system. I think, Mr. Chairman, that one does not reject this. I only say that it, too, has certain problems that we are aware of—such as, the increase in investment for faculty or operating costs somewhat offsets what we think on the surface could be some savings in the capital field itself.

You posted other problems—and I deal with this under the Colleges of Applied Arts and Technology—as to whether or not there are ways and means of having three-year courses, in fact, accomplished in two years. I will not get into the universities because it would not be appropriate, but one might start looking at some of these situations.

Every time new knowledge is made available and any discipline becomes more complicated, any course or any faculty or any structure within the community college—when the amount of knowledge increases—the natural tendency is to add another month or two months or a year to the course. There has never been, in my view, a substantial effort, Mr. Chairman, to see if there are not ways and means within the same time limitations to accomplish the same amount of work by making the work that has been available or necessary perhaps a little more relevant than in the past.

I do not think that we have really tackled these problems. This is not true just of Ontario. It is true of just about every jurisdiction that I know and I think these are some of the questions that have to be asked and will be asked in the future.

I wanted to deal, very briefly, with many other aspects but I already have gone beyond what I had intended in my very limited introduction. I do touch briefly upon the field of special education because to a degree this has not been totally understood by the public. People relate special education to the situations of the emotionally disturbed and the physically handicapped without recognizing that if we do not develop programmes, if we do not get the economic support, that these young people—who are not being served as well within the system as they might be—will at some future time, perhaps, impose upon us either an equal or perhaps an even greater question of economic investment if we are to resolve the problems that they experience.

We are, within the department, very carefully assessing the national CELDIC report as it related to the special education of children. I am speaking of the very recent report that my colleague and I received a day or so ago, the CELDIC report as it relates to the Metro Toronto area and Ontario. We are in the process of assessing this to see how we can, through the department and through co-operation with the boards, in fact, make significant progress in the total field of special education.

I know that education is special to every child within the system but, using it in the context that we have discussed it in this House, I believe there is much that can yet be done. We will, within the department in the not too distant future be developing ways and means by which we can give a greater thrust or impetus to the school jurisdictions in this province in the field of special education which, I think, is becoming increasingly important.

Mr. Chairman, the background papers are there. I know the members opposite have many suggestions they would like to make to us over the course of the next few days. I would just say this, Mr. Chairman, that as we debate these matters in this House that we deal with individual problems which are relevant. I think we should also recognize that education not only in Ontario but

throughout the world today is undergoing, I think, some of the greatest pressures that it has experienced. They are good. They are healthy. The answers to the problems are increasingly difficult to find and yet I believe very sincerely that we can find them.

There is a growing tendency to impose upon the school system all the ills of society; everybody wants everything to be done in the school. Parents want discipline to be exerted in the schools so they do not have to do it at home. They want many of the programmes in the schools—this is particularly true south of the border where they want to have the Boy Scouts and the Girl Guides and all of these things that are valid imposed upon the educational systems as the best way to deal with them. I say with respect, Mr. Chairman, that if we really feel that education is to serve constructively the young people within it and if it is to serve constructively the total community, we cannot impose upon it some of the tensions and pressures that are really part of the adult world and not part of the educational system's responsibility. I want to make that statement very clearly.

I think there is great potential there and I am very optimistic about it but at the same time, we cannot anticipate and expect certain results that should not be part of the school system's responsibility.

Mr. Chairman, I suggest now that we move ahead to very rapid consideration of the estimates. There are very few votes. Perhaps we can have them all accomplished by 1 o'clock this afternoon, or one week from today. I am delighted to present these estimates to the House on this occasion.

Mr. T. Reid: Mr. Chairman, the minister is asking us to vote on $1,079 billion. That is a lot of money and the total budget that the government is asking us to vote on is $4,160 billion. The minister is asking us to approve, by 1 o'clock, 25 per cent of the government's budget.

Hon. Mr. Davis: One o'clock next week.

Mr. T. Reid: I never know whether or not to take you seriously.

If we throw in the funds that the school boards raise from property tax, that is approximately another $900 million. We are talking, in effect, about expenditures of over $2 billion and that, I think, is a fairly substantial portion of the GNP, let alone a substantial proportion of the gross provincial product.

Mr. Chairman, I would like to speak about two things. One has to do with the cost factor in education. The first thing I want to talk about, however, has to do with the textbook publishing industry in Canada over which the minister's policies have a fundamental influence.

I would like to start my remarks by saying that I agree with the recent article by Val Clery who has written on this issue, when he quotes Dave Godfrey of New Press as saying that:

> Publishing in Canada is a microcosm of what is wrong with the nation and what is wrong with the economy. There is a strong case for seeing publishing as a representative industry controlled directly or indirectly by Americans and American pressure.

So I think that we can look at the publishing industry in Canada and the influence the minister's decisions have over that industry as a case study, if you like, of the question of the American domination of Canada.

In my opinion, the Canadian publishing industry is more important to us as Canadians, more important to this country as a nation, than some northern rock in the ground, for what happens to the minds of our children is much more important to the mines in this country. If I were to pick an industry which has no guidelines whatsoever in terms of maintaining its Canadian impact, I would pick the publishing industry as the most sensitive and the most important to the continuation of Canada as a nation.

Mr. Chairman, I would like to trace just briefly some of the forces in the publishing industry, because it is only by having some understanding of the nature of the industry and its growth and its peculiar corporate characteristics that we can understand how the Americans have taken over virtually 90 per cent of the $200 million of sales from publishers operating in Canada. In other words, we are now talking about an industry that has been virtually wiped out from Canadian control.

It is necessary to understand what has happened to the publishing industry, particularly south of the border. I am referring here, to an article written by Dan Lacey, senior vice-president of McGraw-Hill Book Company, one of the biggest American conglomerates involved in the textbook publishing industry in the US, and which is probably, with two other American-controlled firms, one of the dominant three firms in the Canadian market.

It is an interesting analysis, because what he is saying is that little countries, like Canada, situated beside the United States, really cannot do much to protect themselves against

the massive conglomerates that have emerged in the US and which are now taking over firms such as Gage Publishing—conglomerates such as McGraw-Hill, which has a very high bid in right now for Ryerson Press.

He says that: "The publishing industry in the United States has been one of the most rapidly expanding industries since 1948."

He is asking questions about the social role of the industry. So here you have an American, one of the top people in the biggest publishing company in the US, talking about the social role of publishing in American society. Of course, he is not talking about Canadian society. He tries to explain the fantastic increase in the sales in this industry and he goes through reasons which are obvious to many of us. I might repeat them briefly.

He talks about the fantastic increase in school enrolment and we in this province know about the fantastic increase in school and college enrolment since 1948, the enrolment that really is still in the university market. He talks about the increased government funds that have been made available to the educational institutions out of which a substantial allocation has been made for textbook material and other learning materials.

He talks about the growth of public libraries, and in this province the growth of public libraries as a buyer of books is quite significant. He talks about the growth of individual purchasers of books outside the school system. This is true in Canada and this will be particularly true in Canada, I think, during the 1970s and 1980s when our emphasis in education will shift over much more to adult education as opposed to simply adult training for jobs.

He said that as a result of all these factors, this increase in effective demand—to use the jargon of the economists—book sales in the US increased from a little over $100 million in the 1930s to $665 million in 1954 to over $2.5 billion in 1968. He concludes that this is a startling cultural fact. He emphasizes that word "cultural" fact for it also has enormous financial, economic consequences for the industry that has been little studied in the United States, and which had virtually not, to my knowledge Mr. Chairman, been studied at all in Canada.

The financial implications which are at the heart of the crisis facing Canadian publishers in Canada today arise from this fantastic increase in demand for books and other learning materials, because book publishing requires a very large investment of working capital in relation to sales revenue. This is obvious. If you are going to reduce the unit cost per book, you not only have to be able to finance a large run—and a large run in this industry is over 100,000 copies in Canada; in the United States it is even more than that—you also have to be able to tie up your working capital in book inventories. So you are faced with an industry that for each $1 million of annual sales requires an investment of something in the order of $1 million working capital. You are talking about a heavily capital-intensive industry due to the fact of large inventories that must be carried.

He notes in the United States the fantastic growth in sales; he found the fantastic growth in the effective demand for books has meant this need for additional working capital. He goes on to describe the internal functioning of the industry and how that industry in the US was able to get that additional working capital. It is interesting because we are getting into the implications for Canada now, because we are talking about corporate control, corporate concentration and the type of people who are in charge of the top-level decisions that are made in these big international conglomerates which are US-based and which are spilling into Canada.

There are three principal sources for outside capital. One is the general public; that is to say that family firms went public and sold stock on the market but maintained a 51-per-cent ownership of the stock so that they could have effective decision-making control.

The second is magazine and newspaper publishing. That is to say, the diversification of the magazine and newspaper publishing industry into the book publishing industry, particularly into the textbook publishing industry, because that leads into the marketing structure for the sales of the new learning materials.

The third buyer has been the electronic industries.

Each of these has had quite a different effect on the industry. The magazines' entry into book publishing enabled particular paperback books to get on to the newsstand because they captured the control of the monopolistic distribution agencies in large urban areas. More specifically, the use of a magazine-generated cash flow provided most of the capital resources for the extraordinary growth of the McGraw-Hill Book Company from 1948 to the present time. So you find this linkage between magazine management and McGraw-Hill textbooks. And now McGraw-Hill is one of the foreign companies that wants to buy out Ryerson Press.

So we are faced with the prospect of *Business Week* people in the United States, people who edit and control *Business Week*, putting in a substantial bid—and probably the best bid that the United Church has received —for that publishing house, and it is basically a magazine-controlled management situation. That is very serious. It could provide a direct link between the type of views expressed in *Business Week* and the type of views that could, in very subtle ways, be expressed in the textbooks that are used by our children in the school system in Canada and in Ontario in particular.

But he goes on to say that the most dramatic changes have come from the entry of the electronic and communications companies into the book field. Among those who have bought book publishing companies in the US are RCA, CBS, which, of course, links Holt, Rinehart and Winston in New York, who control 100 per cent of the capital of Holt, Rinehart and Winston in Canada. Raytheon, IBM, General Electric and Xerox, if I traced it back correctly—and it really takes investigation—Xerox lies behind Scott-Foresman. I might have to check that out. Scott-Foresman is the one that has just purchased Gage.

Then more recently—and I think this is the trend of the Seventies and Eighties—more general conglomerates like Litton Industries have entered the field and this industry—I believe it was Litton Industries, I am subject to correction here—was the one that through about four different stages, tried to get hold of the—I had better go easy on this, I want to check my facts out a little bit more. But Litton Industries is moving into the publishing field in Canada in a very subtle way through channels that are not terribly normal. I am talking about a cartridge TV system in schools and equipment.

We are faced in the United States with the large American conglomerate which made possible the working-capital financing of the rapid expansion of the US textbook industry.

Let me see if I can put this argument very simply. We are talking about marketing, and that is basic to the industry. The electronic firms are interested in buying out Canadian publishing houses, which are book publishing houses, for a number of reasons. Obviously they think they can make money, it is a complicated process; but more than that they like some of the distribution channels that are available to the school system. When you have a firm like Ryerson, which was named after Egerton Ryerson, the founder of the Ontario education system, you get a lot of goodwill.

If you are an American firm, you would like to buy out a Canadian firm that that has a lot of Canadian content, if you like, in terms of its goodwill. This enables you, or would enable McGraw-Hill, to really get right into the school system. But it is not just to get their books into the school system, because the revolution that is taking place in the Seventies and Eighties, as the minister well knows, is, if you like, away from the use of textbooks; it is even away from the use of printed material. It is a very McLuhanistic type of thing but without going overboard.

We can divide these non-written materials into two categories. One is the standard audio-visual thing like film strips; the other the more sophisticated ones, such as videotype and cartridge videotapes. But one reason the American publishers want to get their hands, and have got their hands, on Canadian publishing houses is to get the goodwill and good Canadian name to offset the Americanization charge, at face value at least, and secondly, to get hold of the distribution channels into the school system.

I think they want to use those channels to market their mass-produced educational materials other than the written word. If in the United States they produce 400,000 copies of a particular videotape on the exploration of the North Pole, the northern part of Canada, they like to attach to that particular run of that videotape another 100,000, another 50,000 say, copies of that cartridge videotape and sell in it Canada. That lowers the unit cost even further both in the US and Canada. If they can get that additional sale tied up in Canada, they can lower their unit costs on both markets. For this reason—I put this on record before—an American firm working through a Canadian front organization in Ontario tried to get the Ontario Institute for Studies in Education to sign an agreement in which the OISE would take 50 of these cartridge-type television sets and test them out in the schools. The agreement was—fortunately it was not signed—that if it was adopted in the school system, that particular American firm would supply the tapes. So you would have an American interpretation on those videotapes about the exploration and development of the north part of this country, rather than having a Canadian interpretation. Just think of the different interpretations that conceivably could come out of that.

Now, Mr. Chairman, I will not go too far in this because, to quote the conclusion from this particular article about the publishing

industry in the US and why we are experiencing spillover effects in Canada:

> Publishing is highly responsive to demand, and that demand is increasingly expressed in the purchasing policy of institutional customers, of colleges, schools, libraries and governmental agencies.

And he says that in the US the governmental decision-making can fundamentally influence what happens and what is produced in the publishing industry. Well, let me turn directly to Canada.

I would like to quote from an article by Harold Greer, which appeared in the Montreal *Star* on October 1. He was researching this—and I know he did it very carefully before he came to his decisions, because he asked me some very embarrassing questions about a speech I made on it, which was written on the back of an envelope. So I would like to quote what Harold Greer said, because I feel he probably did more research on the textbook aspect of the publishing industry than I did and he has sources of information which, unfortunately, I do not have access to.

I quote directly, Mr. Chairman, because I want this in the record of the House. The article is called, "Narrowing Field for Canadian Texts". I quote—and I will try not to comment as I quote:

> The school-board book market is the cornerstone of Canadian publishing. It is large, captive and lucrative. Without it, publishers assert, they cannot afford to produce other Canadian works. By and large, there is simply not the market for them. Anything which reduces the Canadian content in the school-book industry, therefore, threatens the publishing industry generally and brings it closer to the point where it its nothing more than a jobber for foreign, which is to say, American books. And the Canadian content, according to some publishers, is declining.

Harold Greer continues:

> Learning of the increasing influx of school material of non-Canadian origin, an ad hoc committee led by John Gray, president of Macmillan Company of Canada Limited, told the council of education ministers—

And I would assume the Minister of Education here was there.

> —almost two years ago that the percentage of new textbook adoption of Canadian origin across Canada fell from 77 per cent in 1965 to 69 per cent in 1966 and to 59 per cent in 1967. In some places it is as low as 50 per cent today.

Mr. Greer continues:

> Perhaps the significant thing about the committee's brief to the ministers of education, however, is that it was not, and has not, been made public. The textbook publishers, those of them, that is, who care—the American companies are quite happy with the way things are going—are so dependent on the provincial departments of education that they are reluctant to say anything which might cause political trouble, even though their brief dealt with "a matter of concern to everyone interested in Canadian cultural life".

Mr. Greer continues:

> Similarly, the only brief to the Davey Senate committee on the mass media, dealing with the increase in domination of the Canadian textbook market by American publishers, came not from the publishers but from the graphic artists. The publishers knew better than to talk to a federal government committee about provincial school books.

I think I will put this in the record too. Mr. Greer continues: "Fortunately, however, the alarm has been sounded by Tim Reid." I had better put in the derogatory part, too, to be honest.

Mr. MacDonald: With deference, he put it on the record.

Mr. T. Reid: I will put the derogatory thing on the record, too. Mr. Greer continues:

> Although some of his solutions are hair-raising—he would support, for example, a quota system of foreign books—he is undoubtedly on sound ground when he suggests that the Council of Ministers of Education have a responsibility, not unlike that of the Canadian Radio-Television Commission in the field of broadcasting, to promote and maintain the high Canadian content in educational publishing industry.

I thought Mr. Greer put it much better than I possibly could, and I wanted to have that in the record.

Hon. Mr. Davis: What, the latter part in the record?

Mr. T. Reid: Well, I had to put the hair-raising bit in to be—

Hon. Mr. Davis: No, I mean what he said.

Mr. T. Reid: Yes, Mr. Greer is a professional. I am just an amateur.

Hon. Mr. Davis: You publish books. I mean, you have written books.

Mr. T. Reid: Mr. Chairman, I want to continue with a brief analysis of the Gage takeover. This is important because, in terms of a case history, if you like, of the American takeover of a cultural institution which is very similar to the alien takeover—it is probably a better word than American takeover—the alien takeover of our economic institutions or some of them. It is important to understand what happened in this industry. I will do it very briefly.

Gage had last year about $4 million in book sales and a very good reputation of high quality production of textbooks for the Canadian school market, particularly the Canadian textbook market. Now, my guess is from news reports, about $2 million, or 50 per cent of the book sales came from one publisher in the the US. That is to say 50 per cent of the total sales of Gage in the textbook area, in the book sale area, came from one publisher in the US.

That is to say, there is a publisher in the US who published books and printed them, and Gage was the agent for that American firm. That firm, of course, was Scott-Foresman. The owners of Gage, particularly the one person who had 51 per cent of the stock, wanted to sell that part of Gage, and I ask the members here to consider this problem.

If there had been, and I do not know, but if there had been a group of Canadian publishers interested in purchasing the textbook part of Gage, they would have had to have faced the following fact—and that fact was that an American buyer, an American firm interested in buying Gage, Scott-Foresman, effectively limited the decisions of the owners of Gage to sell to anybody else. It is a very simple proposition because Scott-Foresman would not guarantee in writing, let alone verbally, that if another company, a Canadian-controlled company in particular, put in an offer for Gage, they would maintain a long-term contract with Gage for the agency business. That effectively vetoed any Canadian getting involved in the buying of Gage, or the textbook part of Gage.

There is the agency system and the domination of a Canadian-controlled firm by the agency system, and this is happening in industry after industry for different reasons. In other words, it is possible—and there are very many firms in Canada, including the publishing firms—for industries in which Americans do not own one iota of stock, nevertheless, the Canadian firm is dependent on those American firms for other reasons; such as, in this case, Gage is utterly dependent for a certain type of decision, that is selling, on Scott-Foresman, which is related to a big American conglomerate.

There was no way in which, because there were no laws—no Canadian Development Corporations; the Minister of Trade and Development (Mr. Randall) was not interested, maybe he is interested now—there is no way in which a Canadian could buy out a Canadian firm. That is happening all over, and I think the textbook industry represents it.

Ryerson Press is another interesting example. I will not go too far into this. To me it is just amazing that we, as Canadians in this province, are faced with the possible takeover of a press, probably the oldest textbook publishing press in the country, called Ryerson Press. It is rather ironic, if you like, that the Ryerson Press was named after Egerton Ryerson, the founder of the education system in this province. There is a very good possibility that that name will be used by an American Company, McGraw-Hill, to sell books to Canadian students in Canada and in this province. In my opinion, Egerton Ryerson would turn over in disgust in his grave at this thought, and if he only could, Egerton Ryerson would raise his voice loud and clear and use his ever-ready pen to warn his countrymen against the folly of the possibility of *Business Week* having a direct feed-in into the curriculum and minds of our children, via McGraw-Hill buying control of Ryerson Press.

There is a lot more I could say, Mr. Chairman, on this issue. I feel very concerned about it. The minds of our children are more important than some northern mines.

Let me put this right on the record: Circular 14, which began in 1952, I believe, was a positive step by the government to provide and to stimulate the existence of the Canadian publishing industry. We can discuss the details of Circular 14 later on. Circular 14 is a good document, or up to a couple of years ago, in my opinion it was good, and we will debate this in detail later.

What has happened, in my estimation, for a number of reasons, is that there has been in effect a policy shift in the department or, judging by results, if you like, judging by sales, the effect has been as though there has been a policy shift. That is to say that fewer Canadian textbooks and other pamphlet-type materials are being sold to Ontario schools now than last year or the year before; that

the Canadian publishing houses are really feeling the crunch; that sales to the Ontario school system are dropping.

They are dropping to such an extent that I think the whole structure of Canadian publishing is threatened. We have to realize that Ontario, the education system in Ontario, accounts for approximately 50 per cent of the total English-language textbooks sold in Canada. We have to realize that the Minister of Education, in his role as Minister of Education, also in his other role as Minister of University Affairs, can have a very substantial effect on the marketing type of situation that Canadian publishers face.

I would like to propose to the minister something very specific, because there is a crisis. Gage is in the process of being sold out—hopefully something can still be done—Ryerson with McGraw-Hill hot after it, putting in the best bid, I would imagine, because they are a large conglomerate; that would leave McClelland and Stewart. The Canadian distribution agency, as I mentioned yesterday, has an American backer interested in it, or faces going bankrupt. There will not be any Canadian jobber or wholesaler around in the distribution field. There is a crisis. In Ottawa we do not have a Canadian Development Corporation. We have been talking about it for years but no action. It is a disgrace. There is no Canadian Development Corporation now federally, and there is no awareness in the federal government that the publishing industry is more important than some uranium mine because you are dealing with what value judgements are going into children's heads as opposed to what type of power they might get through a light bulb. There are some of us who write to Ottawa that there is a crisis in the Canadian publishing industry and they surely could take the same steps as they took concerning Denison Mines.

Not even with a parliamentary secretary such as Alastair Gillespie being concerned with this problem does the federal government seem to be at all interested in maintaining a Canadian publishing industry in this country.

The federal government in my mind is lax; it should be concerned with this issue, it is a cultural issue. It is as important as cable television. It is as important as television. It is as important as radio. It is more important than the bank system. We are dealing with what our children are learning in the schools and that is more important than any of the hard economic business areas, even manufacturing.

Hon. Mr. Davis: The member for Lakeshore thinks the banking system is more important.

Mr. T. Reid: Well, perhaps he is more interested in making money than being a Canadian.

With that said, what can the Minister of Education in this province do? He can do one thing, and it is a very simple proposal, and I challenge him to do it. I challenge him to give leadership in this area. I challenge him to use his power, the power of his department, over the marketing and purchase of textbooks in the following way.

Why can you not have this Legislature pass a law—perhaps you could even do it through regulations—that within a reasonable period of time—and it certainly would not be one year, I do not think that would be reasonable, perhaps three years, and perhaps if there were too many difficulties in terms of capital financing, perhaps it would have to be five years. But why could the minister, Mr. Chairman, not simply state that within three years school boards within this province can only purchase textbooks and other learning materials from firms located in Canada which are 51 per cent owned by Canadians? A very simple proposal.

You simply state that you are not asking the American firms, the big conglomerates operating in Ontario and Canada, to sell out. You are not going to expropriate them, no. You are simply saying to all the wholly-owned American and British firms operating in this province, in Canada, "I am sorry, the education system in Ontario, which purchases 50 per cent of the output of those firms, will within three years only purchase from those firms in which 51 per cent of the voting stock is held by Canadians."

It is exactly what the Mexicans did at the national level, and the American publishing firms have moved into Mexico. They have complied with the laws of that country, but if they want to operate a publishing house, 51 per cent of the voting stock would have to be held by Mexicans. The minister can do the same thing here.

So I challenge him. I have been honest in criticizing the federal government—their lack of nerve, if you like—in this area, but I challenge the minister here to do something which is clearly in his area of jurisdiction over an industry in this country which has been taken over by the Americans. I challenge him to do something which would be so significant that there would even be more schools named after him across Canada.

Hon. Mr. Davis: Not outside Ontario.

Mr. T. Reid: Oh well, I think you could be a contender for Stanfield's job if you did something like this.

Interjections by hon. members.

Mr. T. Reid: Mr. Chairman, the other specific proposal that I would make to the minister is one that I know he has heard many times before. It is that in Circular 14, English literatures are excluded. In other words, there is no multiple listing of books from which the schools must select. I would like to quote a very short letter just to remind the minister that he is terribly lax in this area. This letter that appeared in the Toronto *Daily Star* August 31, 1970, is by Jeff Barnard of Scarborough. He said:

> In most of our primary and secondary school English classes the overloading majority of novels, stories, poetry and plays reviewed are either English or American in origin. Occasionally a poem by Earle Birney or Irving Layton is slipped in, but otherwise children are kept unaware of the creative writers such as Hugh MacLennan, Morley Callaghan, Leonard Cohen and W. O. Mitchell even exist in this country.

I say to the minister, if we do not even know what our literary history is in this province and in this country, if our children do not have the opportunity of learning about our authors—one could do a long list of them—I say to the minister that our children will not even know we have a literary history.

So I challenge the minister to do more than simply say, "Well, we cannot do anything in the area of English literature. Let the teachers, teaching in our schools, teach all the English stuff. We have the importation of American materials."

In conclusion to these particular aspects of my remarks, Mr. Chairman, I will just quote an extremely good editorial that appeared in the Windsor *Star* on Wednesday, October 7, to show the minister that this is an issue that has been discussed nationally. We finally got this issue discussed on a national basis. I quote. The heading on the editorial, Mr. Chairman, is "Canadian Text in American Hands", and it says:

> It is not uncommon to find that children in Canadian schools know more about Abraham Lincoln than John A. Macdonald, know more about Richard Nixon than Pierre Elliott Trudeau. Important as it is for them to know about Americans, it is equally important that they have a good knowledge of their own country.

Hon. Mr. Davis: I would say it is more important.

Mr. T. Reid: More important. I am quoting from an editorial.

Hon. Mr. Davis: I know, but I say it is more important.

Mr. T. Reid: Oh, you are making a commitment, this is great. The minister is making a commitment that he is going to do something about the Canadian publishing industry, and that is just great.

The editorial quotes Alastair Gillespie, the Liberal MP for Etobicoke, and Mr. Gillespie's reference is to the Ontario government, and I quote:

> They, the Ontario government, are overlooking the textbook field altogether, and the Ontario government has a constitutional power to block these takeovers.

I would be interested to have the minister comment on whether he feels that this government has a constitutional power to actually stop the takeover of the textbook operation of Gage and Ryerson Press. Alastair Gillespie, a very knowledgeable person in the publishing field, has said that the minister has that power, or the government of Ontario has that power. The editorial continues:

> How long the Ontario government delays, or takes no action at all, will determine a great deal about this country's educational future, since half the English-language textbooks in this country are purchased for Ontario schools, and these sales determine, to a great extent, what books are available across the country.

In fact, Mr. Chairman, it is obvious, I feel, that this is the single most important issue right now in the history of education in this province and, because of the domination of this province in this area, really in the history of Canada. Right now it is the most important single issue, in my opinion as a Canadian.

I have devoted these remarks to that single issue, Mr. Chairman, because this minister has clear powers to do something about it. There can be no question of this. He can blame Ottawa; I will share that blame—I will blame Ottawa too. But this minister, Mr. Chairman—and this point has got to stick—this minister can make decisions that will prevent a particular industry in Canada from falling into complete American domination.

He can be much more positive than that. Within the next week, or during the period it takes to get legislation through the House, he can actually take steps to set in motion

the reclaiming of a cultural institution from American domination, that cultural institution being the publishing field. He can do it. He has the power to do it, and if he had the will and nerve and verve to do it he would do it within the next week.

It is a crisis situation. It is as important, if you like, as the television industry falling into American hands. He can do it if he stands up—and he has in this House—to say that he is concerned about what is being taught in our schools, that he is concerned about these issues of the future of Canada, particularly in the generations that follow us—and as a Conservative he must be concerned with the passing on of cultural values, which are necessary to the survival of any nation. If he says all these nice things, Mr. Chairman—

Hon. Mr. Davis: Are the Liberals not concerned about that too?

Mr. T. Reid: Yes, I am. Right now. Very concerned about it.

Hon. Mr. Davis: But the member is saying only the Conservatives are not.

Mr. T. Reid: I am saying that I do not have the minister's job, the Leader of the Opposition (Mr. Nixon) does not have the Premier's (Mr. Robarts) job, so we cannot do these things. But the minister can. He has the clear power and authority to do it. He can stand up and make all his nice remarks about Canada and the future and all these things, but if he does not do anything he stands condemned in the eyes of two generations of school children as well as people like myself. I throw that right to the minister. It is his ball game; he has got the ball. I want to take the ball away from him, but that is going to be after the next election. He can do it now.

Hon. Mr. Davis: You told Lloyd Dennis, and he told the Liberal leader that he was going to be the minister.

Mr. T. Reid: Well, we will split the department.

Mr. MacDonald: The minister has got two departments, has he not?

Hon. Mr. Davis: Yes. You know I mean—

Mr. T. Reid: Mr. Chairman, I just conclude those particular remarks—

Interjections by hon. members.

Mr. T. Reid: Mr. Chairman, I would like briefly to turn to a few other issues. I did not realize I had spent so long.

Mr. MacDonald: Deal with them at length.

Mr. T. Reid: I would like to continue these opening remarks because there is a lot to say—

Mr. J. Renwick (Riverdale): And so little time to say it!

Mr. T. Reid: So little time to say it! Thank you.

I would like to turn to the cost side of education.

It is really quite funny how the establishment—and I think the minister is a member of it—gets all uptight when a reformer with one or two radical twitches starts talking hard-headed sense about efficiency and getting the taxpayer full value for his hard-earned tax dollars. If, somehow, you get classified as a reformer, you are assumed to be incompetent to manage your way out of a paper bag.

As one idealistic reform politician, self-defined, I can tell you there is nothing inconsistent or puzzling about having a hard head sitting above a soft heart. Let me give you an example of what I mean.

Last March, in this place, I gave a down-to-earth speech on efficiency in education and I made two basic points. The first point was that—quoting the Provincial Auditor, timid man that he is—The Department of Education does not even have the managerial competence to manage the internal financial accounts of its own bureaucracy to the minimum satisfaction of a rather meek, mild and timid government auditor.

Hon. Mr. Davis: This is what the member put in his newsletter with some other observations—

Mr. T. Reid: Oh, you got my newsletters?

Hon. Mr. Davis: Oh yes, I got them and I was going to use them later on in the session. You know, you lost a couple of voters doing that.

Mr. T. Reid: Yes, they probably went to school with you?

Hon. Mr. Davis: No, no.

Mr. T. Reid: The second point I made in that speech—and intimately related to the failure of the ministry to keep records and to have efficient cost-control accounting procedures, which any medium-sized business

corporation finds absolutely necessary to survive—is the millions of dollars being wasted on unnecessary duplication of capital facilities and programmes, especially in the vocational area, between the 20 new Colleges of Applied Arts and Technology and the secondary schools, and particularly the 100 secondary schools nearest to those 25 campuses of the CAATs.

In that speech I called for an independent, outside and expert investigation or, failing this, a rather meek and mild investigation by the Conservative-dominated standing committee on education and university affairs. This proposal made sense to me since such an incredible amount of money is being spent on formal education in this province and there has never been a rational assessment of goals and a rational evaluation of performance in relation to those goals. Hard-headed assessment and evaluation is so important in this area that we can no longer afford not to question this bloated sacred cow called education.

After that speech, sort of all hell broke loose for me: the educational establishment, the minister, the ministry, his bureaucrats behind their big desks in their plush offices in those expensive monuments called office buildings in this city—the new well-paid elite who like to think the CAATs are their personal property or hobby; the old elite who have been moulding the vocational programmes in the high schools in their own image for 20 years; the old-new elite and the burgeoning non-teaching bureaucracies called the county board system. The educational establishment made up of all these parts—who seem to feel they have so much to lose if the question of costly duplication and managerial inefficiency were even simply looked into by a group of people who have nothing to protect if the whole thing emerges as a can of worms—the education establishment descended on me in full nitpicking force.

They said I was ill-informed; because I was a "reformer" I could not understand complex building programmes and complex financial arrangements; they said that I had not lived in the system; that I had not done on-the-spot investigations of all my charges and therefore, the education establishment concluded, my charges of expensive duplication were unfounded. Their reaction was almost that, because I was not one of them, I was certain to be wrong. They said all this and they, as the Provincial Auditor has pointed out year after year, do not even keep their own financial records in such a manner as to be able to find out where the money is going.

Mr. Ruston: Shame!

Mr. T. Reid: My position is very simply: I have not changed from that March speech. We do not know and the people in this province, to whom we are accountable, do not know what we are getting for $2 billion—and we should.

The education establishment kicked me rather than the hard-headed questions I raised, but I could go to the commission tomorrow and the awkward questions would still be around.

Since I am not a resident lobbyist at Queen's Park for the education establishment of Ontario I was particularly pleased that no full-time classroom teacher wrote to me to say that I was wrong, that no students who had to repeat the same course of programme two or three times in his wandering through the high school, CAAT and university system said I was wrong, and that no taxpayer wrote to say that I was knocking education destructively. Perhaps these people realize that if the education establishment does not even keep records that would enable them to know whether the questions put to them were right or wrong, my prodding should not be dismissed simply by shouting at it.

There are, of course, other reasons why the education establishment does not like me or my ideas, and in a nutshell it is this: I think, and we in this party think, that they have got too much power and we think that they are abusing that power.

Hon. Mr. Davis: You wanted to give them more.

Mr. T. Reid: Philosophically, we in this party do not like large concentrations of power in a democratic society. We are throwbacks, if you like—sort of anti-trust politicians—in that we inherently distrust concentrations of power and their abuse of their dependent communities, and we want to take a lot of that power over what happens to our children in our schools away from the self-perpetuating educational establishment and share that power with full-time classroom teachers, with the parents of the children in the school system and the people on the receiving end of the whole system, the students, our children.

Yes, our ideas do threaten the education establishment in this province. We are a reform party and we want to break their old-boy monopoly over the system of education. We want to return the education of the children of this province back to ourselves as parents of those children to the full-time

classroom teachers and, above all, to the creativeness of the children themselves. We want the education bureaucracy in this province to be the servant of that school learning process, not the masters of some monolithic, monopolistic system.

Let us talk a little bit about the county board system which was introduced in 1969. It was forced on local areas in the name of reform, to bring about "equality of educational opportunity" via consolidation and regional centralization. It was also sold by this minister as an efficiency measure. We were told in the standing committee on education and in the Legislature repeatedly that regional centralization would go hand in hand with the greater regional economy in education, which would be matched by a shrinking of the vast bureaucracy of over 3,000 members of the minister's ministry of education.

What has happened, however, Mr. Chairman, is that there has been a massive aggregate expansion in the county board staff personnel at the county school board level and a continuation of the rapid addition of bodies and funds to the minister's own personal bureaucracy.

In short, what has happened over the past two years is that the financing of the education bureaucracy of the system has received priority over the financing of teaching and learning at the classroom-pupil level. That is, in terms of the total pie of funds spent on the public education system in Ontario from funds under the control of the minister and from property tax, a relatively larger slice is now going to finance the burgeoning throngs of bureaucracy compared to learning at the school and classroom level. This is the complete opposite to what should be happening to scarce educational resources in this province.

Here are some very specific figures: The maintenance costs for departmental administration of this Department of Education will be over 16 per cent greater for the coming year compared to last year, or the current year. Surely after all the minister has been saying, we of all parties have a right to expect the cost of maintaining The Department of Education bureaucracy to decrease by 16 per cent, not increase?

Mr. R. F. Nixon: (Leader of the Opposition): Hear, hear! We will look forward to the minister's answer to that question.

Mr. T. Reid: Another specific example is the maintenance cost of the central administration of the formal education K-13 programme. This minister, Mr. Chairman, is asking us for a mere $4,781,500 for maintenance costs. This compares to $4,331,000 for last year. That is a difference of $450,500 upward. "What is half a million?" says the minister. That happens to work out to a percentage increase of over 10 per cent.

Hon. Mr. Davis: Mr. Chairman, on a point of order, the hon. member is quite capable of making his own speech and saying what he wants. I think really he need not quote me when I have not really said anything. I would be delighted to say what I think.

I think, Mr. Chairman, if my hearing was correct, he said, "'What is half a million dollars?' said the minister." I was sitting here very quietly, patiently listening to his oration and I really did not say anything.

Mr. T. Reid: The figures speak for you.

Hon. Mr. Davis: Oh, I do not know that they do, Mr. Chairman.

Mr. T. Reid: Are you responsible for your figures?

Hon. Mr. Davis: That is a very leading question that I will not even answer.

Mr. T. Reid: Mr. Chairman, that particular increase to finance his bureaucracy, the maintenance cost, represents a 10-per-cent increase over last year at a time when the minister has been telling us that he is going to decentralize and is going to get rid of his own bureaucracy. Surely there should and could have been a decrease of $0.5 million and a halt to the burgeoning bureaucracy of the mammoth central ministry under this minister's control.

Let me give some further very specific figures which we have calculated. Remember, Mr. Chairman, we are talking about the minister's estimates. We are talking about items in this budget, which are used to finance the operation of his bureaucracy. We added up the total maintenance costs in this budget over the past eight years. In maintenance costs, Mr. Chairman, we are talking about the cost of maintaining and servicing this bureaucracy.

Maintenance costs for the whole department under the minister's jurisdiction, if not control, increased 57 per cent over the last two years—a 57 per cent increase during the period he told us he was going to do away with some of his bureaucracy. His travelling expenses for his whole department, as itemized in his budget over the past two years, increased by 36 per cent.

During those two years, the minister repeatedly told us in the standing committee and in this Legislature that he was going to cut down his central bureaucracy because he created the county board system which was supposed to take over some of the functions of his department. What has happened? A 57-per-cent increase in those two years in maintenance costs. A 36-per-cent increase in those two years in travelling costs.

Let us put it another way. These are very significant indices. Mr. Chairman, in 1968-1969, maintenance costs divided by the total number of full-time teachers in the public education system of this province were $64. Let me state that again. In the minister's department he has got items called maintenance to maintain his bureaucracy. If you add up all those items, under all the sub-items, you come out to a total number of dollars. Then you take a look and see how many full-time teachers there were in this province, presuming teachers have something to do with education. You divide that total number of dollars by the number of teachers and you find that you get $64; that is to say, the minister's maintenance costs to operate his bureaucracy accounted for $64 for every teacher in this province.

Two years later, in this current budget, when you add up his total maintenance costs and divide them by the number of teachers, you get an $86 ratio. That, sir, is a 33 per cent increase in the allocation of funds to maintain a bureaucracy, relative to a teaching function or a learning function in the education system.

I take that one statistic, that 33 per cent increase, which is a relative increase of bureaucracy vis-à-vis teaching and learning in our school system and I find that to be indicative of what has happened to the education system in this province over the past two years. Indeed, our calculations show since 1961 there has been a fantastic increase in the cost of bureaucracy as opposed to learning in the so-called education system in this province.

Let us take a look at the longer view. Let us take a look at 1962 and 1963. It is very interesting when one does these long-term things to find out what has happened under this soft and lax Tory government. The minister's department spent $252 for each teacher in this province in 1962, for the minister's bureaucrats' salaries, travel and maintenance costs. Right?

Mr. Chairman, if you go back to 1962 and take that budget apart, you add up the amount of money that was spent in the minister's department in his centralized bureaucracy, if you like; and you add up the salaries, you add up the travel costs, you add up the maintenance costs of maintaining that bureaucracy. You divide it by the total number of full-time teachers there were in the elementary and secondary school system in this province and you get $252.

In 1970-1971, in these estimates, less than eight years later, the minister is asking us to authorize $426 in these bureaucratic costs in his own area per teacher. That is an increase, in eight years, of 70 per cent, and I submit that that is more than just creeping bureaucracy. That is socialism and that is horrible, just terrible.

Another point, Mr. Chairman, I think we have really to nail this minister, because his rhetoric does not match his performance in this area. I would like to ask the minister—

Interjection by an hon. member.

Mr. T. Reid: Well, you have been in power most of those years.

Interjection by an hon. member.

Mr. T. Reid: Oh, no, we want to get away from a bureaucratic domination. We want to get away from the bureaucratic domination of the minister's department in the education system, because it is totally unnecessary.

Interjection by an hon. member.

Mr. T. Reid: Let me ask the minister, in the year of an election, why should the costs of the minister's centralized information services go up at all in the coming years? Yet there he is, increasing the cost of his personal publicity machine.

Mr. Nixon: The Minister of Trade and Development is probably supervising it.

Hon. Mr. Davis: Personal publicity?

Mr. T. Reid: Mr. Chairman, let me turn to another area, and one has to be very picayune, because it is the only way to nail this minister down. You have to do it with little thumbtacks. You run up all the thumbtacks and, hopefully, you leave him hanging there. Okay? Let me just turn to a very sensitive area.

Mr. Nixon: Just like pinning jelly to the wall.

Hon. Mr. Davis: I must say it would take more than thumbtacks to hold you there.

Mr. T. Reid: Mr. Chairman, still on this theme of the relocation of funds toward financing bureaucracy in the education system in this province as opposed to education and learning, let me just give you another very specific example. What happens when we compare the minister's department's own internal telephone directory for 1970 compared to 1969 and count only the senior officers as defined by the department itself. These internal telephone directories are prepared, Mr. Chairman, each year in February. In February, 1969, there were 281 senior officers in the ministry of education. In February, 1970, there were 305.

Mr. Nixon: Oh, no, inflation.

Mr. T. Reid: That is an increase of over eight per cent of the highest-paid personnel of the minister's central bureaucracy. You know, Mr. Chairman, I excluded from that, personnel employed in the youth and recreation branch and the provincial library and the teachers' colleges. I am talking about central bureaucrats under the direct control or jurisdiction of the minister, because he has so much control.

There is an eight per cent increase and, Mr. Chairman, you know the essential point is that this increase in the minister's personal staff bureaucracy took place between February, 1969, and February, 1970.

If compared, it closely corresponds to the period between the beginning of the implementation of the county board system and the present time. We were told by the minister, during that same period when his personal bureaucracy increased by almost 10 per cent, that the ministry of education was going to wither as the county board bureaucracy expanded. That simply has not taken place. What about the county board bureaucracy? First of all, it is virtually impossible to find out the size and rate of growth of non-school personnel and the cost of their salaries and the maintenance of whatever it is they do.

It is very well protected but we have some very good investigators. I want to quote Stewart Fyfe first of all. Stewart Fyfe says he has some damning statements to make about the new Waterloo Board of Education in his Waterloo-area local government review. Cost of education in Waterloo county was up to about $28,200,000 to $33,860,000 between 1968 and 1969. That is an increase of 20 per cent. Goodness knows what it is going to be this year in that particular county.

Hon. Mr. Davis: Mr. Chairman, on a point of order, if we want to have this meaningful, the hon. member is referring to the introduction of the county boards which occurred in 1969. If this figure is correct, he was giving the comparative increase related back to 1968 where Fyfe, I think, used figures that did not really relate to the introduction of the county board and I think—

Mr. T. Reid: No, he had the total cost of education in the same area.

Hon. Mr. Davis: I think if he checks very carefully with both members from Waterloo, he will find out that perhaps there is some very real question as to the figures that are presently being used. In fact, the chairman, a very distinguished gentleman, and I think at one time, the Liberal president or president of the Liberal association of that community, refuted very substantially the premise contained in Professor Fyfe's reference as to the county school system.

Mr. Nixon: Professor Fyfe was hired by the provincial government. Surely he would have available the best figures?

Hon. Mr. Davis: I will provide them on Tuesday myself because they really are not totally—but I just thought he might check with his colleagues in the back benches.

Mr. T. Reid: Mr. Chairman, I would be awfully disappointed if the minister could not refute one of my arguments.

Hon. Mr. Davis: I expect he might refute several.

Mr. T. Reid: Stewart Fyfe made this report. It would be very interesting you know if we could have him on a standing committee on education, if we were allowed to meet again and examine the costs so we could ask him. It would be kind of fun to see you and him go at one another. It is his report and he knows.

The increase from the year before the county board system came into the year the county board system came in in that one county is a 20 per cent increase. I suggest, Mr. Chairman, that a substantial proportion of the $5.7 million in that one board of education area went into bureaucracy rather than in to education proper.

Take another example. If the minister does not like that one, I will give him about 10 more. I understand that the Dryden Board of Education now has eight supervising level staff members for two high schools and 20 elementary schools. That seems somewhat

top heavy to me, Mr. Chairman, especially when compared with the Wellington county board area where there are nine high schools and 54 elementary schools and only eight senior staff members. I am suggesting that the bureaucracy at the county board level in terms of personnel is rampant; that there is not an efficient evaluation of why, in one county board area, you have eight high paid senior staff people with two high schools and 20 elementary schools and in another county that also has eight at the senior supervisory level, eating up the same amount of staff funds, you have nine high schools, not two, and you have 54 elementary schools instead of 20 elementary schools. I suggest to the minister that it is absolutely necessary that we find out why, and that is why my hon. colleague from Sarnia (Mr. Bullbrook) and myself want to have an independent investigation of this kind of thing. We do not accept the minister's word. I am awfully sorry. We just do not trust him.

Hon. Mr. Davis: I do not agree with your facts but I will always accept your word.

Mr. T. Reid: No, I am sorry. What I am saying is that I do not think the minister knows what is happening in the education system. Therefore I cannot accept his word. The education system in Ontario is already top heavy in administrative bureaucracy. One of the major effects of the hastily imposed county board system has been to make the system even more top heavy in terms of administrative bureaucracy.

The whole thrust of education must be back to, not away from, learning in the school and in the classroom. Secondly, the more money spent on a bureaucracy of education, the less money there is for education in the schools themselves. It is the relative allocation of scarce resources. Related to the real cost of this bureaucracy and inefficiency is that the whole focus of educational reform in 1970 in Ontario will be initiated, stifled or vetoed by those who now have a virtual monopoly over educational decision-making, the inefficient and mammoth bureaucracy itself at The Department of Education and the new bureaucracy at the county board system.

Well, I have those specific examples in the records and I hope the minister will answer each one specifically at some time.

Hon. Mr. Davis: With enthusiasm.

Mr. T. Reid: With enthusiasm? Fine.

Hon. Mr. Davis: You would be even surprised to know!

Mr. T. Reid: I described what I call one upside-down aspect of education in this province.

Hon. Mr. Davis: We will set you straight Tuesday.

Mr. T. Reid: The upside-down aspect is becoming more upside-down instead of more right side up.

Hon. Mr. Davis: It all depends on how you look at it.

Mr. T. Reid: That is right. If you have the top, you like it that way. But that first-rate education system in this province is upside down.

Hon. Mr. Davis: Who is upside down again, Mr. Chairman?

Mr. T. Reid: It is just that the bureaucrats, the non-teachers and the education learning system in this province are on the up side and they should be on the down side: they should be slipping instead of sliding up. Have you got it? I am saying that the thrust in the 1970s and 1980s must be to turn it right side up, and that means all sorts of interesting things. It means that the fulltime teachers in the education system, as opposed to fulltime bureaucrats, should have the power—it is a relative thing—they should have more power in the education system than the bureaucrats. And I suggest to the minister that as long as he has a salary incentive system built into the education system in this province which encourages good teachers to get out of teaching, that is the wrong way around.

The people who should be paid the most in terms of salaried positions in the educational system must surely be the teachers. It should not be all those superintendents. It should not be all those inspector-superintendents. It should not be those 3,000 senior staff people in a central bureaucracy. It should not be those eight staff people on each county board of education with salaries roughly over $22,000. The key decision-making should be by the teachers, and that means that they should get top salaries. I am saying to the minister that as long as the average salaries of these bureaucrats are higher than the average salaries of the teachers—and that gap has been widening in the last three years—things are moving in absolutely the wrong direction. That is the first way the education system is upside-down.

I think the minister might take a leaf out of Mao Tse-tung's little book—

Hon. Mr. Davis: Oh, be careful now.

Mr. T. Reid: No, it is okay. You know, Mao—

Hon. Mr. Davis: And you said you do not believe in socialism.

Mr. T. Reid: No, this is not socialism. This is different. Mao made a recommendation that every bureaucrat in Peking, no matter how high up, should go out and work in the fields with the pig manure and get his hands dirty for at least one month in the year to know what is happening to the people. I think the minister should adopt the same policy. I think his department should—and this includes the minister, by the way—I think that each year he, and everybody else in his department—

Hon. Mr. Davis: Do you?

Mr. T. Reid. Yes, I do.

Hon. Mr. Davis: I thought the member went for a rest there.

Mr. T. Reid: No, I do not work on a farm. What are we talking about?

Hon. Mr. Grossman: Pigs!

Mr. T. Reid: The minister should have these bureaucrats go out and teach in the school system at least one month a year. They should be out there with the young people instead of getting further and further away from young people. It is evident, Mr. Chairman, that the key decisions are made by people who have less and less experience about what our young people are thinking in the school system, and the exact opposite should be true.

The second way the education system in this province is upside down is that the wrong end of the education system is receiving a vastly disproportionate amount of funds. That is to say, the high school system and the post-secondary school institutions in this province are receiving a vastly disproportionate amount of funds in terms of cost per pupil or expenditures per pupil, when that is not the most important area of education. The most important area of education is the primary school system and the pre-primary school system, because that is where the money spent gets the best results in terms of education, learning and so forth.

I would say to the minister that the education system under his guidance and under the guidance, if you can call it that, of Conservatives for 27 years, has skewed the whole thing the wrong way. The best teachers, the most research, the smallest classes, should be in the primary school system and in areas of education called the pre-primary school system, because a dollar spent there enables more children to do better in the education system than they are at the present time. It would be a cost-saving type of turnaround in the education system, because by enabling the children to get into the primary school system well equipped to learn, you save the cost of all sorts of remedial programmes in the elementary school system itself, in the high school system and indeed in the educational institutions at the post-secondary level. So I maintain that the education system in this province is upside-down in that respect as well.

The third way it is upside-down is that the self-selecting education bureaucrats in this province, these non-teachers, dominate the education system. They dominate the democratically elected school trustees, they dominate the parents of the children in the education system and they dominate the children as well, in terms of decision-making. They are the bosses and they boss everybody, including parents. The minister knows my views on this, that it is time that the education decision-making was returned to the hands of parents and that the full-time teachers had a lot of the say of what is happening in each school and that the students in those schools had a great deal of say.

It is awfully important that the authoritarian system of education in terms of well-planned decision-making be switched around. That is to say that we do need to test different models of decision-making in various high schools. I would repeat that we should be trying, in some high schools in this province, a different model of decision-making.

For example, we could have in a high school of 1,500 to 2,000 students, a high school council of 20 to 30 people, 10 of whom would be students in that school, 10 of whom would be teachers in that school, and 10 of whom would be parents or people from the community. That council charged with the responsibility of making the decisions that the principal now makes within the school system. I think that would do an awful lot to free-up, if you like, the constraints that are operating in many of our high schools.

It would be a healthy environment and I think that the parents would start feeling that the education of their children in their local high school is much more their concern than the concern of the principal and the

teachers under that principal. I think it would be very cost-saving as well. I think a lot of the costs of bureaucracy are a direct result of the authoritarianism within the school system. It costs money to impose authority and discipline. It costs a lot of money because you need bureaucrats. If you turn around the discipline and make it a self-discipline, you can save a lot of money.

The Minister of Correctional Services knows this because he is trying it in some of his institutions. I think it is very interesting that he is more reform-minded than the minister in terms of how he treats his inmates, compared with the students who are locked up until the age of 16 in the school system.

Now a Liberal government, Mr. Chairman, I think, would be able to reduce the costs of education by turning the education system right side up in these three respects.

Mr. Nixon: That is what we will do.

Mr. T. Reid: By reallocating the funds away from high school education, by taking money out of high school education, putting it into primary education and pre-primary education, we feel there will be a cost saving of at least 30 per cent. We think the casualties in the education system would be reduced to a great extent as well. You would not need remedial language programmes for Canadian-born people in a high school system. York University would not have to teach remedial English so that students could write exams. If you do that in kindergarten, if you do that in programmes like "Sesame Street"—hopefully we can have a Canadian one—you could reduce the cost of remedial programmes by trying to pick up the casualties of the education system.

If you turn the education system around, we would get our best teachers teaching in the elementary school and the pre-primary school system.

Secondly, we would eliminate a lot of this bureaucracy because it is unnecessary. We would eliminate it by having full-time teachers participating in the decision-making and letting them feel the school belongs to them and to the parents and to the children of the school. You do not need those people investigating and paying them salaries of $26,000. It does not do anyone any good and particularly it does not do the kids any good nor the teachers any good.

Finally, we would turn schools into much more of community institutions. We would say that the principal should not have the monopoly, under the laws of this province, to decide about so many things that happen within the school of which he is principal.

There are some models that support this, and you have a much healthier high school, a much lower drug problem, fewer disciuline problems, and the teachers and the students in that school feel that they have an important say in the education system.

Mr. Chairman, the last item I would like to talk about is this question of the fundamental need to investigate the fantastic budget which is spent by the education system. Over $2 billion was spent by the elementary and secondary school systems last year in this province. One of the things I am worried about is that the people of the province feel there has not been an independent evaluation of what that $2 billion is doing and they are saying, "We do not want to pay so much money."

In other words, I link what amounts to a tax revolt at the property tax level—which is tied up primarily with the education tax on property at the municipal level—much more to a feeling that many people have that they just do not know what the money is doing as opposed to being a strict revolt about paying taxes.

Hon. Mr. Davis: That is not what the president of the OFA said.

Mr. T. Reid: I think that if there was an outside investigation of where the money is going, documentation of the bureaucracy cost and the costs of bureaucracy that we can eliminate, we can cut that budget back by 30 per cent and still have basically the same quality of education. But unless there is an outside investigation, people are going to say, "We just do not believe that it is necessary to spend over $2 billion a year for the education of children in the elementary and secondary school system." It has got to be outside. They just do not believe a self-appointed investigation of people investigating themselves. It has got to be outside. It is a question of credibility.

Now, we have asked this minister time and time again—I proposed it in the Legislature on March 10—that there be an outside investigation of the rising capital construction operating costs in a single area. That was the duplication of facilities and programmes between the community colleges and the nearest 100 secondary schools. I asked that that investigation be made independent—outside. I would even let the minister appoint them as long as they had rights to investigate and satisfy people like myself who are convinced—and there is more and more evidence

that I am right—that there is duplication, and unnecessarily, in those two high-class levels of education.

Secondly, the Liberal members made a firm proposal in the standing committee on education and university affairs—it was made by my colleague from Sarnia—that the standing committee on education and university affairs look into the rising costs of education in this province. You know, in that first meeting we had members from all three parties saying, "Yes, let us for once have a standing committee doing something on education, doing something which is worthwhile." So we passed that. The report came to the House; the House adopted the report. Then we had another meeting and what happened? The minister came and vetoed that. He did not want the education committee—

Hon. Mr. Davis: I did not veto it.

Mr. T. Reid: He did not want a sub-committee of the education committee going around and looking into the high cost of education itself. He vetoed it. And we lost, the minister had more Conservatives there. He vetoed the standing committee on education looking into the rising cost of education in this province. And Mr. Chairman, do you know what he said at that meeting? He said: "I will meet with Wally and Tim and we will do something about it." Yet, you know, to this day he has never arranged a meeting as he promised in that committee. He has never arranged that meeting. He—

Hon. Mr. Davis: Mr. Chairman, on a point of order. I regret the member for Peterborough is not here because we very specifically arranged for a meeting the latter part of June and it was the member for Scarborough East who could not attend. The member for Peterborough himself has made a note of this particular commitment. I am not for one minute criticizing the member, because I heard he had a very valid reason for not being there. I would not know. But we did set up this appointment and he was the one who could not come. But I think the member for Peterborough, because I asked him to make a note of it—

Mr. T. Reid: On a point of order, Mr. Chairman, if I may—

Mr. Nixon: The member for Peterborough is not here.

Mr. T. Reid: You know, Mr. Chairman, it is interesting that the minister waited until the last day of the Legislature. He came at 11 o'clock in the morning and said, "Let us meet in 15 minutes." We were on bills. We were on two bills in this House, and the minister knows it.

Hon. Mr. Davis: That is not true, and the member knows it.

Mr. T. Reid: The minister is so full of hot words that it is not funny.

Hon. Mr. Davis: That is not correct, now.

Mr. T. Reid: He vetoed a recommendation of the standing committee on education to have a subcommittee look into the rising cost of education, and his backbenchers voted for it and that was it. And then he turns around and says, "Let us have a little private meeting. Let us not let the public into it, Wally and Tim. Let us have a little private meeting where we can discuss it."

I said, "Well, no, I think we should have a public discussion—"

Hon. Mr. Davis: On a point of order, Mr. Chairman, the discussions at the committee, and I remember them very well, related to my offer to meet with the opposition spokesmen in the field of education to find a mechanism whereby the standing committee could effectively come to grips with some procedures to how we might assess certain aspects of the cost of education.

Mr. MacDonald: After the next election.

Hon. Mr. Davis: This is right, and this was done—

Mr. MacDonald: That is right, after the next election.

Hon. Mr. Davis: No, it was done with the intent of getting under way this fall.

Mr. MacDonald: Horse feathers! Who does the minister think he is kidding?

Hon. Mr. Davis: Ask the member for Peterborough.

Mr. Nixon: The member for Peterborough is not present.

Hon. Mr. Davis: Oh, but he will substantiate it. This was the main basis of the discussion, this was what was undertaken at the standing committee on education. As I say, it was regrettable the member for Scarborough East had more pressing problems than this very urgent matter he is raising with us today. It was not a question of "Wally" because Mr.—

Mr. T. Reid: Mr. Chairman, on a point of personal privilege—

Hon. Mr. Davis: No, no, on a point of order, I have not finished my point of order yet. I did not say "Tim and Wally". I do not use the term "Wally"; it is always "Walter". I did not say, "Let's have a little meeting in my office so the public will not come". It was specifically to find a mechanism—

Interjections by hon. members.

Hon. Mr. Davis: Knowing his academic bent on these things, he wants to be right. I am helping the member for Scarborough East be right and I will help him with even greater enthusiasm on Tuesday, because he is so wrong in so many things this morning.

Mr. Nixon: He is right. Let us take a vote on it.

Hon. Mr. Davis: So, Mr. Chairman, as long as we understand what did take place in the latter part of June, at this point, I am quite content.

Mr. T. Reid: Mr. Chairman, has the minister finished his point of order? I would just like to say categorically, Mr. Chairman, for the record, that the minister vetoed in that committee an open inquiry into the cost of education in this province. He wanted a private meeting with the New Democratic spokesman and myself and he waited until the last day to arrange that meeting, when there were two bills being discussed, on which I spoke. Categorically—

Hon. Mr. Davis: That is totally incorrect.

Mr. MacDonald: Each of you has called the other a liar. Now let us let it rest there. We will have the arbiter here on Tuesday.

Interjections by hon. members.

Mr. Chairman: Have you any further comments to make?

Mr. T. Reid: I want to read *Hansard*.

Mr. MacDonald: He just adjourned the debate.

Hon. R. S. Welch (Provincial Secretary): No, he is not adjourning the debate; there is no debate.

Hon. Mr. Welch moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed: Mr. Speaker in the chair.

Mr. Chairman: The committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, when we convene on Tuesday next, the House will sit in committee of supply to continue the consideration of the estimates of The Department of Education. The standing committee on health on Tuesday will commence its study of the estimates of The Department of Health.

I understand on Wednesday afternoon the standing committee on estimates will finish its consideration of the estimates of the Treasurer (Mr. MacNaughton) and then the Health estimates will resume on Thursday.

If I can repeat, that means in estimates committee, that is in standing committees, it will be Health on Tuesday and Thursday, and Treasurer on Wednesday. Education will continue in the House on Tuesday.

Mr. R. F. Nixon: (Leader of the Opposition): Sounds like a great week.

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 o'clock, p.m.

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No. 121

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Tuesday, October 13, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, OCTOBER 13, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: In the east gallery, we have as visitors today, students from the Glendale School at Simcoe, and in both galleries, students from the Givens Senior Public School of Toronto.

Statements by the ministry.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, since the introduction of the Ontario Health Services Insurance Plan a year ago, the government of Ontario has been undertaking extensive studies on all aspects of health care and health care insurance.

During this period many suggestions related to the provision of health care have been placed before us by many and varied agencies. For example, we now have the reports of the Ontario Council of Health, the Committee on the Healing Arts, the Ontario Committee on Health Care Costs, and the federal-provincial task force on the cost of health services, as well as the most recent report of the Economic Council of Canada. All these reports have outlined the necessity of keeping the costs of health care within reason while ensuring that the people of Canada receive the standard of care that they need.

The government of Ontario recognized the importance of acting quickly and effectively to meet these challenges in the field of health care. The Ontario Hospital Services Commission and OHSIP are examples of our efforts to give the people of this province the best value for their dollars spent on health care. The recent introduction of the Parcost programme, we are confident, will lower the cost and improve the quality of prescription drugs.

In recognition of the government's continuing responsibilities in the field of health services, I am pleased to announce today a new policy in the administration of health insurance.

It has become clear that in order to provide the most effective and convenient health insurance plan, we must combine our hospital and personal health care insurance plans and programmes into a single integrated plan.

Mr. R. F. Nixon (Leader of the Opposition): The member for Quinte (Mr. Potter) is getting to you.

Hon. Mr. Robarts: It is therefore our intention—I accept advice from all sides and from all people and I accept it gladly—

Interjections by hon. members.

Hon. Mr. Robarts: —and if it is a good idea we do not reject it. I notice the odd shift of position across the floor, Mr. Speaker. When the political winds blow, I notice the shifts from here.

Interjections by hon. members.

Hon. Mr. Robarts: However, if I may continue. This is straight administration in the provision of health care for our people.

Interjections by hon. members.

Hon. Mr. Robarts: It is the only motive we have. I have said this—I have said this I do not know how many times—that we would continue our endeavours to provide the best possible health care we can for the people of this province. Here is an on-going step, and I assure all members of this House that this is not the last they are going to hear about health care.

But as we develop and resolve our plans, we will lay them before the people—those who want to listen to what we are going to do.

Mr. D. C. MacDonald (York South): Are the insurance companies in or out?

Mr. Speaker: Order.

Hon. Mr. Robarts: Mr. Speaker, in recognation of the government's continuing responsibilities in the field of health services, I am pleased to announce today a new policy in the administration of health insurance. It has become clear that in order to provide the most effective and convenient health insurance plan, we must combine our hospital and personal health care insurance plans and programmes into a single integrated plan.

It is therefore our intention to establish a new health insurance commission which will combine the function of the Ontario Hospital Services Commission, the Health Insurance Registration Board and the Health Services Insurance Division of The Department of Health. This new commission—to be known as the Ontario Health Insurance Commission—will be responsible to the Minister of Health (Mr. Wells) for the administration of an integrated health insurance programme. In addition, this commission will have delegated to it the—

Mr. MacDonald: Out go the insurance companies!

Hon. Mr. Robarts: In addition, this commission will have delegated to it the responsibility for the development and maintenance of the public general hospital system in Ontario.

Because of the introduction of this new policy, the work of the designated and service agents associated with OHSIP will be assumed by this new commission—

Interjection by an hon. member.

Hon. Mr. Robarts: Mr. Speaker, the absolute and utter preoccupation of this group with the insurance companies really amazes me.

Mr. MacDonald: It was the government's preoccupation.

Hon. Mr. Robarts: Wait until I read who is going to be out as well as the insurance companies. The member has a one-track mind.

Interjections by hon. members.

Mr. W. G. Pitman (Peterborough): We got the government on the track—

Mr. MacDonald: The government blew $200 million in federal grants because of its one-track mind.

Hon. Mr. Robarts: Mr. Speaker, these agents who have worked with us so well during a period of time include Healthco, which represents the private insurance companies, Associated Medical Services, Co-operative Health Services of Ontario, CUMBA, several insurance brokers and two health centres. These are the agents whose function will be taken over by this new commission.

Mr. Speaker, I would say, despite the comments of my friends across the floor, that these agents have been essential in the development of our health care insurance system in Ontario. When we entered the federal medical care programme, despite our continuing misgivings about the requirements, costs and priorities involved, the government of Ontario was determined to develop the most effective programme possible within the framework and limitations posed by the federal legislation.

However, it was obvious that sufficient trained administrative staff and facilities were not avalible to permit the establishment of the type of plan which would meet the criteria established by the federal government. Rather than delay introduction we sought the assistance of the insurance industry which had the facilities to put the plan into effect quickly and efficiently.

I take this opportunity on behalf of the people and the government of Ontario to express our appreciation of the willing co-operation provided by the insurance industry. Their efforts to keep administrative costs at a reasonable level have been highly effective. This experience is an excellent example of how government and the private sector can work together effectively in the public interest. As we proceed with the next phase of this programme, we look forward to the continued assistance of the insurance industry in the important transitional period.

The target date for complete implementation of the new programme is July 1, 1972. Between now and then, this massive reorganization will take place. The phasing-out of agents and the assumption of their functions by the new commission will be accomplished with minimal disturbance to the employees of these agents. The government will work closely with the agents to ensure a smooth transition and it is our hope and expectation that this complex task can be accomplished with a minimum of disruption of service to the public and the health care professions.

In developing this new plan, it is our objective to achieve the highest standard of service for the people of Ontario. Every available mechanism of human ingenuity and technological development will be employed to streamline the operation of the system.

The full integration of the two plans must substantially contribute to public convenience since only one agency, rather than two, will be involved in dealing with medical, dental, optometric, chiropractic, hospital and other health services. A single premium for health insurance will be an important feature in the new programme. The social insurance num-

ber will be adopted to provide a single numbering system. These changes will simplify the plan and greatly increase efficiency and public acceptance.

Another technique will be the distribution to subscribers of plastic cards similar to the now familiar credit cards. These will simplify recording and claims procedures and will reduce errors. As new and more efficient techniques for handling claims become available, they will be included in the system.

Mr. Speaker, the measures which are outlined are the first of a series of important steps to achieve our objective, namely, to provide the best possible health care for all the people of this province.

Mr. Speaker: Oral questions.

CHANGES IN ADMINISTRATION OF HEALTH CARE

Mr. Nixon: Mr. Speaker, I have a question—actually, two questions—of the Premier following his statement.

Were phase-out payments requested or agreed to by the government of Ontario in cancelling the contracts that we have been working under with Healthco and the other private carriers?

Hon. Mr. Robarts: I am not aware that they were, no. To be absolutely certain, I would have to check with the Minister of Health, but certainly to my knowledge they were not.

Mr. Nixon: Right. A second question: I wonder if the Prime Minister would explain why 22 months will be required to achieve this phase-out if, in fact, it is—and I would agree it is—in the best interests of providing the best medical coverage? To announce it now, to be accomplished two years from now, seems rather strange.

Hon. Mr. Robarts: Mr. Speaker, it will take two years simply to build the administrative machinery, to merge the whole group of administrative systems that are functioning now; it is simply just a question of time. The reason we announced it now is that it takes this long to plan, and it will take this long to phase out what we are presently doing and create and phase in what the new organization will do. From the technical administrative point of view, it is simply impossible to do it in any less time.

I have pointed out in this House many times before this afternoon, the enormity of the task of bringing some three million people into a health plan in one day, as we were forced to do in the beginning. There are huge administrative problems. It will take this long, if everybody is working at top speed with all the help we can get to do it. But I must announce it at this time because we must start the preliminary work now if we are even to meet this deadline.

Mr. Nixon: The Premier would not agree then that the timing of this announcement was dictated by the special report prepared by the Minister of Trade and Development (Mr. Randall) special programme branch, which indicated that the people of the province are deeply disillusioned by the administration of OHSIP?

Hon. Mr. Robarts: Mr. Speaker, I can only tell the member that in order for me to be able to stand in my place here and make this announcement today, it has required nine or 10 months work even to assess the feasibility of putting forward what we are doing today. I told the House as soon as the plan came into effect a year ago that we were not satisfied with it, and that we would have to get it functioning and see how it was functioning and where the changes might be made. Any suggestion that I could relate this to anything as recent as that is just a further example, to me, of the opposition's little knowledge—

Mr. Nixon: Why did the government pursue this at such great expense?

A final question, Mr. Speaker: I wonder if the Premier could indicate what this increased efficiency will do to the premium? Is it planned that the combined premium would be reduced?

Hon. Mr. Robarts: I am not in any position to speak about premiums at the moment. They will remain as they are until we have a further announcement to make.

Mr. S. Lewis (Scarborough West): By way of supplementary—two short supplementaries to the Premier, Mr. Speaker—he said that the plan will be staged in and fully operational by July 1, 1972. Are there any stages about which he is free to talk and the precise dates when they will emerge prior to 1972? Secondly, will this plan mean the end of double-billing by the medical profession, or will the 90-per-cent factor be maintained by the government?

Hon. Mr. Robarts: Mr. Speaker, the answer to the first question is no. The answer to the second question is that this statement deals only with the administration of the plan.

Mr. Speaker: The hon. leader of the Opposition.

POSSIBLE INFILTRATION OF UNIONS; BOMBINGS IN ONTARIO

Mr. Nixon: Mr. Speaker, I have a question of the Attorney General. Has the Attorney General received reports and recommendations from the special task force that was set up to examine the charges of infiltration of certain construction trade unions by organized crime, as alleged by former Toronto Police Chief James Mackey?

Hon. A. A. Wishart (Minister of Justice): I had a report, Mr. Speaker, earlier this year, or last year—some months ago—on that inquiry.

Mr. Nixon: I wonder if the minister would agree to table the report in the House or give us some information as to its contents. Can he say specifically whether or not a public inquiry was recommended by the report?

Hon. Mr. Wishart: I would take under consideration, Mr. Speaker, the question of whether that report should be tabled. At the time I received it, I considered that possibility. I think the report was intended really for administrative action and internal action within the department. It is possible that there would be some merit in tabling it, and on the other hand, there are some considerations that would militate against that. I will take it under consideration, very seriously, and make some comment later which will be in the nature of a reply to the question.

Mr. Nixon: I have a further supplementary along the same lines. Was a similar investigation conducted into the bombings of bakeries in this city, and in London, I believe, at the time the minister indicated he was concerned about it and would seek further information?

Hon. Mr. Wishart: Nothing, Mr. Speaker, that I am aware of, other than the regular and usual and intense police investigation.

Mr. V. M. Singer (Downsview): Mr. Speaker, by way of supplementary: Did the task force report recommend that a public inquiry be held?

Hon. Mr. Wishart: I am not sure that it did, Mr. Speaker. It is some time since I received the report and read it; I cannot be certain. I would not necessarily accept that recommendation if it were so made. There are some things in the report of a nature that I think the hon. members, if they were to persist that it be tabled, might regret they were so insistent.

Mr. Nixon: Regret?

Hon. Mr. Wishart: Yes.

Mr. Singer: Mr. Speaker, by way of further supplementary, was it one report of four reports?

Hon. Mr. Wishart: I only recall one, Mr. Speaker.

Mr. Nixon: I wonder if I may have further clarification on the use of the word "regret" in that connection?

Mr. Lewis: I wanted to ask the Attorney General: Without giving us the details, obviously, what would cause the members opposite to regret tabling of a report of this kind.

Hon. Mr. Wishart: I think there are some things in the report that they would not like to read.

Mr. Lewis: Could we not govern what we would wish to read, rather than the Attorney General?

Hon. Mr. Wishart: No.

Mr. Lewis: Would the Attorney General consider that he must take the chance on our reading of the report by tabling it?

Hon. Mr. Wishart: I think the Attorney General has a responsibility to make certain decisions.

Mr. Nixon: A supplementary question or a point of order. If the Attorney General is implying that there would be personal regret on this side associated with information in this secret report, then this is a very serious matter indeed. I think the Attorney General might clarify at this time whether he is indicating that the report would implicate some people by name that are known to anybody, or to members of this House, and that that would give rise to regret.

Hon. Mr. Wishart: I said earlier, Mr. Speaker, in answer to the questions, that I would consider the tabling of the report. I will give the matter that consideration, and members have a chance to make their own decision as to what the report contained.

Mr. Nixon: Can the minister give us clarification as to the use of the term, "some people might regret"?

Mr. Lewis: It is a regrettable use of the term.

Hon. Mr. Wishart: I think, Mr. Speaker, I have said all I propose to say on the matter.

Mr. Nixon: I think the minister said too much in the use of that term.

Mr. Singer: Mr. Speaker, by way of further supplementary, are there, in fact, the names of any members of this Legislature mentioned in that task force report?

Hon. Mr. Wishart: Mr. Speaker, I do not recall, at the moment.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: Mr. Speaker, a supplementary to the Leader of the Opposition's question with regard to investigations on bombings across the Province of Ontario. At the time of the bombing of the National Defence headquarters by terrorists last spring, the minister indicated that the government would be offering a reward if there was not some immediate apprehension in that connection. Could he indicate what reward has been offered, or whether he has any legitimate excuse for not following through on what he indicated he was going to do, particularly since the terrorist acts continue?

Hon. Mr. Wishart: Mr. Speaker, I will take that question as notice and check the matter and give it a full answer shortly.

Mr. Nixon: Mr. Speaker, perhaps this should be a point of order but I will phrase it as another question of the Attorney General.

Mr. Speaker: A new question?

Mr. Nixon: A new question of the Attorney General. Would the minister not agree that his use of the phrase in his answer to my previous question — and I cannot give you exact words — that the tabling of the report might be a regrettable thing on the part of some members of the Legislature, would he not agree with me that that contains within it an allegation of personal involvement? Would he not think that every member of the House must be very sensitive about what he has said, and would he not then therefore feel that some clarification or the tabling of the report would be necessary and mandatory?

Hon. Mr. Wishart: Mr. Speaker, I think the hon. member reads into my remarks an implication that I did not intend.

Mr. Singer: What did the minister mean then?

Hon. Mr. Wishart: There are things in the report. One of the reasons I decided not to table it at the time I read it was because it has to do with the administration of justice, the enforcement of law. What I meant to say is that if the report were to display publicly all the things which were known to the police and the police investigation in the nature of that report, I think, hon. members would regret if they insisted that we make this public.

I think it is in the public interest, at least that was my original judgement, that the things which that report contains should not be made public; and for hon. members to persist may be something that they would feel they were not wise in doing if they knew the content of the report.

I have to make that decision as the responsible minister of the government. There may be names mentioned in it but that was not the purport of my remarks; that was not the implication I particularly wanted to convey.

Mr. Nixon: Would not the minister agree as he recalls his words, as I recall them, that they were tantamount to a threat indicating "Do not press me on this"?

Hon. Mr. Wishart: No. The hon. member reads into my remarks something I never—

INCREASE IN HYDRO RATES FOR RURAL USERS

Mr. Nixon: I am glad to hear that, Mr. Speaker.

I have a question of the hon. Minister of Agriculture and Food. Was he consulted by his colleague, the Minister of Energy and Resources Management (Mr. Kerr), before Ontario Hydro announced that a nine-percent increase in rates payable only by rural users would be imposed as of January 1, 1971?

Hon. W. A. Stewart (Minister of Agriculture and Food): Not specifically, Mr. Speaker.

Mr. Nixon: A supplementary question: Is the minister not concerned that this heavy load will be assumed by the farmers in the porvince when we already pay more for our

electrical power than, let us say, the farmers in the Province of Quebec?

Hon. Mr. Stewart: Mr. Speaker, naturally I am always concerned with price hikes affecting any farmers—

Mr. Nixon: But the minister is not concerned with a nine per cent hydro increase directed solely at rural users?

Hon. Mr. Stewart: I am, if the member will just let me finish the question. Does he want to answer it as well as ask it?

Mr. Nixon: The minister is not making much of a job of answering it.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Stewart: When one recognizes the amount of subsidization that is provided to rural Ontario by Hydro today, I should think that we must expect to have price increases from time to time. We regret that these are necessary but when one recognizes the fact, and I am sure any farmer would agree, that the hydro he purchases is the cheapest form of labour he can buy, there is not a farmer in Ontario that I know who would want to do without it, much as he might regret having to pay more for its use.

Mr. Nixon: Is the minister under the impression that I am suggesting that farmers could do without hydro?

I would like to ask him specifically; is he saying that the farmers of this province are subsidized in their purchase of electrical power?

Hon. Mr. Stewart: I am told that rural rates are subsidized to some degree, Mr. Speaker.

REPORT REQUESTED ON FEDERAL-PROVINCIAL TALKS

Mr. Nixon: The minister is brainwashed by his friend in the rear there, I am afraid.

Mr. Speaker, I have a question of the Premier. Is he going to give a report to the House on the discussions that were undertaken at the last federal-provincial conference in Ottawa about three weeks ago, particularly as they concern the centralizing of security controls or that proposal which came from the federal level?

Hon. Mr. Robarts: I would be very happy to do that if the House would like me to. Yes, I will undertake to do that.

Mr. MacDonald: A supplementary question, Mr. Speaker: Can the Prime Minister indicate when the standing committee on constitutional affairs will get going, since the personnel have been designated by all parties?

In keeping with the question just put to him, would he indicate what areas of this government's negotiations with Ottawa the government is willing to put before that standing committee for public discussion and the calling of witnesses so that we can engage in the public dialogue that I think even the Prime Minister concedes would be valuable?

Hon. Mr. Robarts: Mr. Speaker, I asked the whips to line up that committee either late in the spring or early in the summer—in any event, before we adjourned.

As far as I am concerned the committee can meet consumers. I mean, there is no restraint, let me put it this way, on the meeting of the committee by myself or the government.

Mr. MacDonald: Would the Premier issue an order to that effect?

Hon. Mr. Robarts: Well, the committee having been set up I assumed that the chairman had been called. But I would point out to the member that what with estimates committees and one thing and another we have a lot of committee work going on in the House. It may be that this committee just simply has not found time when its members would be free to attend the meeting.

I would be delighted to speak to the chairman of the committee, or to the Clerk of the House if the chairman has not yet been chosen, and get the committee under way. But I would once again make it clear that there is no restraint as far as I am concerned.

I asked for the committee to be set up in the first place in order that the members would have a chance other than in the House to go into some of these matters. I assume when the committee is set up that the committee itself will decide what areas it might like to get into. And I will make anything available to them that I have.

One of the problems with these federal-provincial meetings is that they are on a continuing basis, and to understand what happens today it is necessary sometimes to understand what happened two years ago

or maybe three years ago. But our proceedings will be available to the committee.

Mr. MacDonald: By way of clarifying the latter point, Mr. Speaker: If the Prime Minister will jog somebody, whoever the appropriate person is, for getting the committee going—fine, I accept his assurances on that score—would the Prime Minister give some thought to what areas the government would like to put before the committee?

I agree that the committee members may want to have other areas that they will want to suggest to the committee and to the chairman, but at least so that we will know when we first meet, and not run into unnecessary delays, what are the areas that the government is willing, and indeed anxious perhaps, to put before the committee for public discussion?

Hon. Mr. Robarts: Mr. Speaker, I would say if the committee is to function with any degree of rationality and effectiveness I think you have got to start with a little history. And I would be very happy to make available to the committee, the proceedings of past meetings. As I say, this whole area is very interesting.

Mr. MacDonald: As long as it does not take a year.

Hon. Mr. Robarts: In my own experience have seen this whole course of negotiation between the two governments alter very dramatically as a result of events in other parts of the country over which we may have no control here. But we will make available to the committee working papers we have used and positions we have taken. I do not know whether that is what the committee wants or not—maybe they know all this—but if I were starting into it I think perhaps that is where I would start.

Mr. Nixon: A supplementary question: Could the Prime Minister explain now why he rejected the federal proposal that there be a national securities commission and rejected that in favour of our present system of keeping it solely at the provincial level?

Mr. Speaker: I would think that question is not properly a supplementary question to the original question.

Mr. Nixon: Well, Mr. Speaker, with respect, the original question dealt with the committee. Is this not correct?

Mr. Nixon: No.

Mr. Speaker: Then I beg the hon. member's pardon. If it is in order, the question may be asked.

Mr. Nixon: If the supplementary dealt with the committee it might have been out of order.

Mr. Speaker: All right.

Hon. Mr. Robatrs: If I understand the question, the hon. leader is asking why Ontario did not agree to the proposition that there would be established a national securities commission in Canada.

Mr. Nixon: Right!

Hon. Mr. Robarts: Our reasoning is that as in all matters in a federal state we have a central government for certain functions, and by constitution, other responsibilities are given to various areas which go to make up the total federal state.

In this country, one of our major problems is the great variation of interest and need between various areas of the country. I think that Ontario needs to have a very strong security setup which functions for the benefit of the province itself, for the protection of the people. Within the province we are highly industrialized and we are, if not the centre, one of the financial centres of Canada.

It is a little difficult to equate our necessity for these matters with the necessity, shall we say, of the Province of Prince Edward Island, or the Province of Newfoundland. It simply has not the same requirement and has not the same interest.

We think that our interests might not be exactly the same as the interests of British Columbia. We have gone to a great deal of trouble and pains in this province to establish what we think, and what is recognized by others outside the province, as a very good system of control, a very good system of protection. Inevitably, our position would not be bettered by what the federal government was proposing. Since we did establish the system we have here and introduced The Securities Act, rather than change the powers of our Securities Commission, this has been followed in many other provinces so we are achieving a standard across the country that is, in large part, achieving now what the federal government is after.

I cannot say that it is a matter of general principle—unless it can be very clearly demonstrated that it is in the interests of the Province of Ontario and indeed, is in the interests of all Canada—that we should agree

willy-nilly and offhand to the surrendering of more power to the federal government. I am a federalist but I am not a centralist and I think that in a federal system you must have laid down there a jurisdiction that is recognized and not infringed upon. Many of the problems in this country have been caused by the blurring of these lines of responsibility. So as far as the government is concerned, we saw no advantage in what was proposed, and indeed, we saw several disadvantages.

Mr. Nixon: Supplementary: Surely the Prime Minister would agree that a national commission would be in the best interests of Canada, even applying the standards that Ontario has achieved; it would be, as I say, beneficial for all the nation. We have to look back, not too far, when we were the bucket-shop for North America, just three or four years ago. If we can help the rest of Canada improve its situation, surely, we should lead in this and not stand in its way.

Hon. Mr. Robarts: Mr. Speaker, for the hon. member to stand in his place and suggest that we have not is either ignorance or—

Mr. Nixon: Does the Premier not remember Prudential?

Hon. Mr. Robarts: Sure, and I also recollect that at this moment—

Mr. Nixon: Remember British Mortgage? Or Farmers Allied Meat Enterprises?

Hon. Mr. Robarts: Yes, I remember all of them.

Mr. Nixon: The government's record has been terrible.

Hon. Mr. Robarts: And I recognize also that we have what is probably the finest piece of legislation. I can produce the compliments from outside this jurisdiction to support this.

Mr. Nixon: It is three years old. Why does the Premier not give us an example for federal legislation?

Hon. Mr. Robarts: Because the federal government is not suggesting that the Ontario Act be imposed on all of Canada. They are suggesting that they move into the field in a paramount position.

Mr. Nixon: We could maintain any provincial standards in addition.

Hon. Mr. Robarts: I do not think that will work and I do not think it is necessary.

Mr. Nixon: We cannot have anything.

Hon. Mr. Robarts: And they will add, I might say, another jurisdiction if they so do, so there will be one more securities commission that any company is going to have to go through. Most assuredly, their suggestion is not very popular with those who are in the business. I can tell the House that there are other ways of achieving what the member is talking about, and I think it can be achieved without this province once again being asked to surrender some of its constitutional authority to the central government. Everything is being centralized in Ottawa and, I might say also, Ontario is not the only province that had these misgivings.

Interjection by an hon. member.

Mr. G. Ben (Humber): The hon. member recommended it, as I recall.

Mr. Speaker: Supplementary? The Leader of the Opposition has further questions?

The hon. member for Scarborough West.

REQUEST FOR NAMES OF INDUSTRIAL POLLUTERS

Mr. Lewis: I have an initial question of the Minister of Energy and Resources Management, Mr. Speaker.

Could he now give to the House a list of the industrial polluters who were asked to cut back during the dark days of last week?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Yes, Mr. Chairman, I intend to table this today.

FUTURE OF THE INTERNATIONAL JOINT COMMISSION

Mr. Lewis: Good. A question then, Mr. Speaker, of the Premier again on a related matter of sovereignty.

After it emerged that the Minister of Energy and Resources Management was willing to grant certain sovereignty and special rights to the International Joint Commission at the Great Lakes environmental conference, the Premier was reluctant to do so. What, then, does he think the future of the International Joint Commission to be in terms of unanimity of opinion on the Great Lakes pollution control?

Hon. Mr. Robarts: Mr. Speaker, there is so much rhetoric in that question, I just

cannot find the nub of it. I mean, really, what is the member asking me?

Mr. Lewis: I am asking the Premier, through you, Mr. Speaker, if he is not prepared to grant any sovereignty to the International Joint Commission for the purpose of environmental control of the Great Lakes, what then happens to the International Joint Commission and his plans?

Hon. Mr. Robarts: The International Joint Commission, Mr. Speaker, has certain rights which are laid out in the Act which established it. Our position was that through a co-operative effort—after all, there are eight states, a couple of provinces and two federal governments involved in the total problem of pollution in the Great Lakes—it seems to us to be a practical impossibility to reach an agreement at the type of conference we were holding, that every one of those 10 jurisdictions would surrender some of its sovereignty to any outside body.

I mean, practically, you are whistling Dixie if you hope to accomplish that at an international conference. What we suggested was, and I might say we followed this procedure in other cases, that the International Joint Commission—I am not quoting verbatim from the report of that conference but I am giving my understanding of it and I may vary from the precise wording of the final communique—but in any event, we wanted one body to have carriage, if I may put it that way, of the action in dealing with pollution in the Great Lakes. It seemed to us that the International Joint Commission which has dealt with, and is presently dealing with, pollution in boundary waters for instance—over which it has jurisdiction by treaty between the two countries and which are not a special reservation or constitutional power of any of the provinces or states—was the logical body to initiate action which would be subscribed to. Then we would all put in our own input, if you want to put it that way.

We would all exercise our own powers and that is why we asked both the federal governments to take this under advisement. They control the International Joint Commission and we do not, although the International Joint Commission has worked very closely in this province—both in the area, for instance, of lake levels in the Great Lakes and also pollution, as I say, of international boundary waters. They have no jurisdiction over pollution in the waters that may lie on the Canadian side of the international boundary in any lake, but they do have control of pollution where the boundary is, in fact, a river; if we take the river at Fort Frances, for instance, where we have had a lot of discussion with the IJC concerning pollution in that river.

That is the reason we decided—it was, I think, in their practical approach that we were able to get unanimity among all there to this approach. I rather doubt that it would have been possible to get unanimity—well, it would have been impossible for any of the representatives there, out of hand, to delegate their powers, or the powers of the governments they represented, to any outside body.

EXPORT OF NATURAL GAS

Mr. Lewis: I would like to pursue that another day, Mr. Speaker. I want to ask one last question of the Premier because the period is going.

Was there any effort on the part of the Province of Ontario to quantify our natural gas requirements for the future, taking into account its anti-pollution effects and the eventual cost factors, before the National Energy Board rendered its decision on the recent sale?

Hon. Mr. Robarts: Not as a direct result of the deliberations of that board.

Mr. Lewis: No. Then may I ask another supplementary? Ontario, then, has no knowledge, in fact, as a government, of our anticipated natural gas needs over the next generation, let us say, whether for direct consumer needs or industrial needs, or processing needs or what have you?

Hon. Mr. Robarts: No, Mr. Speaker, I could not agree with the member's assumption from my answer at all. We are doing forecasts of our needs, but I deliberately said that we did no quantify our future requirements in terms of the decision made by the National Energy Board, because they are exercising their own function and I do not even believe that we were consulted. But certainly I would be delighted to table, if that is what the member wants, our estimates of what our needs are, because they are a very present worry. Of course we are examining all our energies—not only gas but also oil, hydro-electric power, what we are going to be able to produce from nuclear energy and so on. So it is all part of a very large picture.

Mr. Lewis: I assume that may have been why the Premier was in Labrador. Would he in fact table such estimates of need?

Hon. Mr. Robarts: I will see if I can find them together and put them together into a form that could be tabled. I know they have been made, from my own dealings over the years, but I just cannot tell the member in answer to a question here what form they are in. But we will check them.

Mr. M. Makarchuk (Brantford): A supplementary, Mr. Speaker.

Mr. Speaker: The member for Brantford, a supplementary?

Mr. Makarchuk: Yes. Could the Prime Minister say if any representations were made to the National Energy Board regarding the impact that gas sales would have on the chemical industry in Ontario?

Hon. Mr. Robarts: I am afraid I cannot answer that question offhand; it might be that the Minister of Energy and Resources Management can. If he cannot, we will get the answer for the member.

Mr. Speaker: Supplementary? Did the hon. member for Scarborough West have further questions? If not, the hon. the Minister of Financial and Commercial Affairs has the answer to a previous question.

"TRAFFIC JAM" GAME: RESULTS OF TESTS TABLED

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Mr. Speaker, last week the member for Windsor West asked me about a children's toy entitled "Traffic Jam," which consists of a plastic tube into which children can crawl as part of the game; it is designed as a plaything. I have received today a telegram from Mr. Granby, the Deputy Minister of Consumer and Corporate Affairs, and with the members' permission I will not read the whole telegram because it is relatively scientific.

It deals with the fact that the plastic is sufficiently thick so that it does not fall to the contour of the human face, that carbon dioxide levels, when someone is inside the tube, do not become unreasonably high, due to the number of holes in the tube; that temperatures are reasonable over a reasonable period. If I may, Mr. Speaker, I will simply table a telegram which comprises these scientific details.

In other words, Mr. Speaker, my interpretation of the telegram is that the federal Department of Consumer and Corporate Affairs has found the toy to be safe.

Mr. Speaker: Does the hon. Minister of Energy and Resources Management propose to answer a question at this point, or had he intended to make a report? I am not quite clear what he wishes.

Hon. Mr. Kerr: I wish to table a report a little later.

Mr. Speaker: Oral questions? The hon. member for York Centre.

REVISED GRANT SYSTEM FOR PUBLIC TRANSIT

Mr. D. M. Deacon (York Centre): A question of the Minister of Highways:

In studying the question of a revised grant system to encourage public transit in the province, as in a statement made in this House a week ago, does the minister intend to obtain information and advice from those groups who have strongly supported the case for public transit, in addition to the minister's normal sources of information and advice?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I am sure that in the investigation we will seek advice everywhere we can get it.

Mr. Speaker: The hon. member for Peterborough.

Mr. Pitman: Mr. Speaker, I do not know whether I can draw the Minister of Education out from under the gallery. I have one or two questions I would be delighted to ask him if he were in his place.

Mr. Speaker: If the hon. minister were in his seat, the question would be proper, but—

Mr. MacDonald: He is coming; he is coming.

Mr. Speaker: The minister is now in his seat, I believe. The question will now be proper.

FUTURE OF LAKEHEAD UNIVERSITY

Mr. Pitman: Thank you, Mr. Speaker. I wonder if the minister would indicate whether there has been any kind of a report or any kind of a study made on the future of Lakehead University by The Department of University Affairs recently?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, there has not been a report by The Department of University Affairs. As I indicated to the House sometime last April or May—I think that is the approximate month—I had asked Dr. Wright, who is chairman of the post-secondary study commission, to undertake a specific study and to report as soon as possible on the future direction that post-secondary education should take in the Thunder Bay area. The subcommittee of the post-secondary commission have initiated this study; they have done a great deal of work, as I understand it. There are certain preliminary reports that I think are in the process of discussion with the institutions involved. There has been no final report on this particular item as yet.

Mr. Pitman: I wonder if the minister could indicate whether one of the decisions that have been made was that Lakehead should cease to be a degree-granting institution and should be combined with the College of Applied Arts and Technology, and perhaps he would indicate what his own position would be on a suggestion such as that?

Hon. Mr. Davis: Mr. Speaker, I am sure I would be very surprised—I will put it this way—if any report were to suggest that Lakehead University cease to offer degrees. Lakehead University at this moment offers certificates and diplomas in some of the technology courses. I would be very surprised if the report does not indicate some mechanisms for closer co-operation between the post-secondary institutions in the Thunder Bay area. But I think, Mr. Speaker, I would be quite right in saying I will be very surprised if anyone ceases any degree-granting function. I do not think this is a probability at all.

Mr. Pitman: I wonder if the minister could indicate whether it would be possible to have these reports tabled in the House, or at least perhaps given to the committee on education and university affairs at some future time?

Hon. Mr. Davis: Mr. Speaker, I would be quite prepared to consider making their final report on this item available to the committee on education if this is the desire of the members of the committee. I cannot honestly say when it will be available, but I think it should be within the next couple of weeks.

Mr. Speaker: The hon. member for Scarborough East.

SALE OF TEXTBOOK PUBLISHER TO U.S. INTERESTS

Mr. T. Reid (Scarborough East): I have a question of the Minister of Education and University Affairs.

Does the minister have anything to report concerning the action of his government concerning the proposed offer by Scott-Foresman for the book publishing part of Gage? And if so, what action, if any, has the government taken?

Hon. Mr. Davis: Mr. Speaker, I thought perhaps we might deal with this in a broader way in a very few moments in that the hon. member raised this issue in his brief preliminary remarks related to the estimates of The Department of Education and has not quite finished those remarks, I understand. In that he raised those matters or related matters in his preliminary offering to the House, I thought perhaps it more appropriate to deal with some response to that hopefully some time later on this afternoon.

Mr. T. Reid: A supplementary question: Was there a meeting between the minister or one of the minister's colleagues with the Canadian publishers' representatives last Friday?

Hon. Mr. Davis: Mr. Speaker, I think I told the House either on Thursday — I believe it was Thursday afternoon; it could have been Wednesday afternoon — that there would be a meeting between the representatives of the Canadian publishing industry, my colleague, the minister of Trade and Development, and representatives of his department and mine. Such a meeting was in fact held Friday of last week, as I said to the House it would be.

Mr. T. Reid: A further supplementary, Mr. Speaker: was there any agreement or understanding whatsoever reached at that meeting between this government and the publishers that operate in this province?

Hon. Mr. Davis: Mr. Speaker, there were two or three suggestions that came out of the meeting on Friday, one of which I will refer to in that it relates directly to the involvement of The Department of Education and which I thought really would be more appropriate to refer to during the general discussion of the estimates.

Mr. Speaker: The hon. member for York South.

BAN ON STUDDED TIRES

Mr. MacDonald: A question of the Minister of Transport.

Was the issue of the banning of studded tires the subject of discussion at interprovincial conferences with the appropriate ministers from the other provincial jurisdictions? And if so, are the news stories accurate in reporting that all of the provinces, and more particularly our neighbours of Manitoba and Quebec, were opposed? And if so, following that, as a practical proposition how does the minister hope to cope with the situation at the borders? Is he going to mount a barricade and keep out all cars that normally might cross the borders from Manitoba and Quebec into Ontario?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the hon. member's series of questions are quite germane. There was a meeting of provincial ministers responsible for motor vehicle administration held in Victoria, B.C., on September 28 and 29. The question of studded tires was raised at that time and I indicated to the members assembled that Ontario had just brought in a regulation that would ban studded tires on the highways of Ontario after April, 1971, and there was some discussion on the matter with certain of the ministers representing other provinces indicating that they had no intention of banning studded tires and asking what would be the manner of dealing with cars from their jurisdictions entering ours.

I have to say, sir, that the regulation prohibits the use of motor vehicles equipped with studded tires on the highways of this province after April, 1971. I think there was the belief in some quarters—and perhaps in our Department of Highways—that neighbouring jurisdictions would be taking similar action. Until there is a discrepancy in our regulations—and I am not able to say that now—the situation when it come up in the fall of 1971 will certainly have to be reviewed in the light of that situation.

Mr. MacDonald: As a supplementary question: Why, on a matter of such sharp interprovincial relationship as this, would the government take a stand and present its colleagues from the other provinces with a fait accompli rather than coming and discussing it beforehand?

Hon. Mr. Haskett: That is a very good question too, Mr. Speaker. It was our hope that we could discuss this at the interprovincial conference before action was taken here, but we were pressed into deciding when we did because we wanted the industry and prospective purchasers of winter tires for this coming season to know before they equipped their cars with new tires that they would only be able to get one season's wear out of the studs. I think that was the reason why we put through the regulation at the time we did. And it happened in advance of the ministers' conference.

Mr. MacDonald: What was the date of the announcement of that regulation?

Hon. Mr. Haskett: Mr. Speaker, I think it was announced on September 21 or 22, if by recollection serves me.

Mr. MacDonald: So the minister beat the gun to the interprovincial conference by one week to present them with a fait accompli? Well, that is co-operation of a strange kind.

Mr. Speaker: The hon. member for Humber has been trying to get the floor.

NEGOTIATION OF FEES UNDER NEW HEALTH PLAN

Mr. Ben: Yes, thank you. I have a question of the Prime Minister.

Would the Prime Minister state whether the new integrated body, this OHIC—Ontario Health Insurance Commission—will be given power to negotiate fees with the doctors?

Hon. Mr. Robarts: Mr. Speaker, that is not within the powers of any of the commissions at the moment, so as of now my answer would be no.

Mr. Speaker: The hon. member for Huron-Bruce.

SPOT LOSS COVERAGE IN CROP INSURANCE

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Agriculture and Food:

Would the minister consider expanding the crop insurance programme to cover spot loss damage?

Hon. Mr. Stewart: Mr. Speaker, that matter was discussed before, as the hon. member will recall, in the agriculture committee in estimates debate. We have gone into this at some length with the federal crop insurance people. We have not had

any success whatever in getting their concurrence that there should be spot loss coverage.

Really, spot loss coverage does apply in private companies' hail insurance programmes in Ontario and I think across Canada, but it does not apply as far as government crop insurance is concerned. Crop insurance is a different philosophy entirely—it is simply to protect farms from loss of out-of-pocket expenses really; spot loss coverage is really a bona fide type or private insurance programme without any type of subsidization whatever.

Mr. Gaunt: A supplementary, Mr. Speaker: Is the Minister aware that some farmers in the province are under the impression that they are covered for this spot loss coverage when they are sold their crop insurance policy?

Hon. Mr. Stewart: No, I am not aware of that, Mr. Speaker. I do not know why they would be, because at no time has the programme ever provided that. To my knowledge, no one has ever sold it on that basis.

Mr. Gaunt: A final supplementary, Mr. Speaker. Would the minister consider going it on his own with respect to spot loss coverage insofar as wind and hail are concerned?

Hon. Mr. Stewart: Mr. Speaker, when there are, I believe, some 20 private insurance carriers in the province providing spot loss coverage for every crop grown to my knowledge in Ontario, I see no reason why the government should get into that type of a programme.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Welch presented the report of the Minister of Financial and Commercial Affairs with respect to the administration of part 9 of The Corporations Act for the fiscal year ending March 31, 1969.

Hon. Mr. Kerr: Mr. Speaker, I wish to table the list of the firms and institutions in Toronto and Hamilton which were served with ministerial orders last week during the air pollution incident. There were orders issued against 20 institutions in Toronto and, I believe, 28 in Hamilton. And these were issued because the readings contained in those cities exceeded 50.

It should be pointed out, Mr. Speaker, that the owners of these resources are not necessarily villains; they were chosen because of the size of their emissions, which are more a function of the size of their operations than an indication of a lack of conscience. Many of them are on a very extensive control programme required by the air management branch.

The emissions from several of them already meet Ontario's provincial standards. However, during these adverse weather conditions, curtailment of air pollution emission is the only thing that will keep air quality from reaching dangerous levels. The emissions from the multitude of smaller sources are also significant, but due to the large number of them it is impractical to endeavour short-notice curtailment.

Long-range abatement programmes in both these cities and regulations covering the sulphur content of fossil fuels and automobile emissions will reduce the incidence of high levels of air pollution in Ontario cities.

Hon. Mr. Davis: Mr. Speaker, I will table this report: These are the information papers, which saves everybody listening to a long speech from the minister, and these are the background papers for the estimates.

Mr. T. Reid: Yes, that helps.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The twenty-ninth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF EDUCATION

Mr. Chairman: I believe the member for Scarborough East has the floor.

Mr. T. Reid (Scarborough East): Mr. Chairman, I have a short statement. I will put it on the record, and that will conclude my remarks.

If a people is going to control its own society, it must control its own book publishing. Today, Canadian publishing could come to an effective end. The Canadian publisher's first line of defence, the Co-operative Book Centre of Canada Limited is in receivership and today major creditors are meeting to decide its fate. If it goes under or is sold

to the wrong people, or even if it is sold to the right people at the wrong price, the resulting loss and chaos could all but eliminate Canadian participation in Canada's book trade.

Foreign-owned interests—that is, foreign-owned subsidiaries operating in this province and in this country—could not really care less; they can call on the resources of great international corporations to offset any petty local loss. However, Canadian firms—that is, firms that are owned and controlled by Canadians—are not so fortunate. Canadian publishing has been in a critical state for a number of years anyway.

Now corporate receivers keep their figures confidential, but according to the authoritative trade source *Quill and Quire*, in the December 1969 issue, Co-operative Book Centre of Canada, was handling about 1 million books a year. At average current prices, that is about $5 million in annual turnover. Books from Canadian publishers and publishers' agents located in Canada are practically all their total stock in trade. If, at a guess, they are six months behind—that is, the Co-operative Book Centre of Canada is six months behind in payments in a trade where 90-day terms are not unusual—there is a potential $2 million loss facing a limited group of small firms that cannot afford such a loss.

That is to say, the Co-operative Book Centre of Canada has purchased books from Canadian publishers to distribute to institutional buyers such as libraries, school boards and so forth and it could well be that it has not yet paid for many of those books. Unless those books are paid for in at least 75-cent dollars, a number of small Canadian-owned-and-controlled publishing houses could go under and probaby will go under.

The resolution to this further attack on the Canadian control of the publishing industry in this province and in Canada, should be taken today. If the creditor publishers find the receivership which started last May is profitable enough to continue and offers some hope of recovery, no action by this government beyond a watching brief is required.

If a bankruptcy is chosen at today's meeting, however, I advocate provincial action. We cannot afford the risk of even one remaining Canadian publisher going down with the loss. If an offer to purchase is received and approved that would yield so little as again to doom even one Canadian publisher, again provincial government intervention is required, and leadership is badly needed.

Now Co-op Book Centre of Canada—this wholesaler, jobber or agent, if you like—has met a very real need in the publishing field in Canada and in Ontario. Starting from scratch in 1952 and in the face of heavy US-owned competition, the Co-op doubled its space, its staff and its trade every year for a decade with the growth curve going upward yet. They have even attracted some new customers while in receivership since May!

It is worth noting—and this is the key—that under their terms of business, Co-op must buy from Canadian sources wherever these exist. Quite often other buyers, including by the way, buyers who have public funds, such as the York University library, can and do buy around the Co-op Book Centre at will. But the Co-op Book Centre must buy from Canadian sources wherever these texts exist; they can only serve public services supported by the Canadian taxpayer.

This means that the potential dismantling of the Co-op today, could shatter service standards and raise costs for libraries and education systems particularly in Ontario, but also the width of Canada, while diverting purchasing money from the support of Canada's publishers to outside competition.

I therefore believe that since Ontario is the centre of Canadian English-language publishing, having approximately 50 per cent of the market, and Ontario libraries will suffer most from any book trade disruption, that the Ontario Department of Education, which makes grants to the library system in this province, should intervene in the Co-operative Book Centre of Canada Limited, receivership proceedings today, at this time—certainly this week.

I believe this intervention should take the form of an offer to purchase. As a starting price, I suggest $1 plus assumption of all outstanding obligations at enough on the dollar to ensure the survival of all publisher creditors.

I believe that Co-op could then be reformed as a Crown corporation—perhaps later on, under the control and direction of the Council of Provincial Ministers of Education of Canada—but it could be reformed now as a Crown corporation. This corporation should continue to offer purchasing and processing facilities to all Canadian libraries. But it should also add offices in London and New York. This type of expansion, through these offices, would enable these offices to purchase books needed from publishers lacking Canadian representation and also serve as sales agencies for Canadian books abroad, for

publishers who wish to use this public service in the form of a Crown corporation.

Since, at present labour rates, single-copy orders are uneconomic, a subsidiary should be set up of this new Crown corporation to serve bookstores on small-quantity purchases. By taking orders from many bookstores, and reshuffling these orders by publishers, economic orders from the Co-op can be built up. A reverse process could keep the return of many publishers' books to a single bookstore economic as well. Though it will subsidize our literary industry, which is in bad need of such subsidizing, this would also be profitable for all concerned, an ideal combination.

Such a situation would allow Canadian institutional buyers—such as school boards in this province, such as university libraries in this province, such as the libraries of colleges of applied arts and technology and libraries such as the public libraries—such a situation would allow Canadian institutional buyers to reduce purchasing and processing costs, yet have improved service. It would assure Canadian publishers, particularly those that are located in Ontario, of a secure and growing market, defending against foreign purchasing. It would strengthen the sales of Canadian books abroad as well. Since the Co-op's troubles appear mostly to stem from a recent costly computer installation, plus book trade disruptions, the overall record of the decade says the whole thing would turn into profit in the 1970s. Even a loss would merely subsidize the Canadian taxpayer who supports the institutions who buy from Co-op in the first place.

Ontario cannot lose, Mr. Chairman. Does our Department of Education have the sense to win?

Mr. Chairman: The member for York South.

Mr. D. C. MacDonald (York South): Mr. Chairman, for almost 10 years it was my responsibility to be lead-off spokesman for this party during consideration of the estimates of The Department of Education. In returning to these responsibilities after an absence of six years, I am struck by two remarkable changes.

First is the increasingly critical public attitude toward education and its financial demands. Education used to be a panacea. Today it is rapidly becoming another of the gods that have failed. From educators through the laymen, new doubts are being expressed every day with regard to education being the cure for so many of our social and economic ills.

As a new variation of his fiscal nightmare theme, the provincial Treasurer (Mr. MacNaughton) has warned that if recent projections in education costs continue, by the year 2000 the entire gross national product of Canada would have to be spent on education. While no doubt an exaggeration, it is the kind of warning which strikes terror into the hearts of victims of our regressive property taxes, for which the provincial government has provided no effective relief, in spite of years of study and talk about tax reform.

When the present and future proportions of this financial burden are combined with the increasingly obvious inadequacies in the whole formal educational process, the result is a dangerous crisis of public confidence concerning one of the most important services which governments provide today.

The second remarkable change during the past six years is with regard to the minister (Mr. Davis) himself. During the Sixties the minister has become Mr. Education in Ontario. Some have even gone so far as to declare that he is the greatest Education Minister since Egerton Ryerson. Well, we shall have to leave to history the final assessment of that judgement. Certainly the minister has presided over the destinies of Ontario education during a period when it is being transformed almost beyond recognition from the system which we knew to exist a short decade and a half ago. But I suggest that the far-reaching changes have been as much the product of irresistible pressures, too long ignored, as they have been of the minister's planning and initiative. Too often, fundamental changes have been belated, tragically unplanned, and badly co-ordinated.

Build now, reacting to a pressure here or pressure there, and plan later—that has been the minister's approach. His role has been that of a technocrat trying to cope with mounting pressures, rather than a grand architect who was in control of the situation, anticipating needs soon enough that they could be rationally met.

Let me illustrate with the classic example of the past decade—the development of our vocational stream in the secondary school system and the subsequent emergence of the Colleges of Applied Arts and Technology.

Early in this century educational policymakers in Ontario first became aware of the basic need of technical and trades training in a modern industrial society. Dr. John Seath, superintendent of education, was dispatched by the department to study how the British and European educational systems were

meeting this need. He made a report and it was translated into The Industrial Education Act, 1911, enabling legislation for the development of trades training.

For 50 years, successive Tory and Liberal governments virtually ignored this legislation. We moved into the second half of the century with only a few vocational schools, and one provincial trades school on Nassau Street, here in Toronto.

Then, in the late Fifties, this government finally moved when Ottawa made capital grants available to correct a basic lack of skills that was creating chronic hard-core unemployment in the labour force. Hundreds of millions of dollars were spent in building new vocational schools, or wings on existing schools, all across the province.

I shall never forget an illuminating occasion in one meeting of the standing committee on education some 10 or so years ago. We were discussing the role of the vocational schools. In grappling with the worrying question of whether we were providing students with meaningful skills for the future, one of the top civil servants—mercifully, I have forgotten his name—one of the top civil servants rather indiscreetly revealed what had gone on in the department. He related how, when a group of top departmental officials had been discussing the vocational school developments with the education minister of the day, now the Prime Minister (Mr. Robarts) the then minister at one point said: "Well, now that we have these schools, what are we going to teach in them?"

In short, this development was not only belated but so unplanned beyond the mere provision of bricks and mortar, that no real thought had been given to the curriculum which might be offered within the proposed multi-million-dollar facilities.

The result? We now find that all too often we are teaching obsolete skills on obsolete machinery. Unwittingly we have been guilty of wasting countless millions of precious taxpayers' dollars.

But the situation is even worse than that, Mr. Chairman. Because the Robarts government was so late in the day in reshaping the educational system to provide the basic skills required for a modern industrial society—about 50 years late, to be precise—when it did move, we very soon found that we had been left behind by the sweep of technological progress.

Throughout the Sixties it became clearer and clearer that what a young person needs most from secondary school is not premature locking into a skill which may become obsolete before he reaches middle-age, but rather a broader education which will develop his capacity to think and adapt, and that the provision of specific employment skills is best left either to a post-secondary institution or to in-plant training in the industry where he goes to work.

The Minister of Education has presided over a fantastically costly expansion of the educational empire but the developments came so late that the empire was becoming obsolete even while it was being built.

It may be argued that the minister inherited this situation from his predecessor and to a degree, that is true, but the minister did no better in those developments for which he has personal responsibility.

When he took over the education portfolio, the three streams of the Robarts plan had been established. The first students entered the four-year vocational stream in 1962. When they began to pour off the educational assembly line four years later, in 1966, the government suddenly wakened to the fact that they had done virtually nothing to provide post-secondary educational facilities to meet the needs of that great majority of students who would not be going ahead to university.

The result was an unseemly scramble to establish our system of Colleges of Applied Arts and Technology. The original CAATs were little more than a new name for existing trades training and other post-secondary facilities at various points across the province. Subsequent developments were not only hasty, but costly. It emerged in such a relatively unplanned fashion that the full consequences are as yet inestimable, both in terms of cost and the unnecessary duplication of the vocational facilities which had just been built into our scondary school system.

The minister has to take responsibility for this. It cannot be blamed on his predecessors. It is a product of his day and his direction—or lack thereof.

Since then we have had another tragically hasty and ill-planned development, this time on the administrative side. I refer to the county boards of education. The minister and his party have suffered irreparable damage from the public furore created by their handling of this issue. Quite frankly, they deserve all the trouble they have got into because, in the initial stages, their handling of this necessary modernization of educational administrative machinery was little short of calculated deception.

During the last provincial election campaign, the government did not design to take the people of this province into its confidence with what they planned to do in the next four years. There was never a whisper on the hustings of their intentions regarding county boards. Then, within a month of the election, the Prime Minister dropped the bombshell in Galt with the announcement of the government's plans to move into county school boards. The thousands of people interested and involved at the local level could get no details of what was going to happen. They lived and operated in limbo for months, until the minister brought in the legislation which scheduled the new system for less than a year later, commencing on January 1, 1969.

The new wine was poured into old bottles —the county boundaries which had been established more than 100 years ago. Even more disastrous, the government legislated the new county administrations without providing the greater revenues which had been promised for so long.

The result was a political storm which rocked the Tory establishment to its very foundations. In the process there has been created an atmosphere of public fear and hostility which has seriously jeopardized any move to larger administrative units in the broader municipal field through regional government.

The result of all of these unplanned, or at least, ill-planned developments, is the hornet's nest of political repercussions that constantly buzz around the minister's head. Any lesser man would have long since been destroyed by the political consequences of his own actions. The minister has survived, but in surviving he has created a mood of quiet indignation which will be fully revealed at the next election. His political skills may have been great enough to ride out the storm but his very success in doing so has played a major role in the popular decline of the Conservative Party.

But a more immediate consideration—and forgive me, Mr. Chairman, for being a little personal at this point but I think it is pertinent because of our years of give-and-take across the floor of this House—the minister has suffered an unfortunate character transformation in the process. The Minister of Education that I knew six years ago has gone. Instead of dealing directly with issues, instead of levelling with his critics, he has now developed a capacity for political footwork that is dazzling, but less and less convincing.

It is impossible to ask the minister a question before the orders of the day and to get a straight answer. Even when there is no need for him to be on the defensive, the minister does so out of habit, and we are subjected to a display of verbal gymnastics that invariably produces a laugh but no information.

In fact the minister unwittingly revealed the transformation to which I refer in his remarks at the recent official opening of the new facilities for the Ontario Institute for Studies in Education. He told his audience—

Hon. W. G. Davis (Minister of Education): In my reference to you?

Mr. MacDonald: No, no; not your reference to me. As a matter of fact I told you afterward that unwittingly you had dropped a very illuminating comment and now I shall inform you what it is.

He told his audience that one of his first public engagements after he became minister was to open the Toronto Education Centre and that he was asked to, or he wanted to, speak on the curriculum institute. According to his own account he asked his departmental advisors—I wrote it down, it was so intriguing a comment—

Hon. Mr. Davis: I quoted it before.

Mr. MacDonald: Yes. He asked his departmental advisors to "put him in the picture so that he could say yes or no" when asked a question.

Today I am confident that when he seeks the assistance of his departmental officials it is for precisely the opposite purpose—that he can avoid saying yes or no in answer to questions because he has not said yes or no for years.

Before the minister has a chance to reply with another dazzling display of political footwork, dismissing my observations as unfair and unduly harsh and partisan, I want to cite some documentation from a thoroughly objective study. As a matter of fact, this is something that should be read with great care and interest by many more people. I refer to the doctoral thesis of David M. Cameron, entitled "The Politics of Education in Ontario, 1969". I should add that this documentation is with reference to the basic points which I have raised, and not on the personal conclusions which I have drawn with regard to the minister.

Dr. Cameron's thesis was done at OISE. It is an "inside" study because it was done under the direction of people like Dr. Jackson and Professor Rideout, who have played an important role as consultants in shaping the government's policies. In many ways it is a

revealing insight into current history, provided much sooner than historians can normally get access to official records.

In Dr. Cameron's 565-page analysis of the politics of education in Ontario, he considers the six major policy developments of the Sixties; namely, the general programme of provincial grants to school boards, the federal-provincial capital grants for vocational schools, the provincial purchase of local school bonds, the mandatory estabishment of township school areas, the reorganization of the provincial Department of Education, and the consolidation of the local units into county-sized school districts.

Dr. Cameron's overall conclusion regarding government policy on these six major areas of concern is as follows:

> Each provincial response was found to be the product of a unique policy-formation process with little, if any, provision for the integration of distinct policies. This produced both conflict and overlap between the policies, and seriously reduced their potential impact upon the challenges or problems.

Mr. Chairman, stripped of its quiet, detached, academic phraseology, and translated into the language of the political arena, that simply means that government policies were the product of pressures, not planning; that they were not co-ordinated; and that they produced conflict and overlap which seriously reduced the ineffectiveness in solving our problems.

Dr. Cameron's inside view of some of the major developments makes most interesting reading. I shall mention just a few, and invite the hon. members to seek others at their leisure. Incidentally, I should have brought in this tome for their edification; it is as thick as Webster's dictionary. I invite the hon. members to read it at their leisure, although it may be too formidable for some.

With regard to the revised secondary school course of studies known as the Robarts Plan, he has this to say:

> This plan was developed under conditions of utmost haste as a condition of Ontario's acceptance of the offer (of 75-per-cent capital grants for vocational schools) ... The planning of the new course was further constrained by the federal conditions that grants would be paid only in respect of facilities constructed for school programmes in which 50 per cent of the student's time was devoted to technical or vocational training. While it is impossible to determine what the provincial policy would have been in the absence of the conditional federal incentive, one is probably justified in assuming, as did the Smith committee, that this policy was distorted by the existence of the incentive ... One is led to assume, then, that without the federal stimulus, the Ontario secondary school course of study not only would have been developed at a more leisurely pace, but also would have expressed more fully the educational interests of the province.

In short, the Robarts Plan was hasty, was distorted, and did not fully represent the educational interests of the province. A pretty devastating indictment of the course of study which has shaped the lives of the post-war generation of babies!

On the government's move, first to township, and later to county school boards, Dr. Cameron reveals from the inside to what extent political considerations shaped them. For example, he reminds us that the government's move to township boards followed shortly after the election of 1963. But he goes on:

> By the autumn of 1967 the [inter-departmental] larger unit committee was well advanced in the preparation of the draft legislation to consolidate all elementary and public schools in southern Ontario into county boards of education. The decision to proceed with the immediate reorganization, however, had nothing to do with the departmental committee. The Prime Minister's speech of November 14, 1967, (in Galt), apparently written by the Deputy Minister of Education, was delivered without the knowledge of the members of the committee. And while the real reasons for the decision of the new policy at this relatively early date are hidden from view, the recency of the general election cannot be overlooked. Just as the township consolidation followed shortly after the election of 1963, the announcement of the impending county consolidation followed just one month after the election of 1967.

There you have documentation from "inside" sources, confirming that the government deliberately withheld its intentions from the people during their appeal for re-election, and then moved immediately to implement far reaching new policies, by what Dr. Cameron describes as "legislative coercion" rather than by fiscal incentive.

But on the basic point which I have attempted to make, that the government's educational policies have ben relatively unplanned and unco-ordinated, Dr. Cameron

makes his most impressive case. Indeed, it is the basic thrust of this whole doctoral study.

He quotes Eric Hardy with regard to the "functional isolation" that characterizes every department of government in its relations with local governments.

He quotes Robin Harris in his study of the total educational system in Ontario, entitled, "The Quiet Revolution", that, while the various parts of the educational system function effectively as units, "here is a good deal of evidence that they operate as units rather than as organic parts of a larger complex".

Finally, he quotes from J. S. Dupre's comprehensive overview of provincial government's local fiscal relations to the effect that the provincial government's relationships with local government are "highly fractionalized". Those are $64 words, I recognize, but I think anyone can grasp the significance of something being fractionalized, even the Minister of Education.

Time will not permit all the detailed documentation which Dr. Cameron provides, but it adds up to conclusive proof of the extent to which this government, under this minister, has reacted to pressures, coped with them through ad hoc solutions, which were so unco-ordinated with developments in other sectors of the educational complex that they have become inefficient and therefore unnecessarily costly.

The overall result is that "The status quo has run amok," to borrow that apt public description of the situation made by Dr. D. T. Wright, the man now charged with the examination of our post-secondary institutions. And the point that should be recognized is that this minister has presided over the whole process.

To sum up, the minister has always been the educational technocrat; more and more he is becoming the skilful educational politician; but less and less is he playing an effective role as a Minister of Education.

However, our problem is much more fundamental than any transformation which may have taken place in the minister. Our basic problem is that the minister and this government have no real philosophy of education.

Their approach is pragmatism run rampant. Now pragmatism can be defended as a tactical approach in dealing with day-to-day problems in the democratic system, as long as those tactics are part of an overall strategy which in turn is shaped by an educational philosophy.

But the government has no discernible educational philosophy. What it parades as a philosophy of education is little more than a rationalization of what it has already done, rather than any guide as to what it should be doing.

As the hon. member for Peterborough (Mr. Pitman) pointed out in his lead-off on The Department of University Affairs estimates—it seems years ago but it was about four or five months ago—the minister has stated his educational philosophy very simply; that is, to provide facilities at all levels for those who wish, and have the qualifications, to attend educational institutions.

That is not a philosophy. That is merely a mechanistic determination to provide the bricks and mortar.

No one will deny that the minister has provided the facilities over the past decade but at a cost which is now provoking open revolt from the people who have to carry the financial burden. The high promise of the Hall-Dennis report has become lost in the philosophic vacuum which characterizes the minister's operations.

In fact, examination of the public record for the past year or so indicates that the hon. member for Peterborough has done more to enunciate a viable philosophy of education than has the minister himself.

What is more, the hon. member for Peterborough has pointed to the practical implementations of his philosophy in grappling with the growing range of problems in our educational system from K through to colleges and universities. He has done so in a way that is gaining ever-wider recognition.

Let me illustrate with the basic proposal which the hon. member has advanced over the past year, and repeated in his lead-off to the University Affairs estimates some three or four months ago.

I refer to his basic contention that those who shape our educational system have been seized with a magnificent obsession—the stay-in-school obsession, resulting in the institutionalization of education and those who seek it through to 21 years or more, even though for a growing number of students it is an increasingly unsatisfying experience. His contention is that education must be rescued from the institutional process, be taken out to become part of life, where the action is, and where its relevance becomes more evident to the student and the citizen who is paying for it.

As the hon. member has pointed out, the educational system has been saddled with the responsibility of solving so many of our social and economic ills, including the calculated withholding of close to 50 per cent of our

young people out of the labour market. We may thereby have contained our unemployment problem which otherwise would be over 10 per cent. But at what cost? And what effectiveness?

In keeping with this new approach to education, the hon. member suggested in his presidential address to the OEA last March that we should develop procedures whereby the student who finds the formal educational process unsatisfying should be permitted to drop out for a time to provide the labour force with much needed short-term skills, and drop into the continuing educational process at a later date when the will and the need for it has developed.

I was most interested to read the response in an assortment of clippings of editorial comments from across the province. Though normally not a topic which evokes widespread editorial comment, obviously the proposal struck such a responsive chord that editorial writers took up the issue.

To quote just one example from the Sudbury *Star* on March 26:

> It is near-heresy in the ears of many of today's educational theorists and school administrators, but there may be more than a grain of good sense in the suggestion that resentful adolescents be encouraged to drop out of their secondary school programme.

After reviewing some of the difficulties that might be involved, the *Star* concluded, "Mr. Pitman's idea is well worth attention".

I acknowledge that the Minister of Education has not been completely silent on such topics. Periodically, he has raised his voice in favour of the development of more community-oriented schools. He may even publicly have responded to some of the specific proposals which the hon. member for Peterborough has advanced. But in no sense has there been any dynamic leadership from the minister, the one man whose position makes it possible for him to do much in formulating and implementing a new concept of education which will meet the fundamental problems which have emerged in education. At best, once again, he has merely reacted rather than leading.

But the recent Bremer affair in Toronto provides the most conclusive proof that the minister not only fails to lead himself but, even worse, he frustrates those who want to lead.

Dr. Bremer personifies not only educational theories, to which the minister pays lip service in after-dinner speeches and at openings of schools in every county across the province, in preparation for what I sometimes wonder, but Dr. Bremer has put them into practice—

Hon. Mr. Davis: Are you giving me a blessing?

Mr. MacDonald: No, I am not giving you a blessing. I am just pointing to the vast expanse that you have to cover and that you may wish to cover.

Dr. Bremer has put these theories into practice in both Britain and the United States and, therefore, he offered the exciting prospect of leading us out of some of the explosive frustrations of an educational system that is not meeting modern needs.

By majority vote, the Toronto Board of Education indicated that Dr. Bremer was its first choice for the post of director of education. But the minister did not have the wit to exercise the power available to him and bypass the meaningless technicality that Dr. Bremer did not have an Ontario principal's certificate. The mind boggles at such pettiness. The minister was guilty of almost unbelievable administrative pedantry. Nothing could provide more conclusive proof of the process of bureaucratic ossification which has set in with him.

The result is that Toronto is destined to a much less exciting, a much less imaginative effort, to work out its educational problems within the traditional pattern. Benefits that would have come first to Toronto, but which ultimately would have flowed to the whole province have now been denied.

Clearly this government with this minister, whatever may have been its past achievements—and I have acknowledged them—has reached the end of the road in educational reform. Once again, the outer reaches of the Tory philosophy have been exhausted. On this, as with so many other things, Ontario will have to go forward with a New Democratic government in 1971.

Mr. H. Peacock (Windsor West): And we will rename every one of those schools.

Mr. MacDonald: Ex-Davis. Not all of them.

Now, Mr. Chairman, within that overview of educational developments during those years in which I was out of the centre of the discussion here in the Legislature, there are just two specific issues that I want to raise. They are symbolic of this government's incapacity to grapple with problems, of their real bankruptcy in terms of leadership to provide effective solutions.

The first one is the burden that education is creating in terms of regressive taxes and which, I suggest to the minister—and I know if he goes into the northern areas of his own riding he will have it confirmed day in and day out—is provoking much of the animosity toward education today, particularly in rural areas. In short, if one wants to try to isolate all of the factors which are contributing to the highly critical attitude toward education, making it one of the gods that have failed, it is this regressive tax structure which, for many people, has become absolutely intolerable. It is generally true across the board but is particularly true of farmers for a very specific reason: that the farmer pays property tax not only on his residence, as you and I do, but he also pays property tax on a great amount of land—land, which is in effect the tool of his trade and by which he makes a living and therefore he has an extra heavy burden to carry.

If I may be forgiven for being partisan—in fact, I do not even ask for forgiveness; I just want to inform the House in case they do not know—10 years ago the New Democratic Party, and at its first policy convention in 1962, recognized the nature of the problem, the proportions of it and the fact that some sort of an answer must be found. And at that time we worked out with our farm committee the proposition that farm lands and productive buildings should be separated from residences as far as assessment is concerned and that the educational tax should be removed completely from farm lands as such. That would bring farmers not into a position in which they are not victims of a regressive property tax but at least they would not be doubly victims. They would be victims in so far as it was imposed on their residential property but not their farm lands, the tool of their trade.

Now the government is getting in a tax mess. Oh, I know we have studied it; we have talked about it. We have had reports and we have had select committees to study the reports. But there has been no effective answer until open revolt developed in rural Ontario, the area which traditionally has been the most faithful supporter of the Tory party.

Typical of this government, we now have the appeasement effort. They came in with that little bundle of goodies that was distributed on the opening day of the resumption of the session this fall, namely for farm properties, for which the government is now going to repay 25 per cent of their overall tax. Now it is rather interesting just for a moment to analyse what that means. Since education represents at least 50 per cent, indeed up to 75 per cent, of the property tax load with most farmers, to pay 25 per cent of the total tax bill means that you are going to be paying approximately a half or something less than a half of the education tax on farms.

In short, it is typical of the Tories that they come up with a half loaf. And the interesting question is to what extent those people who normally have been such faithful adherents are going to be—and I use the term advisedly—bought off by this kind of a belated action which does nothing to get at the basic inequity. They are still living with that basic inequity. It is a Social Credit handout on the eve of an election, as this year it is going to be a real handout and presumably next year it is going to be a somewhat disguised handout with deductions back at the source.

Whether or not the government can get away with this I do not know, but, I can assure the House that as far as we are concerned in the New Democratic Party, we are going to do our best to make certain that they do not get away with it. It is no long-term solution. But one rather interesting point I draw to the attention of the members of the House is that all down through the years when the New Democratic Party has been arguing on behalf of lifting the property tax from farm lands, as far as education is concerned, we were never able to get figures to assess exactly what that cost would be. We do not happen to be privy to all of the inside statistics, but the government has now given us a benchmark. What they have said in effect is 25 per cent of the overall taxload for farms, one-half of which is represented by the education tax, is $20 million. So the total education tax, not just from farm lands but from all the farm property, including the residence, will be in the range of $40 million to $50 million.

I suggest to this government that this throws the whole matter into perspective and underlines once again why the government should have moved to have dealt with the thing wholly instead of in half. In terms of this government's takeover of a larger proportion of the cost of education, which belatedly they have now agreed to do by phasing up from 45 per cent to 60 per cent over the next three years instead of the 80 per cent which both of the opposition parties are asking for and which the Ontario Association of Mayors and Reeves are asking for—$40 million to $50 million; or even less than the $40 to $50 million, if the education tax is removed from farm land alone, as opposed to residence—is not a great amount of money. In the overall assumption or takeover, of a higher pro-

portion of the education burden by the province, this is a very manageable proposition.

It is not unmanageable. It is not impossible. If the government were intent on doing something to solve this problem immediately for the farmers, for whom it pretends to be the best friend, this government could have done it now—but they have not done it. Certainly everything should be done so that the farmers of this province know the extent to which the government action is—to borrow the student phraseology of the current times —tokenism of the most flagrant and insulting kind.

We will have plenty of opportunity to come back to it again, particularly when we get into The Department of Municipal Affairs where this matter—in terms of its mechanics —can be dealt with more appropriately.

The second issue I want to raise with the minister is this government's absolute refusal to raise its voice to comment, to shatter the echoing silence around Queen's Park on the issue of the extension of separate schools between grades 11, 12 and 13. If there is one underlying theme—and I am trying to give the minister a core for a philosophy of education which he might enunciate and indeed, I suppose, to be fair, he has—if there is one underlying theme in all of the developments of the last decade in the Province of Ontario it is equality of educational opportunity.

When three streams were created so that all children were not driven through the one academic stream, presumably to a university where 94 per cent of them would not be going, the rationale for it was to give some equality of educational opportunity to the 94 per cent who might be interested in commercial and technical training. When we got into the whole College of Applied Arts and Technology development, it was to provide educational opportunity at the post-secondary level. When we got into the county school boards it was to provide equality—equalizing the burden and equalizing the educational opportunity for all children, whether they live in urban areas or out in the rural hinterland in the province of Ontario.

Basic to all of this, of course, was the foundation programme which we in the New Democratic Party proudly recall we pioneered in the politics of this province—it was subsequently adopted by the Liberal Party and subsequently put into effect by the government—but the main purpose of it was to give equality of educational opportunity to all children, whether they happened to be in the low-assessment area of public schools in the rural areas or in the low-assessment areas of separate schools as opposed to the public school system as a whole.

Implicit in the presentation of the foundation programme, some six or seven years ago, is the government's acceptance of the fact that the separate school system of this province is going to continue to exist and therefore is entitled to have financial viability. And beyond any shadow of doubt the foundation programme has provided financial viability to the separate school system as well as to the public schools in the rural areas across the province of Ontario.

Within that context, Mr. Chairman, the latest development, namely the proposal for the extension of the separate school system beyond grade 10, where it is chopped off, today, to grade 13, strikes me as a natural kind of development. If we are going to maintain the continuum of education through to grade 13, if we are going to facilitate the free flow of the educational process through ungraded classes, we cannot chop one system off at grade 10. We have got to provide the full constitutional option of separate schools, rather than the partial constitutional option which has been the case throughout the 100 years of Ontario's history since Confederation.

Following the presentation of the brief by the Ontario separate school trustees in May, 1969, the Prime Minister of this province assured the delegation, that they were going to study this matter. They were going to look into it; they would respond.

My question, Mr. Chairman, is how long have we got to wait in this Legislature and throughout the Province of Ontario—particularly those who are most interested, those who are in the separate school system—how long have we got to wait for this government to make up its mind? Or at least to discuss the issue, to level with the electorate, to level with people, instead of running a sort of secret organization?

It is interesting to note that in the intervening period, both opposition parties are now supporting this proposal. I remind the minister of this because we are now in a position to reaffirm our policy following the recent NDP convention.

I have no doubt that in any organization today whether it be a political party or not, you will not get unanimity on as controversial an issue as this. This is the kind of issue on which people hold very firm and sometimes rigid positions.

You are not going to get unanimity, but I was very interested, indeed I was proud—as

well as mildly surprised, I will be frank with you—that when this issue was debated by 2,200 delegates to the convention of the New Democratic Party last week, on the basis of the policy which had been enunciated by the provincial council under instructions from our last convention, when the vote came it was in the range of three or four to one in favour of reaffirmation of a policy which we had been enunciating in this House.

In short, Mr. Chairman, and I say this to the minister not in an argumentative way but in a way that I trust will persuade him, that I am convinced that we have reached a stage in the Province of Ontario where the people will respond to leadership. You will not get unanimity in your own ranks or out in the public. But now is the time to indicate whether you have got the political guts to tackle this kind of issue and do something about it. Until now there is no evidence that you have; indeed you will not even publicly discuss it.

Maybe I am a little wrong; maybe I am being a bit unfair. I have not quite been able to assess the significance of that one kite flying effort from the Minister of Revenue (Mr. White). Some people say that the Minister of Revenue is a sort of alter ego of the Prime Minister. He comes from London. He sometimes enunciates views to find out what the reaction will be. I was rather fascinated to read his statement—I think it was down in Whitby and one or two other places—and also to note that the London *Free Press*, which is not altogether unsympathetic to this government, immediately wrote an editorial which said the minister's views are a possible answer to this controversial issue, and the issue cannot be ignored for much longer, and therefore it should be examined to see whether or not it is the answer that presumably the government should adopt.

His proposal, without going into the detail, was that in our school system we might be able to move to the kind of structure in our universities—where you have diversity, the diversity of many different religious groups, operating within an overall framework which is secular.

I do not want to push the analogy any further than that. I think it is a fair reproduction of what the hon. minister has said. But I ask this minister—what is his view on that? Was that a kite-flying effort, and even if it was or was not, what is his view? What is the view of anybody in this government on this issue? This is an abnegation of responsibilities. Just because this is a controversial issue you cannot continue to ignore it.

I suggest if you do that, you are not going to reap the political rewards that you think.

Mr. Chairman, the reason why I plead rather than argue with the minister is this: When this government finally brought in the foundation programme, it acknowledged implicitly in its action that what we were dealing with was not a religious issue but an educational issue; that every child in this province who is attending either of the publicly supported school systems—the public system or the separate school system—is entitled to equality of educational opportunity. And that you can give an equality of educational opportunity only if something approaching the same amount of money is available.

The foundation programme has sharply narrowed, if it has not yet completely eliminated the differential in grants—or rather, the differential in the total amount of money that is available by larger grants to separate schools to compensate for the lack of local tax revenues.

Within that context I suggest to the minister—as well as many of the back-benchers in his own party, and to many people in my own party—if you examine the resolutions that came before our convention, that to raise the question of the basic validity of the separate school system is completely extraneous.

The issue of the separate school system as a system has been settled. It was cemented into the very foundations of this nation at the time of Confederation. It has been reaffirmed by this government when it put in the foundation programme. It has been reaffirmed as far as the New Democratic Party was concerned when we enunciated the foundation programme and pioneered it in Ontario politics. And we have reaffirmed it again.

Whatever may be my views, or your views, or anybody else's views on the separate school system as such, that is not the issue. The separate school system is here, and it is unthinkable that any government, either this government or any successor, is going to eliminate the separate school system. Indeed, now that its financial viability has been established by the foundation programme, it would be even more difficult than it might have been 10 years ago. Ten years ago, if you had just left it, it might have died by attrition.

The question we have to deal with now is, are we going to complete the overall

separate school system, or are we going to let the private Catholic high schools, in grades 10, 12 and 13, die by attrition? That is the issue. Or are you going to tidy up the separate school system by completing it through to grade 13?

Let me make a personal comment here, Mr. Chairman. I got my secondary education in the Province of Quebec, and I taught school for five years in the Province of Quebec. I would like to say in as unprovocative a fashion as possible, if there is one issue on which I am least proud of Ontario's record, it is on this issue.

Many people in the province of Ontario—Protestant-dominated; some people say waspish; well, I did not want to be provocative so I will not bring that phrase in—but in Protestant-dominated Ontario we have never conceded the reality to conform with the spirit of the Confederation agreement, and they have in Quebec.

The separate school system in Quebec, which is the Protestant system, and I know it full well, has been conceded, without any question, financial equality from K to 13 since 1867; if there was a K and if there was a 13 in 1867.

Look at our record, and perhaps I can persuade you why it is not an issue that I am very proud of—the fact of the matter is that we have cheated on the issue from the very outset. Instead of implementing the full spirit of the Confederation agreement in Ontario, as was done in Quebec, we started out in 1867 by saying, "Well, most kids, or 99.9 per cent of them do not go beyond grade 8; therefore we only make grants available to grade 8."

Then, as education became lengthened—and by the end of the century going to grade 9 or 10 was increasingly becoming the practice for a growing proportion of the children—here in Ontario we made it possible in those areas where you had separate schools, and there was no other public school available, to include grades 9 and 10. But once again, Mr. Chairman, we chiselled. We said, "Fine; you can include grades 9 and 10 in but we are not going to give you the normal secondary grants for 9 and 10; we are going to keep them at the elementary level".

Then we have continued this process by making it possible for public schools to sell to separate schools, but separate school boards cannot sell to public school boards. I concede the government has finally moved to correct that.

It was ludicrous in areas of this province where the separate school board has 80 per cent or 90 per cent of the children. Yet the little public school board could sell to the separate school board but the big separate school board could not sell services to the public school board. In fact, what you were doing was penalizing the educational standards of the children in the public schools.

But because of these century-old, rigid attitudes, you refused to change this until this year.

Another example—niggling, but it is still there—is the one that my colleague from Sudbury East (Mr. Martel) has highlighted—making it possible for parents in a mixed marriage to opt as to where their tax money is going to go. Today, if there is a mixed marriage situation, they have no option. The tax money must go to the public school system.

This does not amount to a great deal of money, although I am told that up in some of the northern communities it is something more than one might think, but it is a niggling kind of restriction. It is the sort of burr under the saddle which has unnecessarily maintained friction between the two systems.

Within that context, Mr. Chairman, let me say this, and let me say it unequivocally, that in my view, the extension of the separate school system to include grades 11, 12 and 13 is merely a tidying-up of a system which was conceived 100 years ago. The reason why I want to see it tidied up is partly out of equity and equality. Equality for the children, so that they will not have to experience the wrench of moving from one system to another at grade 10. They can benefit from the continuum of education through the system, to which they have a constitutional option, right through to the end of secondary school and not chop off at grade 10.

But, more important, Mr. Chairman, equity for the parents who today have been paying, not only taxes into a secondary system to which their children have not been going but, in addition have had to pay fees to get their education in a private Catholic high-school. You have a situation now where this government is legally obligated to spend money to provide education for these children, so you must spend the money. If the students were to leave the private Catholic schools and to turn up tomorrow at the public secondary schools you would have to spend the money. You are legally obligated to do it and it would be approximately $1,000 in grants.

So, it is not a question of whether or not you are going to spend the money. It is a question of how the money will be spent. Will it be spent by forcing all children after grade 10 to go into the public secondary system or will some of it be spent by permitting them to complete their education in the constitutional option of the separate schools?

There may be some additional money required, but I was interested in another recent development, the pronouncement of the ecumenical study commission about two or three months ago.

The ecumenical study commission is a subcommittee set up, I think, to study the Keiller Mackay report on religious education in schools. It is made up, not only of Catholics, but of representatives of most of the Protestant churches. For example, its chairman is Canon H. L. Puxley of the Anglican Church. On the committee is also Reverend D. McGuire, an Anglican; Bishop L. Garnsworthy, an Anglican; Reverend J. Gladstone, a Baptist; Reverend Calvin Glick, a Lutheran; Messrs. H. E. Jackson and Douglas Kearn, Presbyterian; Reverend Gordon Freer, United Church, and the secretary is the Reverend Patrick Fogarty.

In short, you have delegates—I acknowledge to the minister they are delegates—who do not necessarily speak with the complete authorization of each of the churches which they represent. But the interesting thing, Mr. Chairman, is that when that group of people got together in the ecumenical spirit which characterizes our age—and thank God it does, when one looks at the consequences of its absence in Northern Ireland today—that this group made up of Catholics and representatives of most of the Protestant churches unanimously supported the brief presented by the separate school trustees.

They conceded that it would cost a little more money. Let me quote one paragraph:

> There is at least a strong case for regarding any resultant increase in the total education bill as an act of justice toward those Roman Catholic citizens of the province who have so far carried on their own shoulder the cost of educating the 16,000 pupils who might have all this while been a charge on the public funds.

And, in the latter part of the report—I think that the two concluding paragraphs are worth putting on the record:

> Our support of the Roman Catholic brief will be misinterpreted if it is taken to mean endorsement of the fragmentation of education. Unity in diversity is a viable possibility. Both church and society are not necessarily weakened by plurality. By constitution we do have two public education systems. We, therefore, are not urging separation, but simply recognizing the dual system that we already have. In advocating that the systems become equal, rather than fragmenting the educational system we could well be urging what will contribute to the increased co-operation and sharing between educational systems.
>
> In the end, we can only say that we feel clearly that both justice and prudence require us to support the basic stance of "equality of education," that we regard the relatively small added cost as something of a debt of honour. We look to the evolution of an adequate formula governing the opening of any particular high school to safeguard against undue proliferation, and that we look forward hopefully to the increased sharing of facilities to introduce a new era of partnership between two self-respecting sovereign systems.

That, Mr. Chairman, is the concluding point that I want to emphasize.

One reason why I hope this government can be persuaded to move and, in so doing, get this out of politics—because it is really an educational issue—it is not only the justice in it, but because I am persuaded that if you acknowledge the sovereign autonomy—if you want to use that phraseology—of each of the systems in the Province of Ontario, as indeed it has been in Quebec ever since Confederation, then you set the stage for accelerating the process of sharing the facilities, which brings the two systems together instead of living apart in two solitudes.

Indeed, as I went across the province in the last year I have been fascinated to discover the extent to which economic factors, and others—the ecumenical spirit, I think, has played its part—have resulted in sharing. When we had a mini-caucus meeting at Iroquois Falls, for example, I discovered something which is not really very substantive, but which is symbolic of changed attitude and could not have happened a few years ago. Since the establishment of the district boards in north-eastern Ontario a year or so ago the district separate board and the district public board have exchanged complete minutes of their meetings.

Hon. Mr. Davis: It is one of the benefits of the new structure.

Mr. MacDonald: It may be one of the benefits of the new structure, but all I am pleading is that you create circumstances in which the full benefits can be realized. Not only in terms of physical facilities, but in sharing of the expensive, specialized services —indeed, of the vocational facilities that are available and for which we built the plan.

This is the real area for establishing equality of educational opportunity. It is the challenge facing the minister today. I hope that those of his colleagues who tend to think in terms which I quietly assert, are outmoded patterns of thinking for the year 1970, will not hinder him to the point that he will be frustrated in moving on this issue sometime very soon.

Hon. Mr. Davis: Mr. Chairman, just to reply in relatively brief fashion. I am not sure whether to start with the observations by the member for York South or move to Scarborough East, but perhaps we will get them all mixed up before we are finished.

I must say that I welcome the member for York South's involvement in the discussion of the estimates. He does indicate what he thinks is a certain change in approach by the government and the minister to some of these issues.

I say, with respect, Mr. Chairman, that if he were to read his own contributions prior to the date he opted out and then come back again today he might even find his own position on some issues is altered somewhat. I do not know whether one might include in this his observations at the time the Foundation Tax Plan, for which he is taking credit here on this occasion, was introduced; those words make very interesting reading on that particular occasion.

Mr. MacDonald: I am not the captive of outmoded thinking.

Hon. Mr. Davis: No, no, I am just saying, Mr. Chairman, that surely we are all part of a process of change and that one's thoughts and attitudes toward certain situations change—

Mr. P. D. Lawlor (Lakeshore): Are those of a vacillating technocrat.

Hon. Mr. Davis: We do; I am quite prepared to admit it. I only say with respect that it also applied to the member for York South. It also has very, I think, real application from his own standpoint. I welcomed his remarks here today. I thought at the outset it might be something in the form of a valedictory address but I did not really sense that in his remarks. I did not sense that in his remarks—

Mr. MacDonald: Do not kid yourself!

Mr. S. Lewis (Scarborough West):—and you will not, and by 10:30 this evening you will know.

Hon. Mr. Davis: By 10:30 tonight we will be, I guess, about one quarter of the way through and we will be through them Wednesday, Thursday—

Mr. Lewis: And all that thought of a valedictory will have gone.

Hon. Mr. Davis: Well, I am one who would be very disappointed if it were a form of valedictory address, but one could not help but feel, or sense, Mr. Chairman, in some of his observations, in a personal way, of a political nature, which is part of the free exchange here—sort of a feeling, well you know, misery likes company. And I would only say to the member for York South, if he is somewhat all upset over the events in the past two or three weeks, not to be concerned.

I still respect his point of view — I do not always agree with it — and I also respect his usually constructive approach, at least to my own estimates here in this Legislature. And really I have said this — I have not really made any bones about it — I have said this publicly on a number of occasions, I have made this observation about the member for Peterborough, as I can recall, and it is not quite as easy on occasion to say this about the member for Scarborough East — West; I get it mixed up — Scarborough, although I must say his sincerity is not really too often in doubt, although we will get into some aspects of it here later on.

Mr. Lewis: You make an excellent colonial administrator.

Hon. Mr. Davis: Yes. However, dealing with the issues perhaps in reverse order, Mr. Chairman, I do not minimize the importance — I want to make this very clear at the outset — of the last issue that was raised by the member for York South. The submissions were made to this government. There had been a number of meetings with various people within the community, assessing the request that emanated from the separate school trustees of the Province of Ontario, as I said, I do not minimize it. I think the member for York South, to a degree, has oversimplified the situation to say that this

is just a tidying up, to use his term, of a separate school system. I do not think really this is the total case; I think it is deeper than that. To say that we can do this without consideration of certain other elements; and I am not emphasizing the economic, Mr. Chairman, but to say that there is not an economic impact would also be inaccurate; but to say that this must be the total consideration in whatever government policy is determined, I do not think this would be accurate either, Mr. Chairman.

Mr. Lawlor: Have you worked out the economic impact?

Hon. Mr. Davis: I think, Mr. Chairman, one must also really ask, in a quite philosophical way, what is the future of the Minister of Education in this province. I do not think one can ignore the very understandable, if I can use this term, requests from other schools in the Province of Ontario; one cannot minimize or should not ignore, as I say, the understandable part from their standpoint at least of the request from the Christian Reformed schools. I do not think one can set that aside entirely from the Jewish parochial schools, or other private schools—

Mr. MacDonald: You are using that as an excuse.

Hon. Mr. Davis: It is very interesting to note requests have been made to the government from other private schools in the Province of Ontario, because they are all feeling a form of economic crunch; there is no question about it. And while I am sure the member for York South will say, "Well, listen, you can deal with this one problem, do not concern yourself with the others"; as Minister of Education and a member of this government, I cannot ignore either the philosophical implications or the facts that exist, and that is—

Mr. MacDonald: So you deal with neither of them.

Hon. Mr. Davis: —there are many thousands of students who are attending schools other than the public school system or the public separate school system.

The issue, Mr. Chairman, is not that simple. It is complicated. The policy of the government is here, it is stated; the policy has not changed, and yet the Prime Minister has indicated, as I have, at one or two public gatherings where the Leader of the Opposition (Mr. Nixon) and the member for York South were there to listen to my observations; that the matter that was brought to the attention of the government — the requests the government is receiving — is a matter of vital concern to the government of this province.

It is very interesting — the response of the so-called ecumenical council, or committee that became available sometime last June or July, and I forget the exact date — it is very interesting the response of other groups and the concern that I think is very quietly evident in the minds of many people. And Mr. Chairman, I do not intend really to go beyond this statement here on this occasion.

Mr. MacDonald: You have not gone anywhere so far.

Hon. Mr. Davis: No, quite right, and you know if the member for York South really expected me to come in with a major political pronouncement during these estimates on this issue — I really do not think he did; I think that he is really not that politically naive and—

Mr. MacDonald: As a matter of fact you are dead right; I have almost become persuaded you will not grapple with this—

Hon. Mr. Davis: Well, I—

Mr. R. Gisborn (Hamilton East): How about if we give you a week?

Mr. Lawlor: How about a little footwork?

Hon. Mr. Davis: Well, Mr. Chairman, I do not think really it is a question of footwork, although I am to a degree flattered, and I would only observe when it comes to the footwork, the footwork is sometimes the result of the questions that are asked, but sometimes really precipitates the—

Mr. MacDonald: Your feet start to work before the questions are asked.

Hon. Mr. Davis: Well, one has to remain mentally alert. It is not always easy, but one tries.

Mr. Lawlor: You are just a ballet dancer.

Hon. Mr. Davis: However, moving back so some of the other issues raised by the member for York South—

Mr. Lewis: So you dealt with that, did you?

Hon. Mr. Davis: No, that issue has not been dealt with per se, but it has been dealt with from my standpoint, Mr. Chairman, at

this particular moment, on this particular date.

Mr. W. G. Pitman (Peterborough): Are there any studies available on cost? Have any studies been made?

Hon. Mr. Davis: Well, Mr. Chairman, there has been a great deal of research related to economics. This, as I say, is not the sole part of the question, and this is why I do not think it would serve any useful purpose. It is not, from my standpoint, the sole question that has to be considered, that is, the economic impact on the educational dollar, because it cannot be. Now, Mr. Chairman, dealing—

Mr. B. Newman (Windsor-Walkerville): It did not take long to figure out the cost to give the farmers 25 per cent, did it?

Hon. Mr. Davis: No, and it is not a question here, Mr. Chairman, of the length of time it requires. We can calculate and have very rapidly the number of separate schools—

Mr. MacDonald: It is a question of equity and equality.

Hon. Mr. Davis: —youngsters, the number of students presently within the private Catholic high school systems—

Mr. Lewis: And it does not affect the Christian Reformed Church or any other.

Hon. Mr. Davis: Well, with respect, Mr. Chairman, I say that I cannot, nor, I say with respect, can the government, consider these matters without some consideration of other students within private school systems here in the Province of Ontario.

Mr. MacDonald: That is an excuse.

Hon. Mr. Davis: If the members opposite are not anxious for us to be concerned to consider these other situations, that is their position, that is their privilege to make statements, so that—

Mr. Lewis: Well, come to some conclusion about something.

Hon. Mr. Davis: —I am quite prepared to accept that point of view.

Now, Mr. Chairman, let us move into the other areas raised by the member for York South. There are two or three that I think perhaps can be pursued very briefly with some interest. One of them relates to the discussions of the county board system, and I find this rather intriguing because what the member for York South is saying, you know is, "We agree with it, Mr. Minister, because"—I think he said as much at the time of the debate—"there have been some problems. Because there are problems, you know that cannot be quite right, and of course, if we have the responsibilities we would do it differently," and this is obvious. They would think they would do it better.

Well, with respect, Mr. Chairman, there has been nothing to indicate from the leadership across the House that they would have either the capacity for the answers to many of the difficult problems involved in a very significant change of this kind. I am really quite aware of the impact this has had on very many areas in the Province of Ontario, and I say, with respect, the impact has been basically one of economics and the mill rate.

I say, with respect, that as far as the educational validity, the introduction of programmes, the improving quality and equality of education, are concerned, Mr. Chairman, I think the signs indicate very clearly that from this standpoint alone the county school board system in this province is already showing very real signs of success.

It is very easy, Mr. Chairman, to sit back and say, 10 years ago we suggested certain things. There were a lot of things suggested 10 years ago and, Mr. Chairman, if they had been introduced at the suggestion of the member for York South, heaven help us. But you know, once again, situations change and we have to face this and deal with it.

I was very intrigued by the mental arithmetic as it related to the policy of the NDP and the announced policy of this government of 25 per cent of support on total tax bills in the farming community, because if one does the arithmetic properly, if between 50 and say 60 per cent of the tax bill goes to education, and if one assumes that the division between barns, house and say four or five acres of land and the balance of land is roughly 50-50, then one is really saying in fact that the 25 per cent, if one wants to put it solely in the field of education, can be, I think, in many communities, the equivalent of all the education tax on the acreage of the land.

Mr. MacDonald: Well, I am fascinated by your mental arithmetic now too.

Hon. Mr. Davis: Well, the hon. member for York South is an academic, I am not—you correct me. But I think you will find that if these rough figures are correct, perhaps it is not too far from that.

Mr. MacDonald: Because the barns are part of the farm land.

Hon. Mr. Davis: You know this question of Dr. Cameron's report—which, incidentally, is a very lengthly report, one that I am sure will be of interest to some. It was done while Dr. Cameron was a student at the University of Toronto I think in political science or political economy; he was doing some graduate work. I think he is now at Dalhousie. You know, it is an assessment by an individual trying to come to grips with certain political motivations or influences in the decision-making process.

Mr. MacDonald: Under the direction of Rideout and Jackson, both of whom were deeply involved.

Hon. Mr. Davis: With great respect, Mr. Chairman, I think you will find it was not under the direction of Messrs. Jackson and Rideout at all.

Mr. MacDonald: They were both on the committee that heard his thesis.

Hon. Mr. Davis: Well, Mr. Chairman, I have never prepared a thesis, but my understanding of the preparation of a thesis is that the student is involved in his preparation. He goes before a group of people, three as a rule, who will make the determination as to the academic quality of the thesis. The committee, you know, that judges these things does not—and I think this is a fair statement —necessarily support the content of the thesis.

Mr. MacDonald: Oh, he must have consulted them many times while he was preparing it.

Hon. Mr. Davis: Oh well, Mr. Chairman, I do not doubt that he did, but this does not mean—and I think if Dr. Jackson were given the opportunity he might himself say that he does not take responsibility for all—

Mr. MacDonald: Why do you not gamble on that now?

Hon. Mr. Davis: All right. He is not far away and I would suggest that at 6 of the clock you might ask him and get your own response because I will gamble with the member for York South. I would be delighted to, because, you see, it is very intriguing.

When you make this assessment you have to go a little further back into history. You tackle the township school area boards. You relate this to certain election dates. But one has to go back into the legislation prior to the election to find, without any question, the provision for the establishment of the township school areas dates back many years before the 1963 election—that on a permissive basis the total philosophy and policy has been part of this government's policy for some years; that in fact in total numbers, the majority of students were already involved in administrations related to township school areas well before 1963.

So you know, if one studies history—and I think sometimes there is merit in these updatings of doctoral theses, perhaps to go back a little further into history of this province—this would be my one observation about Dr. Cameron's report—I have several but that would be one. You will find that really it was part of an on-going process that started many years ago. I think it really started perhaps 30 or 40 years ago in this province.

Then you move up to the next—

Mr. MacDonald: It was just a coincidence that you lowered the boom right after the election.

Hon. Mr. Davis: It was not a question of lowering the boom. It was a question that really this was sought by many of the educational organizations in this province. So we moved them next to the 1964 legislation which, in itself, once again—and I think I am right in this, Mr. Chairman, but I stand to be corrected because you know we are all wrong on occasion—I am not sure that it was not supported by the member for York South. That legislation itself provided, on a permissive basis, for the establishment of county school boards. That was in the law in 1964.

So, you know, we go through the process of the finalization of the township school areas, made compulsory—no argument about this—the ground work for the county units for boards of education established at the same time on a permissive basis. We go through two or three years of experience with this. There is another election and, Mr. Chairman, I am the first to admit there is an election, and yet I read back to the former member for Woodbine's observations—this was in 1966—and he was relating to the foundation programme:

> No foundation programme in the world can create equality of educational opportunity when you have school units that are too small to provide what is considered an acceptable modern range of facilities.

Now is that not the real reason?

> It does not matter what grant you pay—

And this is the financial expert of the NDP in 1966—

Mr. MacDonald: Would the minister permit a question?

Hon. Mr. Davis: Page 4732:

It does not matter what grant you pay, there are a great many schools in rural areas which are simply too small to take advantage of your grants.

Mr. MacDonald: We are not arguing that point, we are arguing your approach.

Hon. Mr. Davis: Quite right, quite right. In 1966 this was—

Mr. MacDonald: Would the minister permit a question?

Hon. Mr. Davis: Certainly.

Mr. MacDonald: If the interdepartmental committee had the legislation drafted, ready for introduction to the House prior to the election in 1967, why did you not at least whisper that these were your plans during the course of the election campaign?

Hon. Mr. Davis: Mr. Chairman, I think the answer to that is very simple. The interdepartmental committee did not have the legislation drafted prior to the 1967 announcement of the election or the campaign.

Mr. R. F. Nixon (Leader of the Opposition): They had a little trouble getting it ready for the Legislature. The minister was not even in the country when that was announced.

Hon. Mr. Davis: No, I happened to be in the United Kingdom at that precise moment in time when that very—

Mr. Nixon: Getting a telephone call late at night saying they had pulled the plug.

Hon. Mr. Davis: —historic, forward-looking speech made in the riding of the chairman of this committee. Great speech.

Mr. E. R. Good (Waterloo North): Well, it has been the end of you.

Hon. Mr. Davis: Well with respect, Mr. Chairman, we will see whose end is where when this is all over and done. You know, as the member for York South just said, we are still here in spite of the problems; we are still here. Now he has moved a little bit, I have not.

Mr. Nixon: You have too.

Hon. Mr. Davis: No, I have not.

Mr. Nixon: Yes you have, you used to be on the leader's right hand.

Hon. Mr. Davis: Never, Mr. Chairman. If I went anywhere it would be to the right, but I have never been either left or right.

Mr. MacDonald: On a point of order, Mr. Chairman, I am going to quote one sentence from the Cameron thesis to the minister:

> By the autumn of 1967 the interdepartmental larger-unit committee was well advanced in the preparation of the draft legislation to consolidate all elementary and public school boards in southern Ontario into the county school boards of education.

Is the minister denying that that is correct?

Hon. Mr. Davis: Yes, Mr. Chairman, I can say very categorically that legislation within the department, before it becomes part of our legislative programme, has to have at least a cursory glance by the minister; has to have a cursory glance by the deputy minister, and the legislation relating to larger units of administration was not considered by myself in any detailed form, or any other kind of form, until after the 1967 election.

Mr. MacDonald: The Prime Minister must have given it a very cursory glance, because he announced it while you were out of the country.

Hon. Mr. Davis: Mr. Chairman, may I say this, that the statement of the Prime Minister in Galt announced the principle of moving toward larger units of administration.

Mr. Nixon: Moving nothing. He said it would be done at the next session.

Mr. MacDonald: And then he instructed you to do it.

Hon. Mr. Davis: And we did it, it has been done.

Interjection by an hon. member.

Hon. Mr. Davis: But I think, Mr. Chairman, there was a—

Mr. Nixon: I will say you did.

Hon. Mr. Davis: I am trying to think here now, I am trying to think—

Mr. T. Reid: That is difficult.

Hon. Mr. Davis: Oh, I know it is. I do not have the mental prowess of the member for Scarborough—whatever it is—but I try, you know, I try.

Mr. MacDonald: He is one of the wise men from the east. That will keep him identified.

Hon. Mr. Davis: One of the three wise men from the east. I will have some observations about the wisdom in a few moments.

I think, Mr. Chairman, there was some public utterance setting the groundwork for some of this in April, 1966.

Mr. MacDonald: Sure.

Hon. Mr. Davis: That is right, so all of this is not new. There was nothing secret about it.

You know, I have a resolution that is very intriguing. I have a resolution from the trustees' council—a very respected organization in this province, in my humble opinion at least—asking the government, the minister and the department not to implement county school boards—and this was before the great debate took place—not to implement county school boards until January, 1969.

This was, shall we say, within the educational community at least a rather accepted direction and one which, I think, was really anticipated by a lot of people who were, shall we say, interested in the future of educational administration. It was so intriguing. I remind some of my constituents from time to time, because I have kept that pamphlet that I showed to the House here with that very pleasant picture on the front of it where the Liberal Party enunciated very specifically larger school units based on county boundaries where possible—something of this kind. It is there, point A, B, C or D. It is a very good statement.

Mr. MacDonald: Does that appease the enraged farmers in north Peel?

Hon. Mr. Davis: Well, you see, the numbers of farmers in north Peel perhaps are not as significant in total numbers as they are in Chinguacousy where the situation there is, shall we say, a little more difficult.

Mr. MacDonald: You will have to bank on that in the next election.

Hon. Mr. Davis: Yes, but we are in the process of resolving their problems. The hon. member for York South was, I think, very interested in the policy that has been announced because quite obviously it has undercut their position to a very substantial degree.

Mr. MacDonald: Oh, no it has not. It is a typical Tory happening.

Hon. Mr. Davis: It is typical responsible government reacting to problems as they are created and with which we deal.

Mr. Nixon: Now we know.

Hon. Mr. Davis: Certainly, and I just wish I had had a tape of the remarks of the hon. member for York South because he got into this question of distortion and of incentives and so on as it related to the secondary school programme. And, Mr. Chairman, I will agree with the member for York South, there is no question—

Mr. MacDonald: I will give you the text. There is no need for a tape.

Hon. Mr. Davis: —there is no question that the provision of grants by the federal government expedited the process toward the reorganized programme. Mr. Chairman, if one can call this distortion I am not going to argue.

The policy of the department now is, and has been for a year or so—and I think it is valid—that we are making no differential between vocational and academic, because there is no question that for a period of time if there is a 100-cent dollar here available by grant as opposed to say 50 cents for academic, then obviously the boards will opt in favour. But let us face this, Mr. Chairman. We face a very real backlog here in this province with respect to technical vocational education and you can become as philosophical as you want—

Mr. MacDonald: One hundred years behind the times.

Hon. Mr. Davis: Yes, as a member I can recall his address to this House, I think in 1964, when we were accused of being 50 years or 100 years behind the times. He then used as his source of information none other than the same Dr. Jackson, a man of great repute, in my opinion, in this province and in this country. I would ask you to ask Dr. Jackson at 6 o'clock where are we now. He might even say that we are 10 years ahead from where we were, you know.

Mr. MacDonald: He is one man who has some integrity.

Hon. Mr. Davis: I am quite prepared to accept his completely objective assessment as to where Ontario stands educationally. I am quite—

Mr. Pitman: He has not been bought by the building on Bloor!

Hon. Mr. Davis: Oh no. He is not the kind of man who would be bought off by anything. I am quite prepared to accept his objective assessment. Quite prepared.

Mr. MacDonald: You certainly have one foot on either side of the fence.

Hon. Mr. Davis: If he says we are still somewhat behind, Mr. Chairman, we will do our very best to catch up. Although I sense there are some people within the educational community who say to the minister and the department, sometimes in their own quiet way and sometimes not so quiet way "Mr. Minister, slow down a little bit. The changes have been, perhaps, enough for a while and, you know, give us a chance to catch our breath."

This is the message that comes through somewhat from some of the people who are very directly involved, but let us acknowledge that the federal-provincial agreement did give an impetus to the technical vocational programme. Let us acknowledge something else—that what we have experienced in Ontario is not unique. It was true in the other provincial jurisdictions and I think it is fair to state that the other provincial jurisdictions which did not move into this programme with the same enthusiasm as we did in this province now somewhat wished they had.

In fact this was part of the discussions of three years ago providing for this because Ontario had spent more on a per capita percentage basis than the other provincial jurisdictions. You know, to say that the development of the reorganized programme which was done in, say, 1961-1962 was done without any thought as to the future of post-secondary situations, and that we moved into the college of applied arts and technology programme as an afterthought because of the reorganized programme, Mr. Chairman, is just not factually the case. If the member for York South will read very carefully the grade 13 study committee report, he will find, not relating to just the four-year students but relating to education generally, that part of that report related to the development of some alternatives for post-secondary education.

Mr. Chairman, you do not have to travel too many miles from this jurisdiction to find areas where the secondary school programme has been basically academic in its entirety; to find colleges comparable to our own—not the junior college programme which we debated at such great length at the time the bill was discussed in this House, not the community college programme per se as we know it—something is emerging south of the border that is accepting the fact that there must be far greater emphasis on technical vocational education.

Read the second or third part of the Carnegie report prepared by Kerr and the others relating to post-secondary education in the United States. What are they advocating? A very comprehensive system of colleges, very similar to those we have developed here in this province. They are really suggesting that this will become part of a continuation from kindergarten with two years beyond grade 12 and this has emerged, Mr. Chairman—

Mr. MacDonald: You are setting up a straw man. I have not argued with that.

Hon. Mr. Davis: Mr. Chairman, with respect, the member for York South said that the colleges were in response ot the reorganized programme. I say they are not, Mr. Chairman. They are in response to the generally recognized need of society today, that for an increasing percentage of students and young people, grade 12 will be insufficient as far as their educational experience is concerned.

Perhaps the member for Peterborough will want to get into this before we are finished; I am sure he will. No one is quarreling with some of the ideas that are expressed. We need more ideas on education, heaven knows, that have some validity, but we must also recognize, Mr. Chairman, we can talk about these things as he did with his colleague during that certain campaign of a few days ago. We can discuss these things but you have to have—and I will admit this, I am somewhat pragmatic—a practical way of doing these things and it is fine to say, you know, throw out the institutions because education has become too institutionalized and that we always look to an institution to resolve the problem. That is an exaggeration, really, of the member for Peterborough's position.

Mr. MacDonald: Why did you block the appointment of Dr. Bremer who might have moved in that direction?

Hon. Mr. Davis: I will get to Dr. Bremer in a minute because I assume that the member for York South is a good friend, very knowledgeable, and completely familiar with Dr. Bremer's qualifications and the contribution he might have made; I can only assume this. I will be very surprised really if he is, but I will assume that he is.

Mr. T. Reid: I am.

Hon. Mr. Davis: I am surprised, too, at the member from Scarborough East, so I will get back to that issue before I get on to the other issues raised by our friend. I am only saying

this, that it is fine for us in this House to go out into the broader community and make speeches and say maybe we should be moving to a point where those students who are not really responding to the educational programme, move into the world of work and come back at some future date.

Mr. Chairman, you have to ask two or three questions. Is the economic situation such, or can our society, in fact, assimilate in a meaningful way a grade 10 or grade 11 graduate, so that he will not be completely frustrated, inhibited and perhaps do something very detrimental to his future environment? You know you can offer a lot of kids who are presently in the grade 10 level, "Listen, here is a chance. You can get out of school, you can go to work, we will give you X number of dollars, we guarantee you this." In fact, are you doing those students a disservice because a majority of them may never find their way back.

Mr. Pitman: There is something wrong with the educational system if they do not.

Hon. Mr. Davis: Sure, and some will benefit but you cannot generalize, Mr. Chairman, and say let us do this, because from a practical standpoint, I say with the greatest of respect and very genuine concern, this sort of generalization does not lead to solutions to the problem. One has to be very careful before one says everybody can opt out of school who wants to at the end of grade 10 or grade 11—to be meaningful, it has to be at this grade level because they leave at the end of grade 12 anyway—at some point in the future, you will find your way back into some form of further educational experience. Mr. Chairman, I would be delighted if the member for Peterborough would guarantee to me that the thousands of students who opt for this direction would, in fact, find their way back in and participate in a more meaningful situation.

Mr. Pitman: They might learn more outside.

Hon. Mr. Davis: You know, Mr. Chairman, you are talking about a student who is 15 years of age, by average, say in grade 10.

Mr. Pitman: Education is not schooling.

Hon. Mr. Davis: —how many of them are really competent or qualified to make this assessment?

Mr. Pitman: A good many of them are.

Hon. Mr. Davis: This is a very real question. I am quite prepared to look at anything that is realistic, that is educationally sound, that is philosophically valid, if I could use this term—

Mr. Pitman: It is being done.

Hon. Mr. Davis: But in a very minimal way it is being done, and it is being done in certain situations where the whole social structure is geared to this type of approach.

Mr. Pitman: Why do we not try doing things in Ontario?

Hon. Mr. Davis: I have listened for years to observations from that particular party related to universal accessibility. We do not hear much about it any more. I have listened to speeches—

Mr. Pitman: Sure we do.

Hon. Mr. Davis: I did not see free tuition in their platform. Open the doors for everybody! What the member for Peterborough has been saying in the last year and a half is so directly contradictory to the observations made by the member for York South when he was education critic—

Mr. MacDonald: Nonsense!

Hon. Mr. Davis: Indeed it is. Listen, you have gone the complete cycle—

Mr. MacDonald: You are distorting—

Interjections by hon. members.

Hon. Mr. Davis: I am not saying either of you is wrong. I am just saying that I really think you have not thought it out very carefully.

Mr. MacDonald: Mr. Chairman, on a point of order. All I am saying is that the minister is misrepresenting the situation—

Hon. Mr. Davis: Not at all.

Mr. MacDonald: —when he complains of universal accessibility in terms of eliminating fees. You are distorting our policy for your own purposes.

Hon. Mr. Davis: Is it your policy still for free tuition?

Mr. MacDonald: Yes, it is.

Mr. Pitman: Right.

Hon. Mr. Davis: Great, then emphasize it.

Mr. MacDonald: What do you mean emphasize it?

Hon. Mr. Davis: I did not hear about it during the last convention.

Interjections by hon. members.

Hon. Mr. Davis: It just is not workable in the context of, shall we say, the observations I have heard in this House or elsewhere.

Mr. Pitman: It has worked and it can be tried.

Hon. Mr. Davis: Okay. I do not want to take more than my fair share of time. Let us move back to Scarborough East. I must say this now in fairness; I spoke for, I timed it very carefully, about 30 minutes in my introductory remarks—say 35 or 40. I listened very carefully and without undue interruptions to the member for Scarborough East for quite a while and the member for York South.

Mr. T. Reid: I did not interrupt you.

Hon. Mr. Davis: So I still have a few minutes I think in equity just to pass on a few observations.

Mr. MacDonald: That is what we are after, equity and equality.

Hon. Mr. Davis: Just one other observation. We have to be very careful. The first issue I mentioned and the last issue the member for York South mentioned is really a very important one and I emphasize that. We have to be very careful, though, in all the context of these thoughts not to compare necessarily to situations in other jurisdictions. The member for York South referred to the separate school system in the province of Quebec. I think really, the title was—maybe it still is—the Protestant school system.

Mr. Nixon: A separate school!

Hon. Mr. Davis: Yes, but this is different, because the public school system here is not Protestant. It is non-denominational. It is non-denominational and I think that when we are discussing these things, we should be very careful of the terminology and the definitions. I do not say it alters the argument but I think we should be very careful.

Let us deal with—I do not want to deal with Dr. Bremer; I met him once. I will be very frank to the House. I met him once. We had an interesting, confidential discussion. I will not say anything more about him as an individual because we are charged with certain responsibilities, Mr. Chairman. I think really the facts of the matter as to how it was handled came out reasonably well in the press. I think the fact that it related to the department involvement and related to the question of obtaining permissions or exceptions to situations eventually emerged.

You know, I posed this problem to the members opposite and it is only a very minor one, perhaps, in their minds, but if they are going to take a look at qualifications of personnel, you cannot confine it just to the position of director. If it is valid to have exceptions made for the senior position of any board jurisdiction, it is just as valid to make exceptions for the home economics teacher in the town of Brampton, in Brampton Centennial School. If there is a qualified teacher in the town of Brampton, with her certificate from The Department of Education with the capacity to do that job, is the member for York South saying to me: "Listen, Helen Smith has just come in from Buffalo. She is a first-class home-ec teacher; she would be great. Would you please hire her and displace the person who is presently under an Ontario certificate teaching in Brampton Centennial School in the town of Brampton?

You cannot divorce the principle, one from the other. I am the first to admit, Mr. Chairman, that the question of qualifications and certification should be under review. But it has to be done in a very unemotional atmosphere, an atmosphere of some logic, not related to a specific situation which emerged—and I say this very frankly, Mr. Chairman—with very little notice to the minister or to the department. I will not comment any further.

Interjections by hon. members.

Hon. Mr. Davis: But I listened to something else — six weeks' notice be darned. I relate something else, Mr. Chairman. I have listened and I have listened very sympathetically to the observations made by the member for Scarborough East as it relates to the textbook industry. I have listened to him make observations as it relates to the de-Canadianization of our educational system, our universities and everything else he can touch upon.

Mr. Chairman, if we were to have any logical assessment of qualifications for the top position in the province of Ontario with respect to school administration within the individual board units, surely, one of those matters which we would discuss, one of those items that I think the member for Scarborough East and, with respect, the new leader of the socialists, and with respect, the mem-

ber for York South would perhaps have as one of the pre-qualifications would be the question that that person should be a Canadian citizen.

Interjections by hon members.

Hon. Mr. Davis: I say to you very frankly, how do you reconcile it? I say with respect, Mr. Chairman, you cannot. It is competely contradictory. This has nothing to do with Dr. Bremer's capacities as an administrator or anything else. I suggest that it is something I do not want to discuss.

Mr. T. Reid: Political domination—

Hon. Mr. Davis: It is not a question of domination. Do you know why? I read the bill — and it makes very interesting reading — introduced by the member for Scarborough East to deal with the crisis that he felt was developing last spring. The bill says "The minister cannot refuse to not exercise"—that is a double negative, I apologize — "his discretion when the majority of the board does something of a significant nature." How are they going to do anything significant without the majority of the board? This to me is very questionable legislation.

Mr. T. Reid: I am talking about Barry Lowes and his fiddling around.

Hon. Mr. Davis: The majority of the board on these decisions must prevail. But to get back to this very simple point: You can read observations made by the same member with respect to salaries of these people. Nothing in the bill related to the minister setting salaries, of course. To get right down to matters of autonomy, surely one matter that relates to the senior position of any board in this province will be the matter of salaries — he does not include that of course, because he thinks that is something perhaps the minister should determine. Once again, this is completely contradictory in his approach. He just cannot have it both ways. Mr. Chairman, the member for Scarborough East has great difficulty in talking to the Minister of Education of this province about autonomy, on one hand, talking about the responsibilities and the rights of the boards and on the other hand, when there is a crisis, when there is a problem, when there are economic difficulties or when problems intrigue, saying, "Here is something the minister should resolve, he is responsible", because he knows it is politically expedient to do so.

Interjections by hon. members.

Hon. Mr. Davis: I say to the member for Scarborough East, that a great deal of his political philosophy today, relates to political expediency. I say that with some regret, because I rather like him anyway. But I do say it because they do relate. He makes observation after observation that relates to matters of political concern in the partisan sense of the word and he makes observations that are completely contradictory to positions he had taken some two months, three weeks or two days before. I say this with respect because I think it is relevant. If he believes — and he talks about centralization; he talks about my empire, my bureaucrats, these poor, humble souls sitting under the gallery here—

Interjections by hon. members.

Hon. Mr. Davis: Yes, they are a great group of people. I will say that. He talks about my bureaucracy and how we should opt out of all these things. But when he thinks there are a few votes in it I find this very interesting Mr. Chairman—then heavens above, it is the minister's problem; it is on his doorstep and he should resolve it. He cannot have it both ways. I could get into some philosophical discussion here as it relates to the total Liberal approach to the problems but I would only say to the leader of the Opposition that he would be doing himself and his party a great service, if they could erase some of the contradictions and I say this very kindly that are emerging in their approach to educational problems in this province.

Interjections by hon. members.

Mr. MacDonald: At least the back-benchers over there are now awake.

Mr. Nixon: The member for Lambton (Mr. Henderson) thinks you are right on.

Hon. Mr. Davis: Well, I would be the last to question the judgement of the member for Lambton.

Interjections by hon. members.

Hon. Mr. Davis: I probably caused him as much grief as any private member in this house but he understands that what we are attempting to do is to benefit the students in Lambton county.

Mr. MacDonald: He just cringed.

Hon. Mr. Davis: Oh, he never cringes. Now listen, I think I have got a few minutes left. Let us deal with some of the items raised by the member for Scarborough East. He gets

around to the auditor's report. You know you can take any auditor's—

Mr. T. Reid: You still have not made it public.

Hon. Mr. Davis: The hon. member for Scarborough East has done his best to make it public in a rather garbled way. I should show you—I have it and I will not read it—his newsletter to his constituents, where he refers—

Interjections by hon. members.

Hon. Mr. Davis: —to "other rotten things" that are happening at Queen's Park. This is not the temperate, enlightened, logical kind of language one would anticipate from the education critic of the Liberal Party. The Leader of the Opposition may disagree, Lord knows, with what we are doing. He may disagree with what the government is doing, but does he really say it is rotten in that context of the word, because that is how the member for Scarborough East—

Mr. Nixon: Certainly it is a well-chosen word.

Hon. Mr. Davis: I do not really think it anyway.

Mr. T. Reid: You know the taste you get when you eat a rotten apple?

Hon. Mr. Davis: I do not make a practice of eating them if I can help it.

Interjections by hon. members.

Hon. Mr. Davis: Now, where did we leave off? The auditor's report.

Mr. T. Reid: For which year?

Hon. Mr. Davis: For 1966 through December 31, 1968. These are the ones that the member for Scarborough East referred to. He talks about the grants being paid out—total inefficiency and all the rest of it. If he reads the report carefully—quite obviously he did but he did not interpret it quite as accurately as he might have—I think he will find that the Provincial Auditor's report put on an audit of revenue, not on expenditures. This related to the practices by which revenues for certificates and fees were recorded.

I must say with respect, Mr. Chairman, that these form a very small portion of the total dollar commitment of The Department of Education. The report was for the period ending two years ago. The criticisms—and I think some of them were very valid, although I am no auditor—have almost in their entirety been met. The general comments at the end of the report, about the control of accounting records of all branches and supervision by the departmental business administration branch, are no longer applicable because of new financial procedures in the audit section have been established since the beginning of 1969.

I am just giving this information to help the hon. member in his research and assessment of these facts and there is just no basis, Mr. Chairman—I will not say any more, I will not get into some of the detail—whatsoever for the member for Scarborough East's observations that the department was said by the Provincial Auditor to be managing its accounts inefficiently. This is just not correct and I will say no more.

Let us deal with Dryden. We talked about comparisons between county boards. I do not know the source from which the member for Scarborough East gets his information—namely, that with 5,200 students you have eight supervisory officers. I was a little concerned myself so we did a little research and found out there were two. There is a slight difference, like six. The Wellington county board has eight for 23,243 students. This is correct.

If the member for Scarborough East has other information that proves me wrong other than, shall we say, editorial comment and so on, I would be delighted to know, because we have proof of the supervisory officers and our records show two for Dryden and eight for Wellington.

Mr. T. Reid: Could I ask the minister to list the top eight salaries in the Dryden board?

Hon. Mr. Davis: Mr. Chairman, I am sure that if the hon. member wants to get the information from the Dryden board, the board would be delighted to give it to him. I can give him the two supervisory officers.

I would be delighted to get it for him. I cannot tell him their names offhand.

Mr. T. Reid: What about salaries? You do not have them?

Hon. Mr. Davis: What do I not have?

Mr. T. Reid: Copies of the salaries.

Hon. Mr. Davis: No, but I do have two supervisory officers that we have listed in The Department of Education.

Mr. T. Reid: There are highly paid people on that board.

Mr. B. Newman: You do not call them supervisors but you pay them like that.

Hon. Mr. Davis: Let us deal with Waterloo, because the member for Scarborough East—and I do wish the two members for Waterloo were here, one is here—related Dr. Fyfe's observation, which I assume he got either from his report or perhaps from certain materials published in one of the papers. Are they both here? I should say Waterloo county. The member for Kitchener (Mr. Breithaupt) is not here and I am sure he has a very real interest in this—he is not here—because I think there will be a report made available to those members and others very shortly within the next two or three days that will point out some very interesting—and I cannot give it to the members of the House because it has not been finalized. I hope to have a copy tomorrow which I think will have some very interesting figures that will refute what Dr. Fyfe was suggesting in his report.

I think the member for Scarborough East will find, if he discusses this with Dr. Fyfe, that his observations about education were rather general in nature; did not relate to the facts as they existed at the end of 1969; and a lot of his thoughts were related to the ISOC committee's projections which were a compilation of all the expenditures as the ISOC committee saw it in 1968. We may find, Mr. Chairman, when this report becomes available in the next two or three days that as far as increases in per student amounts are concerned—the percentage of the total public dollar being spent by the municipalities within Waterloo county—the development of the county school board itself, perhaps, has not altered things in any substantial manner whatsoever. I will get this for the member for Scarborough East when it becomes available to me as I expect it—because Galt has a very interesting story to tell, Mr. Chairman. You will be interested in that.

Mr. T. Reid: But was there a 20 per cent increase over two years?

Hon. Mr. Davis: A 20 per cent increase over two years? I would not be—

Mr. T. Reid: From $28 million to—

Hon. Mr. Davis: Mr. Chairman, I cannot comment on Waterloo in that specific instance, but I can tell the hon. member that the average increase in cost in this province over the last 10 years has been somewhat in the neighbourhood of 15 per cent.

Mr. T. Reid: We are talking about only Waterloo!

Hon. Mr. Davis: It has been in the neighbourhood of 15 per cent, 16 per cent, on a provincial average—

Mr. T. Reid: And in Waterloo?

Hon. Mr. Davis: Well, sure. I would explain to the member who is concerned about the cost-of-living index increase, the member for York Centre (Mr. Deacon), that when you have a 15 to 16 per cent increase over the last year in educational expenditure, it cannot all relate to the cost of living index increase. It also relates to the number of births that have occurred six years prior to that time and the number of students flowing into the system. If you have got a six, or seven or eight per cent growth factor, as you have in some counties—Peel county, for instance, is in excess of 10 per cent—then you are going to have whatever incremental costs you have. Whatever costs you have in salary increases plus an increase in absolute numbers; in Peel county this year, I think it was around 10; York county has a very major one, so that you are much above any, shall we say, cost price index. You cannot really use that as any basis for that.

Mr. D. M. Deacon: What about per capita increases?

Hon. Mr. Davis (York Centre): You get around to the per capita or the cost per student; I think you will find that this is not the case. Let us get back to the member for Scarborough East because he was very worried about the department and the number of people that we have.

Mr. T. Reid: That is right.

Hon. Mr. Davis: Very worried. He made the observation, or he posed some questions, I think, in which he said that despite promises to the contrary—I do not go making any promises but let us assume that for the sake of argument that there were—the staff for both the central education bureaucracy and the boards have continued to increase since the establishment of the county boards.

Complement of the department at April 1, 1968—and this is in all aspects—was 3,114; April 1, 1969, 3,114; April 1, 1970, 3,110. Changes in regional staff complement, April 1, 1968, 582; April 1, 1969, 566; a reduction of 16; April 1, 1970, 524, a reduction of 42.

Mr. Chairman, he raised the point—and he was very upset—about departmental main-

tenance and relating this to the growing bureaucracy and all the rest of it. Let us look at the figures.

Mr. T. Reid: Up 57 per cent in two years.

Hon. Mr. Davis: I told the member for Scarborough East that I would get all of this for him, and I know it is taking a length of time and I know he wants it so I am going to get it for him. I have it here. The department spent part of the weekend getting this all in shape for him.

Mr. T. Reid: Now that is too bad.

Hon. Mr. Davis: That is right. I knew it would and that is why I want to acknowledge the efforts that they made.

Estimates for 1969 and 1970 were $1,419,000, so we are all talking about the same figures. Estimates for 1970 and 1971 were $1,657,000, an increase as you stated, of 16.7 per cent or $238,000. Now, where are the significant parts of the increases? They relate to the SACU tests of $107,000; certain planning studies of $50,000; increased postage rates over which we had no control, Mr. Chairman, of $75,000. The bulk of it related to matters beyond the external involvement of the maintenance part of The Department of Education, basically the testing service.

Mr. T. Reid: I am talking about $5 million up to $8 million.

Hon. Mr. Davis: The next one raised was for costs for formal education, K to 13; these are up $500,000 or 10 per cent for the coming year, when he says there should have been a decrease. Here you get into what we call maintenance within the central administration and how this reflects on to any assessment of increases in either personnel, provision of service or the responsibilities of the local boards.

Mr. Chairman, included in the increase for 1970-1971 are matters that relate to educational television; additional materials within the curriculum section, which surely have some relevance to the central authority's responsibility; increases that relate to correspondence courses, and so on. These make up a goodly portion of the increase in costs.

You get around to the formal programme K to 13, and you see, Mr. Chairman, if you analyse these figures correctly, the total budget for 1969-1970 was $36,134,000. The estimates here are $36,011,000 or a decrease of $123,000 with 77 positions less.

We can argue these figures from now until whenever the estimates are over but these are some that, I think, should be relevant.

The member also made the observation how total maintenance for the department has increased 57 per cent over the last two years. I presume he means 1970-1971 over 1968-1969. Let us take it here again as slowly as we can without burdening the House.

The estimates for 1968-1969 were $6,201,000. The actual amount was $5,457,000. The estimated increase was $2,355,000 or 38 per cent of an increase. Mr. Chairman, with respect, there is a comparison between the estimated amount for 1970-1971 and the actual amount for 1968-1969, and the actual amount was, in fact, approximately $750,000 less than the amount projected.

Here is a breakdown of the increase, or a good portion of the increase. Once again, getting around to the testing service—$447,000—something that is completely separate and apart from the traditional functioning, shall we say, of the department.

ETV and so on—$804,000. Increases in general maintenance costs—we have upgraded the programmes in the provincial schools for the blind and the deaf and in the hospital schools; this was some $286,000 so we get around to an increase of something over $1,310,000 related to items which really cannot be reflected within maintenance as we know it within the department.

We talk about travel; I have got the figures here but I do not intend to—

Mr. T. Reid: It still is a 57-per-cent increase.

Hon. Mr. Davis: We talk about travel. I have got the figures here but I do not intend to—

Mr. Chairman, it is, in fact, a 38-per-cent increase but with additional items that were not part of the former figures. Some of them were moved; some of them are new responsibilities, nothing to do with bureaucracies.

You will find the same with respect to—oh, here is one—there is an increase in information services in an election year for salaries and maintenance in the information services. Here we are: The estimates for salaries for 1969-1970 are $164,000 and the estimates for 1970-1971 are $171,000; travel is $16,000 in both years; maintenance went from $227,000 to $232,000, an increase of some $12,000, and two additional staff. Much of it relates to an increase in the cost internally for the same number of people. I do

not think that is any signficant increase if this happens to be an election year. And in that it is still 1970, I think he is wrong, depending on what we mean by an election year.

The same way, Mr. Chairman, with two or three other items that were raised—but let us leave those for the moment.

Let us move to just one or two other items that I think I should comment on if I can find my notes—one relates to textbooks—just to give to the members a report of the meeting of Friday and what was determined.

I was very interested to read, Mr. Chairman—

Mr. T. Reid: Want to borrow my statement?

Hon. Mr. Davis: No, I have read your statement with great interest, very thoughtfully, very carefully. I have a surplus of material. But you know I wanted to have everything for the member for Scarborough East.

I was interested in the two editorials in tonight's papers. I do not know whether the hon. members have read them. You read one paper and it says we should do one thing; you read the other paper and you should do another thing. There is no great consensus, which is to be anticipated too. One of them says very simply to move in and make it a prerequisite that textbooks on Circular 14 be printed by a Canadian-owned publisher. The other paper says to look after the content; do not worry about where ownership of the publication takes place.

I would ask the member for Scarborough East, who published your book?

Mr. T. Reid: Which book?

Hon. Mr. Davis: The most recent one; the one where your wife helped.

Mr. T. Reid: Peter Martin Associates of Toronto.

Hon. Mr. Davis: Mr. Chairman, there is a very interesting story to be told about textbooks in the Province of Ontario.

The first point that has to be made, Mr. Chairman, is that through Circular 14—and I do not want to burden the hon. members with all the details—we have been instrumental in developing a policy which I think has acted as some guideline for the balance of Canada with respect to Canadian content in school textbooks and other related materials. To the extent that 84 per cent in the year 1970—some 1,300 of them—of the textbooks on Circular 14 are of Canadian authorship, publishing and manufacture. One cannot ignore that very significant accomplishment.

We move into the area, which I am sure we will get into very shortly, of educational television, where by and large the content is not only Canadian but much of it is Ontario. And if one accepts, as I do, some of the thoughts expressed not as a matter of control and so on but as to the change that has taken place in education related to textbooks and the communications field, there is no question that the development of the Ontario communications authority and its capacity to develop programming with Canadian content will have a very real impact. I think this is one very real safeguard to see that in fact we do have Canadian and Ontario material used through this medium. And I do not think one should underestimate the significance of this.

I think it is also important to point out that there are two concerns as I see it. One relates to the principle of the Canadian publishing business being Canadian-owned, the other relates to content in the textbooks in the Ontario school system being Canadian. No matter how the other matter is resolved—and, with respect, it is not entirely within the scope of this minister or this government—this minister intends, as does the department, to maintain the policy of Canadian authors and Canadian content in the materials that are being used in the school system of this province. Of this there is no question.

On Friday last, some members from the publishing business met with my colleague and with representatives of the department. I was not present at the discussion so I am not going to relay second hand some of the thoughts that were expressed. Part of it is economic, part of it relates to some parts of the publishing field—the jobbing aspect of it is more lucrative than the actual publishing aspect of it. These are aspects that almost work against one another within the internal organization of a publishing house.

As I say, without getting into that, out of the meeting emerged on Friday—and I will take no credit for the suggestion itself; it came, I believe, basically from Mr. Floyd Chalmers—that a committee made up of Dr. Clarke, who is vice-president and general manager of Clarke, Irwin and Company Limited; Mr. Lawrence Ritchie, who is vice-president and managing director of McClelland and Stewart Limited; Mr. Gavin Clark, general manager of The Ryerson Press; Mr. James W. Bacque, president of New Press; there will be a representative of The Depart-

ment of Trade and Development, the Deputy Minister of Education, his assistant deputy minister and superintendent of curriculum. This committee is being set up to assist the minister and the department to express the problems that the publishers themselves sense in the industry and to suggest ways and means whereby we can through our policies be of assistance to them. This is basically what is being developed.

And I would point out that this relates at this moment—and we have to come up with one or two other decisions—to Canadian-owned Canadian publishing firms.

But, Mr. Chairman, the House should know that there are Canadian publishing firms and—one must accept this—there are firms that are Canadian publishers that are not owned by Canadians. I think we probably will have a preliminary meeting with this group as to whether we should enlarge the scope to include representation from those publishing firms in Canada that are offering employment to Canadians but are not owned necessarily by Canadians.

Mr. T. Reid: Do you have someone from Gage on this committee?

Hon. Mr. Davis: No, but I believe there was somebody from Gage at the meeting that established this committee.

Mr. T. Reid: Is Gage now American-owned, do you know?

Hon. Mr. Davis: I cannot comment, Mr. Chairman. I do not know if it is American-owned or not.

The other thing that the department has moved ahead with—and I think really perhaps not so much today as it will a year or two years from now—is what will be perhaps something comparable to Circular 14 and probably will be called "The Canadian Learning Materials Circular". That is, it will be a circular listing all the learning materials that are Canadian in content, Canadian produced and so on that could be relevant to the school system. Because increasingly there will be an inflow into the school system of material other than what we would traditionally refer to as textbooks. And we as a department are moving ahead with this somewhat in anticipation of the situation as we see it over the next two or three years.

I cannot say what the ultimate will be. It is a very complex problem. I can only restate what I said much earlier, referring to textbooks; that as far as the department is concerned there is just no question whatsoever, that no matter who the publisher may be, in that there are some non-Canadians publishing now in Ontario, that the textbooks in this province by and large will be Canadian in content and Canadian authored. And we will not be moving from the figure which we have reached now, which I think is a very excellent figure in this province, of approximately 85 per cent of the textbooks being developed by Canadian authors and published in this jurisdiction.

As to what the ultimate will be on the other side of it, I think it is too early to determine. But we are hopeful—I will put it this way—that the committee Mr. Chalmers suggested and has been now established will be meeting very shortly, may make recommendations that will assist us and at the same time assist the Canadian publishing community in this jurisdiction. And I say with respect, Mr. Chairman—I am just projecting this out loud—that I think these recommendations perhaps will involve consideration by the council of ministers of education, with some indication or some communication with the federal authorities as well, because I do not think some of the solutions to the problems as we see them lie entirely within the provincial jurisdiction.

Mr. Chairman, I regret taking so long in replying but I know that the member for Scarborough East wanted to get all this information, so I endeavoured to do it for him.

Mr. Pitman: Mr. Chairman—

Mr. Chairman: Before we proceed with the vote, we should perhaps agree on the manner of dealing with the total departmental expenditures. There are six votes: Vote 401, of course, is the administration programme of the department and it seems to be broken down in various programmes. Would the committee agree that we should deal with the programmes within the votes separately or the total vote? Take each programme as it is listed? Does the hon. minister agree with that procedure?

On vote 401:

Mr. Chairman: The first programme is shown as main office, general administration and then financial administration. Is there anything under main office?

The hon. member for Scarborough East.

Mr. T. Reid: I think for the record I would like to put in a reply to the minister's comment about my quoting from the Provincial Auditor's report, because I think it should be in *Hansard*. I will try to restrain myself from

making any editorial comment and just put this on the record. I would like to put on the record a statement from the Provincial Auditor's report, 1968-1969, Province of Ontario, which is dated November 28, 1969, and I would like to quote from pages 18 and 19:

> The report on the audit of The Department of Education dated April 23, 1969, contained numerous recommendations and comments, many of which were included in previous reports regarding the accounting records and control. The conclusion reached as a result of this examination was reported as follows:

And here, Mr. Chairman, the Provincial Auditor quotes from the report on the audit of The Department of Education and contains a quotation in his general report, and it is this report that I state the minister has never made public. I think it is in the public interest to have that full report about his specific department made public. Nevertheless, until we get that, I would like to quote what the Provincial Auditor quotes as being in that particular report having to do with the general administration of the minister's department. The Provincial Auditor quotes himself by saying:

> The individual branches of the department still appear to act in an autonomous manner in determining the nature of any records which they will keep. The lack of direction in this regard from one central source has resulted in deficiencies in the system in operation and a general reduction in the control over revenue.

The Provincial Auditor continues:

> It is again recommended that the departmental business administration branch be given complete authority to determine the type of accounting records to be maintained by each branch and of the related forms and procedures necessary to adequately control the processing of departmental revenue and expenditure. It should then be the function of this branch to exercise a high degree of supervision over the continued use of these records and procedures to ensure that they are operated in a manner that will provide a full accounting of all government funds.

And the Provincial Auditor concludes his quotation from this specific report on the minister's department, which has not been made public, by saying:

> The internal audit section has not performed any verification of branch record but appears to have been mainly occupied with the audit of various institutes and schools or other duties. It is felt that this section should now devote a major portion of its time to a progressive check on the operations of all branches of The Department of Education; a comprehensive audit programme should be established for each branch and a record should be maintained showing the period under review, the audit verification performed, the results of these verifications and the reports, if any, which have been submitted.

I would like to have that on the record, Mr. Chairman, because I maintain there is very sloppy control, or up to the time of writing of this report, November 28, 1969. The normally very timid Provincial Auditor has condemned the financial control procedures in the minister's department. That should be on the record; it should be told loud and clear across this province that a department which expends over $1 billion of the taxpayers' money does not even have adequate financial control as judged by the Provincial Auditor of the province.

Mr. Nixon: Mr. Chairman, on the main office vote, that first section, there are two matters I would like to bring to your attention, sir, and get some further information from the minister.

The first has to do with the county school board legislation that he referred to in his answers to the opening remarks. There has been substantial feeling across the province that the main error is the decision made by the minister in bringing this legislation in as he did. First there was the lack of consultation—he has heard this before; it is now starting to be ancient history, but the second objection was the unnecesary rigidity in the imposition of the traditional county boundaries as units of administration.

We in the opposition feel that there should be an amendment made to that statute giving the minister the power to change these boundaries where in his judgment such changes are warranted. I well remember the argument in the standing committee on education when we moved such an amendment, imploring the minister to save this final decision of judgment for himself in those areas where obviously the traditional county boundaries did not delineate the educational community. He refused to do this, simply because he did not want to have the power to meet the demands of the delegations that came before him; so that he could throw up his hands and say, "There is nothing I can do. The county boundaries were set in 1854

and those are the boundaries that are imposed by this legislation and they are immutable."

Now he did say this in his own prose from time to time, but the best we in opposition could get from the minister was that after the elapse of some time he would consider taking the power to change the boundaries—not dramatically—but to change them on recommendation and petition from the people in the community and even the school boards in the community so that they might nearly coincide with the educational community that had developed over the years.

As far as I know, the minister has taken no steps to do that, even though there are still areas in the province where the county boundaries do not serve the needs of the community. In some cases the boundaries are effective, but I think we can point to Renfrew county and I notice the member for Renfrew South (Mr. Yakabuski) who was here so actively during a part of this debate is no longer present to give us his views in that regard.

There are other counties where obviously some changes should be made, and the minister should have the power to make these changes upon the recommendation of the local school board or citizens' groups or any other planning group that may feel that it wants to put its views before him.

I wonder if the minister is contemplating any changes like that, or does he find that this is something that has been brought to his attention by the people concerned?

Hon. Mr. Davis: If my memory serves me correctly, I think there is a provision in the Act which, after the two-year period, now permits some alteration in boundaries if it is felt necessary. I forget the exact phrasing of it, but I believe it is in the legislation now. I think this was put in after the time. And I think in the last few months we have had visits from just about every board on one item or another. I think we have only had one request so far that I know of—there may be others—for some alteration in boundary, and I believe that is in eastern Ontario somewhere, where some adjustment of the north end of a certain county might be worthwhile.

Mr. Peacock: Nipissing?

Hon. Mr. Davis: No, I do not believe it was Nipissing, although there was some request there for another reason.

Interjection by an hon. member.

Hon. Mr. Davis: All I am saying is there has not been any significant number of requests for alterations. We have made some alterations, as the legislation permitted, in northern Ontario. We have added two or three municipalities, which I guess were in unorganized situations, to some of the school board districts there. But in southern Ontario I think we have only had one or two requests for this. By and large the county boundaries per se, which we anticipated might have been some problem, really have not emerged as being a matter of significant concern.

Mr. Nixon: I feel that the complaints might come from sources other than the board, which had the administration over that period for two years. I think that is the point: that it is not the necessity to provide the board with a viable unit but to provide the citizens and ratepayers in the area with the kind of school government that meets their needs.

Mr. Pitman: I wonder if I might pursue the matter of the county boards and then perhaps we could leave that subject. I was interested in the minister's comments in referring to the county boards and saying that he felt it was really an economic problem; that it was really the only problem. I want a suggestion that it really—

Hon. Mr. Davis: I said the adverse reaction was really one—

Mr. Pitman: Essentially economic.

Hon. Mr. Davis: —related to mill rates.

Mr. Pitman: Well, I think that the minister would be the first to recognize that there has been a very real change in the spirit and mind of people in relation to education because of the enlarged jurisdictions, because of the large number of people who are now not involved in these new boards.

I wanted to come back to one point which is particularly important, I think, because of these larger county school boards, the links between the people in the community and the board that has been elected by the community have been weakened.

The minister—was it a year ago? Put through a piece of legislation setting up county school board advisory committees. I would like to know how many of these committees have been formed by the boards across this province; how many jurisdictions he knows where there have been school committees created as a further extension of the

board's policy or as an alternative to the school board advisory committee? Because I think this problem of relating the people to education in these various county boards is essential. It is not peripheral, I think it is essential if we are going to make any real effect upon education in the Province of Ontario.

Hon. Mr. Davis: Mr. Chairman, I anticipated the member for Peterborough would ask this question. We are in the process of getting some statistical answer for him. I would only make this observation, that if what he says is right, I say with respect that it is not relevant just to the county boards, it is relevant to all boards.

Mr. Pitman: I would agree. I would be very pleased to get that information, and also, if indeed there is no effective development of community control, if school board advisory committees are not being set up, I think the minister made something of a commitment that he would think about making this legislation obligatory. I wonder if he might be able to make a commitment at this time on that matter, that is, after the information is—

Hon. Mr. Davis: I would like to deal with pragmatic, factual situations rather than—

Mr. Pitman: That word could be terribly misused.

Mr. Chairman: The member for Waterloo North.

Mr. Davis: Yes, I know.

Mr. Good: Mr. Chairman, under this first vote I would like to say a few words regarding the effect of the change made in The School Administration Act two years ago which deleted the part which permitted work permits at age 14, and the effect that this has had across the province in certain areas. I think areas that have been brought to the fore have been the Toronto area, the Peterborough area and my own area, from the study I have done there.

The idea that some of the students at age 14 must remain in school until they are 16 I think to begin with is contrary to the philosophy of a great many educators who believe that children must be dealt with according to their individual needs. And there is perhaps a small group who are probably not physically or emotionally or academically capable of continuing on in education until they are 16. I think too that this is borne out in the fact that in Toronto alone last year there were 230 requests for work permits, all of which had to be refused because of this change in legislation.

I am quite aware that the minister has taken a look at this. He has looked at the representation made by the Toronto board here and must surely be having some second thoughts about this change that we made some two years ago. Many of these families have required a great deal of counselling by school officials, and in the end, of course, there is still a great deal of discontent when they are flatly told that the law does not permit a child under age 16 to be taken out of school under any circumstances.

I believe there were 62 court orders in the city of Toronto last year in which action was brought against juveniles. Now, the minister probably knows as well as I do that the law is unenforceable in many respects. Two examples which were cited probably demonstrate better than anything else the fact that the repeal of that section of The School Administration Act is not working out.

The case is cited of a 14-year-old mother of a stillborn baby who is being sued for divorce and by a court action is being forced to return to school. Another 15-year-old boy who is happy in his job at $2.20 an hour who obstinately refused to go back to school was made to quit work and go back to school. He refused so adamantly that finally a court order was put against him making him go back to school. When he still refused, we find that the juvenile court—and I must admire them for this—just absolutely refused, in spite of the court order, to send him to a training school, realizing that the only offence is truancy.

There are many areas of the province where this is right. I spoke to school officials in my own area, and they say that the Act now requires that while a student must continue in school until the end of the school term in the year in which he reaches the age of 16, that no way can they enforce it—they are not going to run juveniles into court to make them go to school for the extra few months from January to June till the end of the year.

So we have something on our statute books which cannot be enforced, which is not being enforced to the full extent, and the advisability that it should be enforced is in very great doubt among a great many academics, including attendance officers and superintendents who have to deal with this problem on a day-to-day basis. They are simply being told by the chief attendance officer in your depart-

ment that this is the law, there is nothing he can do about it. I am sure your Mr. Vanderburg is in a very difficult position trying to enforce this legislation and knowing very well that it is not working out.

Of course, the side effect of this legislation has, in my own area, been of great concern to the old order Mennonite people. I remember very well when they were down here making representation, asking that something be done on their behalf when this amendment was put into The Schools Administration Act, deleting their rights in this. Consequently this has been a very grave concern to them.

They are not people who like to skirt the law. They are not people who like to go against what is legal and what is not permissable, but they find this almost impossible to comply with. Since present legislation is impossible to comply with and since probation officers, family and juvenile courts, and many school officials are realizing this and are not enforcing it, I would ask the minister that he give very serious thought to doing something with this legislation.

May I suggest that if the parents agree and the child agrees and the school board agrees that the child has ceased to benefit from school attendance, then I think after the age of 14 it would be reasonable and just to consider that that child should be excused.

I would like to hear the minister's comments on this particular point.

Hon. Mr. Davis: Mr. Chairman, my comments on this would be—

Mr. Chairman: The member for Peterborough has a—

Hon. Mr. Davis: Oh, I am sorry.

Mr. Pitman: I wonder if I could say a word or two on this, because I would like to support the member for Waterloo North on all the comments he has just made.

Once in a while one realizes that one has made a mistake. I voted for that piece of legislation and realize now that it was not, I think, in the best interests of the students in this jurisdiction, or the teachers and guidance counsellors. Indeed, it has become a very real problem to a great many people in the education establishment. I do not think it is the matter that the school authorities want to shuffle off people who make their lives just a little less happy, satisfied, and contented. I think really the minister would have to agree, in spite of his comments just a few moments ago, that there are young people—and incidentally I have never suggested that we would burn all institutions down or throw them out—

Hon. Mr. Davis: I never said that you suggested it.

Mr. Pitman: I simply say I have never suggested that.

Hon. Mr. Davis: You never would.

Mr. Pitman: No. What I have suggested is that there are a number of young people who could very well benefit by being allowed to leave the school situation at a certain age, but remain in a context that would allow them not simply to be a dropout, a failure, or a source of concern to the entire community but rather that they would be able to leave and go into some form of activity.

I suggest to the minister that the minister's colleagues have very many activities which they could very easily provide opportunities for young people of that age. I will not go into a long speech at this point, but private industry could easily be enlisted, business could be enlisted. In other words, society has to make a commitment to education.

Education is not schooling. I think it is wrong to believe, as the member for Waterloo suggests, that every student who leaves school at 14 is going to end his education. He may very well begin his education after he leaves school. I think it may very well be time to consider a great many projects, a great many choices or options for young people, under experimental conditions.

This is what I ask the minister to consider—not that he simply stop building schools immediately, that he simply change the whole direction of the educational system, but that they will allow some degree of experimentation in choice, option and diversification within the system.

I think that one of the first things that should be done would be to repeal this particular piece of legislation, which makes it difficult, I think, for young people to find the direction in which they wish to go. Equality of educational opportunity surely should be this as well, that a person should have the choice not to be in a school but to find his educational opportunities in some other context. I suggest this legislation is making it difficult for the students in this jurisdiction to do that.

Mr. T. Reid: Mr. Chairman, could I just add one or two things on this particular issue on which I feel quite strongly. I do not want to put words in the minister's mouth but I understood him to say about this proposal,

lowering the legal school leaving age to 14, that a lot of young people 14 and 15 years of age would end up out of school and in the big, wide world and would be open to all sorts of bad influences and—

Hon. Mr. Davis I never used the words "bad influences".

Mr. T. Reid: Well, you were not very happy at the thought of 15-year-olds not being in school. This is your position. I will try not to use wrong descriptions.

Hon. Mr. Davis: Just say what I said and that will be quite adequate for me.

Mr. T. Reid: Okay, I just do not have it written down in front of me. One of the points you were making is that you were worried about 15-year-olds not being in school, being out looking for work and so forth. You have a concern there. Well, I think we all have the concern there. No question.

Let me just point to the type of thing that a number of 14- and 15-year-old young people talk about, when they say, "I am not ready, I do not want to be in school in the formal sense, now. I just do not feel I am right for it or the school I am at is not right for me. I want to look at other forms of education." I think we have to listen to these young people and have to realize that they are telling us the way they see things, some of them. We have to listen. If we just turn a cold hand and say, "Look, sorry, it has got to be 16 because you are not stable enough, you are not old enough"—I am not saying the minister says this—"you are not stable, you are not old enough to look after yourself out of the formal school setting, so look, stay in school. We are going to have a law that requires you to stay in school. Richard Needham says they are going to lock you up in boxes until you are 16."

I just say that there are programmes that this minister, this particular minister, Mr. Chairman, could design, for many young people, 14 and 15, and indeed, 16 and 17, which they would learn from. I will just give the minister one example because I will be getting into this area of who benefits from this education system later on in a different vote. Let me just give one example. Mr. Chairman, there are today in this province, between 90,000 and 100,000 children in poverty families, as defined by the Economic Council of Canada in their report, under the age of six.

At the most, 20,000 of these children are in some form of non-home learning experience, either the education system or some sort of public service by a church group. I am saying to the minister that if he had a programme of home tutorials for these poor children, he could use 14-year-olds and 15-year-olds who did not want to sit in the school, as part of that out of school programme. There are 14- and 15-year-old people, Canadians, young people in this province, who would love to be part of a programme of home tutorials for the culturally deprived young people in this province.

And you know, if there are 20,000 14- and 15-year-old young people in this province who felt that they were not getting anything out of the school system, feeling it was a box, they were locked into it, and many of whom say they want to do worthwhile things to make their society a better place to live, if there were a programme, for example an organized programme under this minister, whereby these young people could go into homes where they would be invited to come in by the parents to read, to play with two-year-old children living in poverty in the city for example, they would love to do that. That would be a terrific challenge to them.

The point I am making is a simple one, and I agree with the minister's concern on this. If we lower the legal school leaving age to 14, we have an obligation as legislators to provide meaningful opportunities for those children to choose constructive activities outside the school system. We cannot just throw them into the world of work because the jobs will not be there. But we can create programmes, socially oriented programmes, in the area of education where those young children could go in—on the home tutorial basis—into the poverty homes in this province, on the Indian reserves, in the slums of Toronto, and read and play in a skilled way with two-year-old and three-year-old children, so those children could go into the education system with some sort of head start.

Mr. Chairman, my point is simply this, that I think we have got to the point where we must lower the school leaving age, but it cannot be in isolation from the creation of meaningful activities for young people to become involved so that they can learn in a different sort of way what their society is. Their idealism is there, and we have obligations as legislators to create programmes where their idealism can be put to very effective use.

Hon. Mr. Davis: Mr. Chairman, I have just a very brief comment. It is interesting how things change. It was not too many years ago,

and I am sure the member for Downsview (Mr. Singer) will recall this, how the former member for Dovercourt, then leader of the party, was very upset with the Minister of Education because we did not amend the legislation to make it compulsory for students to stay in school until they were 18 years of age. That is not too long ago, and I can recall—

Mr. Pitman: Yes, you are right and I am wrong.

Hon. Mr. Davis: I can recall that happening in this House not too long ago.

Mr. Pitman: But that is the point, times have changed.

Hon. Mr. Davis: Right, times do change and one must accept this and be part of it. There are two or three things though, I think, that have to be raised. It will be fine, I guess politically popular, to say this and let us just make it 14, but what is magic about 14? You know, what is the proper age criterion? Quite frankly, it is a very arbitrary guestimate at best. And surely the concern must be—it is fine to say let them move out into the outside world and so on—I do raise the issues I raised with the member for York South, referring to some of the member for Peterborough's observations. I go a step further.

I recognize that there are some students within the school system, I would like to think a small percentage, who are in fact not benefiting, but I also know that there are many who the school authorities themselves might determine are not benefiting, and the easiest way to resolve their problems is to have that child opt out of school. It is not that easy. In my humble opinion, Mr. Chairman, I think it is not a case of going to 15 or 14. I think it is a case of finding a more sophisticated mechanism whereby we become less hung up on an arbitrary age level per se, but a more sophisticated approach to developing alternatives within or without. But I suggest that it can be done, a lot of it within the school system, to make the educational experience more meaningful for the students involved, and with respect, Mr. Chairman, this in fact has happened.

This is a debate and I do not expect the members opposite to acknowledge too much of a positive nature. This is not what we are here for, but one only has to look at the retention factor, leaving out the 16-year-old bit. Look at the retention factor in the school system in this jurisdiction in the last five or six years. The retention factor increased and one cannot help but very objectively observe that part of this relates to the greater diversity of programmes available to the students within the system. In other words, this has had an impact. And I do not think we have yet gone as far as we can go to develop alternatives within the school system, or perhaps partially community, partially school, for the solutions to our problems.

I am not minimizing the problems. We have indicated to the Toronto board we are quite prepared to discuss this with them and I will be very frank, Mr. Chairman, I am not prepared to introduce legislation in this House that will just sort of wash our hands of the responsibility. I do not think any member wants this because we think really that more viable alternatives must be found, rather than the school authorities saying in good conscience, "Listen, we cannot do any more for this student, he or she should be out of the school system," when in fact perhaps all the efforts have not been expended to see if there are other ways and means of dealing with it.

Now, let us be very frank about it. Human nature is involved. There are a number of people within any system, whether it is educational or otherwise, who will on occasion opt for the easy way out. I do not think we do the students any service by opting for the easy way if the hard way will in fact be a better way for them in the long run. This is why it is somewhat complicated, and I just am not going to indicate to the House that we are going to juggle age levels, because this we do not see as being the solution, but we are in the process of considering other viable alternatives.

Mr. Good: Mr. Chairman, does the minister not agree, though, that some escape clause has to be built into your present system, when you have 62 court orders against juveniles in the city of Toronto now, and the juvenile courts are reluctant to pursue these; and they are very reluctant to send these kids off to training school. You could have this multiplied all over the province if in fact the letter of your legislation were being carried out, but you know and I know it is not. It is not enforceable, and consequently there has to be some escape clause. You said we cannot work through hard and fast age limits. I agree. I could not agree more with this, but the very fact is that court actions are being brought against these juveniles and they are told they have to continue until they are 16 years, when you know it is not working out. The superintendents in the school system, the attendance

officers, find it is not enforceable. They counsel the parents, in many cases, I have been told, for hours and hours.

They are still a very small percentage of the cases. Admittedly this is a small group, but I think there has to be an escape clause in here somewhere for the small groups, rather than having them living outside the confines of the law. By closing your eyes to the situation this is what you are asking them to do.

Mr. Chairman: Does the main office carry? The member for York Centre.

Mr. Deacon: Mr. Chairman, one of the points of the school leaving problem is the certain reluctance and apathy of students at certain points to sit inside a school. There is great antagonism toward the schools, shown in the disturbance they cause in the classes, but that attitude changes radically within a very short period of time. Certainly within a year or two when those youngsters get out in the world and they start to be educated in other ways as to the reasons for education and what advantage it can be to their own values in life later on.

It seems to me the real problem we have here is making it possible by encouraging youngsters who have left at an early age and stage in their education to re-enter the system.

Ability to re-enter the system is much more possible today because of the community colleges, and they themselves are performing a great service in this regard. Also, the mature student programme in the universities is doing a lot. I have had reports from three or four lads who left school early who are now in universities and are making very significant contributions in both their achievements scholastically and other means, because of the fact they were out of school for a period of time. They had experience in other vocations that they have now decided to take up. They now have a real purpose and objective in the schooling they are taking.

We saw this happen to such an extent during the war when youngsters left school for overseas service. When they came back to take further education they really grasped and made full use of the opportunity that was made available to them.

I do urge the minister to change the regulations so that not only when the student, but the parents and the school board feel there is no further benefit, he should therefore be excused from education after 14—formal schooling after 14—that there be improved information and promotion of the community colleges and the availability of their courses to these youngsters.

Mr. Chairman: Anything further under main office?

Mr. B. Newman: Yes, on the same topic, Mr. Chairman, I would like to add my voice to the voice of the many who have spoken on the change of the school leaving age. At one time, I thought that 16 — 15 was too young; 16 was too young and even I thought that possibly a youngster should be forced to stay in school until the time he was 18. Because it was a matter of either keeping him at school or paying him to return to school later an or going into one of the federal-provincial programmes, However, over the last half-a-dozen years or so, the picture seems to have changed drastically. The opportunities for an individual who has left school at the age of 16 have multiplied tremendously. He can attend various types of night school courses; he can attend school on the vocational training programme. I think that where there are many who today are going to school, disrupting classes; who have no intention of learning because they have not matured sufficiently and where the authorities, in addition to the parents, see no value being obtained by the youngster in attending school but realize that he will mature once he gets out and finds the hard facts of life; and that there is the opportunity for him to re-enter the system, I think that the minister should have some type of escape clause to permit boards of education to grant work permits and to allow a youngster to leave at an earlier age — I would not set any definite age; I do not know which age would be the proper age. With some youngsters, it might be even earlier than 14, with others, it might be a year or so later. I think the minister should follow up the suggestion of my colleague from Waterloo North on providing some type of escape clause to permit the youngster to leave school at earlier than the present age.

Mr. Chairman: Anything else under main office?

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid: I have another issue, if we have finished that one, Mr. Chairman, which I think is appropriate in here. I would like to describe the problem to the minister and ask him if he is aware of it and, secondly,

what he thinks his department might do or whether it is a matter for local autonomy.

Here is the problem that has come to me: There are a number of young people older than legal school leaving age, say 16 and 17 in particular, who leave home as they are legally able to do. For example, this particular student lives in North York and she left home and was living in the city of Toronto. She was 17 years of age. I believe she had finished grade 11 successfully. She was out for a couple of years and decided that she would like to go back to high school. So she went to a city of Toronto collegiate and said she would like to register, that she would like to become a student at that collegiate and that she lived in the city of Toronto. An official at that particular high school said that she had to talk it over with the Board of Education for the city of Toronto.

She went down to the Board of Education for the city of Toronto and they said, "Sorry, you cannot go to school in the city of Toronto. You must go to school at the secondary school near your parents' home which of course was in North York. She said, "But I have left home. I do not wish to live with my parents and the law says that I am legally entitled to leave home. I do not wish to live at home and I do not wish to go to the high school near my parents' home." She was told that she could not go to school in the city of Toronto until she got permission from the North York Board of Education to do so.

So she went up to the North York Board of Education, told her story and she was told by the North York Board of Education, that if she wanted to go to high school in Metropolitan Toronto, she would have to go to the high school near her parents' home.

I gather that there is a Metropolitan Toronto School Board decision that states that this must happen. I would like to ask the minister, therefore, to comment on the situation and particularly to let me know and to let the House know whether the Metropolitan Toronto School Board has the power to make this type of decision under the legislation of the province. Secondly, whether the city of Toronto Board of Education has the legal authority to deny a teenager—in this case, 17 years of age—the right to go to school in a city of Toronto school.

I think I have asked all the questions I wanted.

Hon. Mr. Davis: Mr. Chairman, I am not sure that I can give a legal answer to the last without getting into questions of determination of residency legislation. The policy internally with the Metro board, I think, really relates to questions of fee-paying situations. In other words, if the North York board and the city of Toronto board were to agree that student A, whose family lives in North York, could in fact go to a city of Toronto school upon payment of fee, there is nothing in the legislation that would prevent this. Whether there is a Metro board policy that discourages this, quite frankly I cannot say. It gets down to how one can realistically administer a school system with attendance boundaries being part of it, because you can use the example that the hon. member for Scarborough East has used; you can also use examples of students—and there would be some who would promote this idea—who say, you know, "We want to go to a different school not only between municipalities but beyond our attendance district" in say North York, or in say the town of Brampton. You know, "My eldest wants to go to Central Peel Composite rather than Centennial because his friends happen to be there", and the great difficulty the school administrators have then is that everybody opts for the one school for one reason or another that may not be educationally valid. Then you have a great abundance of students at one school and empty student places at another, so you are forced into a situation where attendance boundaries for this purpose, I guess, are relevant.

I cannot comment as to the policy of the Metro board because I do not know what it is in specific terms, but I can only guess that it relates to the payment of fees as between the constituent boards which is a matter of local board responsibility.

Mr. T. Reid: Just to follow this up, this is a fascinating issue because one could make it a case study of student rights or teenagers' rights in our society. I will not press it all that hard but I think it must be realized that this young person who is paying rent in the city of Toronto, this young person is living in the city of Toronto—

Hon. Mr. Davis: That might alter the picture; she is a tenant.

Mr. T. Reid: This is what I thought too. In other words, part of her rent whether it was being paid by her directly or by someone else, say a common law husband, means that she helped finance the education system in the city of Toronto.

The real issue here, and in all fairness the city of Toronto board has an escape valve which they can use in this but a lot of young people do not know about it, and I only

found out about it because I stumbled on it, but the point is that the law of the land says that the young person may leave home legally after that young person has reached the age of 16. That is one law with relationship to teenagers and young people.

Here you come to another law or regulation, which is the same thing, which talks about attendance boundaries and which states that a student who has left home, and therefore by self definition is independent, does not have the right to live in a community of his or her choice, the school district of his or her choice, to live there and to go to school there as part of a basic right under the public education laws of this province.

I think this is a symbolic issue in the sense that we are expecting teenagers to operate under conflicting laws. In this case one law says they are legally entitled to leave home and another law, coming under The Department of Education, says, "Sorry, our law says that you have got to go to that particular school near your parents' home because there is some problem about financing."

I will leave this and hope the minister will follow it up to find out what can be done to alleviate problems like this, which really make a lot of young teenagers feel that we have got sort of a conspiracy against them, that we are purposefully designing laws to confuse them, that are inconsistent.

I think this whole area must be looked at in terms of the specific case—and, I will not say thousands of cases like it, but certainly hundreds of cases like it in the province. I hope that the minister can come up with some recommendation of policy whereby this type of abuse of teenagers' rights as I define them to be will not come about.

Another question on this, Mr. Chairman, on a slightly different issue.

Mr. Chairman: The member for Windsor-Walkerville wishes to pursue the same point, I believe.

Mr. B. Newman: Yes, I would like to ask of the minister some information: What am I to do with a youngster whose parents have left my community and moved to Toronto; he cannot get along with his parents, he does not want to attend school in the city of Toronto, so he comes back into my community and lives wth his grandfather, and now he cannot go to school? What type of advice can I give to the young lad, now, Mr. Minister?

He wants an education. He cannot get along with his parents in Toronto. He can attend school back in Windsor provided his grandfather will assume financial responsibility. But the grandfather does not see why he should assume that responsibility. He is willing to provide the lad with room and board but any financial obligation beyond that he does not want to get involved with.

Mr. Gisborn: That is the same kick your colleague put forward.

Hon. Mr. Davis: Mr. Chairman, I am not sure that I can suggest a solution to this particular problem to the member for Windsor-Walkerville. I am sure he has been in communication with the parents to see if they would be prepared to assist the grandfather in the financial implications, or perhaps has had discussions with Mr. Clare McLeod, the director, whom he knows rather well, as to whether or not they can work out some arrangement on a fee paying basis with the city of Toronto board, and that I assume taxes are being paid here. That might be one approach.

Mr. B. Newman: The boy will have nothing to do with his parents; his parents will have nothing to do with him. He is left as an orphan, so to speak, of his own doing. I will not put any blame on his parents, but now the lad cannot go to school. He is a very capable boy who wants to go to school but cannot financially afford to go to school.

Mr. Chairman: The member for Wentworth.

Mr. I. Deans (Wentworth): Yes, Mr. Chairman, I wanted to talk to the minister about a similar matter, but at the other end of the learning scale.

Mr. Chairman: We have about a minute. Will it take—

Mr. Deans: Well, it will take perhaps a little longer than a minute. If we could—

Mr. Chairman: Well then, it being 6 of the clock we will take recess.

It being 6 o'clock, p.m., the House took recess.

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No. 122



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Tuesday, October 13, 1970

Evening Session

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Hon. Mr. Welch moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, with your permission, I would like to revert to statements by the ministry at this time, if I may, or rather with the permission of the House.

Mr. Speaker: Do we have the concurrence of the House that we will revert to that order of business for the day?

Statements by the ministry.

Hon. Mr. Welch: The government is pleased to announce that, at this very moment, proceedings are under way to release in northwestern Ontario the report "Design for Development: Northwestern Ontario Region," and I am very happy to table a copy of this for the House.

This report contains a set of 69 specific policy recommendations for the co-ordinated development of the northwestern Ontario region. The hon. Treasurer and Minister of Economics (Mr. MacNaughton) is presenting the report in co-operation with the hon. Minister of Tourism and Information (Mr. Auld), the hon. Minister of Lands and Forests (Mr. Brunelle), the hon. Minister of Highways (Mr. Gomme), the hon. Minister of Transport (Mr. Haskett) and the hon. Minister of Municipal Affairs (Mr. McKeough). The hon. Robert Andras, the federal Minister without Portfolio, with responsibility for housing, is representing the federal government at this presentation.

"Design for Development: Northwestern Ontario Region," is the product of more than two years of research by a special team in the regional development branch of The Department of Treasury and Economics, working in close co-operation with the Northwestern Ontario Regional Development Council, local municipalities, groups and individuals, all provincial departments and agencies, and the federal government. The study has been jointly financed, Mr. Speaker, by the federal and provincial governments under ARDA project 25074.

The Ontario government's basic approach in its regional development programme is, as members of this House will know, two-fold. Initially, an assessment is made of resources, needs and priorities in a given region beginning with recommendations from local people and groups and especially from the Regional Development Council and working in close interdepartmental co-operation by way of a number of task forces and committees. This assessment was completed for northwestern Ontario last November. At the completion of this phase I, or analysis work, the report is presented to the residents of that region for full discussion. Subsequently, submissions are received from individuals and groups and from regional development councils which give a prospective viewpoint for an entire region.

After the various briefs have been thoroughly examined, a second report is prepared and the second report contains policy recommendations. These are put forward initially for discussion, but subsequently to become specific policy measures. Again, the report is released publicly and reviewed by the people of the region before being considered as firm policy.

The document which is being presented at Thunder Bay tonight is the first full set of policy recommendations to be proposed for any of the ten regions in the province. The only other policy statement which has been released to date is the concept for development of the Toronto-centred region.

In keeping with past policy commitments, the report stresses co-operation with both federal and local levels of government, and with the private sector. Within this context, the report emphasizes, Mr. Speaker, four basic ideas:

1. Under the general strategy alternatives, the government of Ontario has chosen to take an active role in co-operation with the federal

and local levels of government and the private sector in attempting to stimulate the northwestern Ontario economy at an intermediate or moderate level of growth. Over the next 20 years we expect to create a minimum of 18,000 new jobs in northwestern Ontario, a feasible number of 24,500, and an optional number of 54,000. We expect to create at least 2,000 to 3,000 new jobs in mining, between 4,000 and 5,000 in the pulp and paper industry, between 4,000 and 6,500 in other manufacturing and construction, and between 8,000 and 10,000 in the services, including tourism.

2. The government also recognizes—that is the government of Ontario also recognizes—the impact of the urbanization process in northwestern Ontario and, while interested in all communities, proposes to concentrate investment within critical centres of opportunity where the greatest ratio of over-all benefit to cost can be obtained.

If we use the 18,000 minimum for purposes of illustration, we expect to see at least 8,000 jobs created in the primate centre of Thunder Bay. Thunder Bay alone has been given this classification as a centre of opportunity because, with an existing population in excess of 100,000, a strong export-oriented economy, and a wide range of services and transportation facilities, it has excellent potential for development.

At least 1,500 new jobs are to be created at each of the Strategic A centres: Kenora, Fort Frances, Dryden and Geraldton. A Strategic A centre of opportunity has a population ranging from 3,000 to 16,000, contains a resource-oriented economy, and considerable industrial, service and access diversity.

At least 250 new jobs are proposed at each of the following Strategic B centres of opportunity: Sioux Lookout, Red Lake-Balmertown, Rainy River, Atikokan, and Red Rock-Nipigon, Terrace Bay, Marathon and Manitouwadge. Strategic B centres of opportunity have populations ranging from 1,100 to 6,000 each, have a dominant single resource industry, and have limited accessibility and services.

In addition, Mr. Speaker, a total of 2,000 jobs are extended in rural places or urban centres.

3. All in all, 69 recommendations have been made by the Ontario government in this report under the following headings:

1. General Policy
2. Economic Development
3. Transportation and Communications
4. Community and Regional Environment
5. Education
6. Health
7. Social Services.

The study recommends "substantial federal and provincial government incentives" for the establishment of new industry to complement the policy of the federal government's Department of Regional Economic Expansion. The report also points out that only those economic activities which are well adapted to the resource potential and social-economic climate of northwestern Ontario should be encouraged.

4. The report suggests that mining, forest products plants, tourism and certain service industries should qualify for loans under Ontario's Equalization of Industrial Opportunity programme now supervised by the Northern Ontario Development Corporation. It also points out that while incentives are fundamentally important in the creation of new employment opportunities they cannot be implemented without equal attention to the development of the essential municipal services necessary to attract new industry. In addition the report recommends that more attention be given to the development of social infrastructure—health, education, cultural, recreational and governmental services.

Other major recommendations include: Diversification of the regional economy should be promoted through attraction of manufacturing and service industries; the strength of the forestry, wood-using, mining and tourist industries should be maintained and intensified; more advanced phases of resource processing and manufacturing should be encouraged to locate in the region where it is economically feasible;

Transportation and communications linkages should be improved within the region and between the region and southern Ontario. Such development should focus on Thunder Bay and Strategic A centres;

Implementation of regional government, wherever there is a demonstrated need for it, should accompany the implementation of the regional development programme.

Among the more specific recommendations are the following: Intensification of geological surveys; financial assistance to the pulp and paper industry in plant modernization and expansion and in access road construction; better utilization of forest resources through a continued programme of timber limit reallocation;

Renewal of studies concerning the feasibility of locating at least one pulp and paper mill in the region, with priority being given

to areas where existing timber resources are under-utilized and environmental quality can be maintained;

Feasibility studies regarding the expansion of lumber, plywood, veneer and other wood products in the region; encourage the establishment of wood-using industries in Manitouwadge, Geraldton, Atikokan, Sioux Lookout and Red Lake; special training programmes for people in remote areas to increase their opportunities for steady employment in mechanized woods operations and in the mills;

Encourage, through the provision of substantial incentives, the establishment of a smelter, refinery or other primary metal industry within the region, Thunder Bay being the most advantageous location; increase the number of family service and local rehabilitation workers; and increase land assembly projects for housing in key communities.

My colleague, the Treasurer, has said the government's plan "has the potential to bring a new vibrancy to this vast region of Ontario. It can produce more jobs, more opportunities, more benefit for all." The Treasurer has said, however, that fulfillment of this potential will not be achieved entirely by the preparation or approval of a plan. In addition he has pointed out that "its implementation will depend on a common commitment by not one or two but all three levels of government."

Even a total commitment will not be sufficient, the Treasurer has added. "Just as important"—and he underlined this—"will be the co-operation and assistance, the drive and initiative of all the people and all the enterprise in northwestern Ontario."

Clerk of the House: The twenty-ninth order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, DEPARTMENT OF EDUCATION

(continued)

On vote 401:

Mr. Chairman: Vote 401, and we were discussing the main office programme. Is there any further discussion? The member for Wentworth.

Mr. I. Deans (Wentworth): I have two things that I want to talk to the minister (Mr. Davis) about. Before I do, I might ask him just in a general way whether The Department of Education was involved in the educational matters contained in the study just tabled by the Provincial Secretary (Mr. Welch)? And if so, whether we might be able to ascertain the overall cost of implementing the some 10, 11 or 14 recommendations dealing with education; particularly those matters that are directly related to providing a higher level of service to the individual child. And in 5(6) for example, where it is talking about the need to ensure that in the early grades where children speak neither French nor English that teaching and instruction in their own language would be made available, whether the minister might have any indication when this could be proceeded with as far as the department is concerned.

Hon. W. G. Davis (Minister of Education): Mr. Chairman, of course the department, obviously, was involved and has a very real interest in this report. Look at the objectives on page 65 under the educational objectives:

1. Improve the level of educational attainment;
2. Improve the quality of education;
3. Maximize accessibility of educational facilities;
4. Reduce disparities of educational opportunity within the region and among socio-economic groups.

I am sure all members would support those four general objectives that are stated for education. We are actually in the process of doing this. The desirabilities of this and when in fact we can attain all of these four objectives is another matter because of the geographic nature of the area and some of the problems inherent in it; nonetheless, I think these are objectives with which we could all agree and which the department is striving to achieve.

Mr. Deans: I would like to go back to that in a moment, but I want to deal with two other matters first.

Just before the supper hour there was some discussion about the problem of teenagers and their attendance in school. I want to talk about the other end of the ladder for a moment. I want to talk about the very beginning, the kindergarten level, a situation which has arisen and a situation which I suspect is more prevalent than maybe we would realize.

I had an occasion to speak with parents in Hamilton recently. Last year, upon their child reaching the age of five, they sent him to school as is the law as I understand it. He was there for three days and was sent home because the teacher said that he or she was unable to maintain discipline over the child

and therefore the child should go home and remain there for a year until such time as the child was able to adapt.

Mr. Chairman: I wonder, before the member gets too far in, if this subject would be more appropriately pursued under 402 which is formal education from K to 13?

Mr. Deans: No, I think not, sir. I suspect that it is dealing more with the policy of children having to attend school at all. It is simply a matter of whether or not the law is such that it insists that parents send them to school; so I think it comes under head office, in administration.

After having kept the child out of school for the 12 months, the parents then sent the child to school this past September and the child attended the school and was sent home again after four days. The parents were informed that the child could not be handled. They were told that the child had some kind of learning disability. What it was no one was absolutely sure of, so they sent him for an examination and for an aptitude test.

It was discovered that he had no perceptual handicap, that he was not in any way emotionally disturbed, that he did not, in fact, have anything wrong with him other than that he was a slow learner and his concentration powers were limited and he was unable to remain within the stream of learning in that class for very long.

It was then that the parents discovered that there was not any other class to send the child to. The school board said either to keep him home or to send him to a school for emotionally disturbed where he was obviously completely out of place, or to pay for tuition for the child in some other form of institution.

I questioned it and I still do. I think that there are a great many children in the school system who fall below average in their ability to absorb and their ability to maintain concentration. It seems that we have got opportunity for children who are exceptionally bright and the majority of children, the normal children, can attend school, and are expected to. A child with an emotional handicap can be put into a class specially designed to fit his needs. A perceptually handicapped child has an opportunity to attend school with special aids. But for a child who is just simply a little slower than the rest, there is no opportunity.

I want to clear up with the minister first of all whether it is indeed the law that you must send your child to school, because there seems to be some question in Hamilton whether this is the law or not. It seems that while you might have to send your child—and God help you if you try to keep him away—they have the authority and the right to turn around at their own discretion and send the child back home again and say he has got to stay there. Now I would like to know from the minister before pursuing it whether this is in fact the law.

Hon. Mr. Davis: Mr. Chairman, I am just getting the law for the hon. member for Wentworth.

Mr. Deans: Thank you.

Hon. Mr. Davis: —and I thought he would eventually ask for it. I do not like giving interpretations of the law but I will read the statute to him. If memory serves me correctly, at the beginning age level, I think it refers to the age of six, not five. I was not sure whether it was six or seven. I will just read the section 6(1)(a) of The Schools Administration Act, Section 6(1)(a):

> Every child who attains the age of six years on or before the first school day in September in any year shall attend an elementary or secondary school on every school day from the first school day in September . . .

And so on. So it is at the age of six, not at the age of five.

Mr. Deans: Assuming that is right, accepting the fact that it is age six rather than five, how is it then that the Board of Education in the city of Hamilton was not obligated to provide some form of education for this child? How is it that they could turn to his parents and say, "Take your child home. You cannot send him here." Explain to me, please, how it is that after having had an evaluation done of the child—an evaluation that determined that he was not handicapped in any way other than that he was, as I say, slow learning—they could then inform the parents that this child should be removed from the school system and placed in a private school system at the expense of the parents. Why is it that there is not any effort being made in the Hamilton area to provide a greater amount of service to the child who is below average in the early years?

There are a number of children who take considerably longer than others to mature. It is quite possible that to leave a child out of the school system for two or three years, or to have him placed in a class in which he was associating with or being taught things which were of little value to him in later years, academically speaking, could quite

conceivably inhibit him for the remainder of his life. I might put it quite clearly: The people in Hamilton made the statement that The Department of Education have nothing at all to do with them. They did not tell them what to do or how to run their system. They ran it and if they did not want him there, they were not going to have him.

I think the boards of education, elected boards, are stepping out of line a little much lately. I think they are exerting what authority they have without consideration for the feelings of the people over whom they have the authority. I am beginning to wonder seriously whether or not it is time that we made a drastic change in the entire educational system in terms of the elected boards and the powers that they presently have, if they are going to use them or abuse them in the way that they were obviously abused in this case. The minister may have an answer or not. I do not know if he wants to say anything.

Hon. Mr. Davis: Mr. Chairman, I still have a lengthy observation to make, except that really when we were discussing this in general terms before 6 o'clock, we got into the philosophical discussion as to the responsibilities of the central administration and of the local boards. It was brought to my attention by the member for York South (Mr. MacDonald) how certain things have been imposed; how, in fact, we were really taking away some of the responsibilities from the boards when he thought they should have more—particularly the member from Scarborough East (Mr. T. Reid). You get into this —I do not say it is a conflict, but it is something of a contradiction that appears from time to time as between the areas of divisions of responsibility.

I can only speak personally as it relates to the Hamilton situation because I do not have all the facts. I do not have any of them other than what the hon. member has suggested here tonight.

I would only say it is not sufficient for a board to say to a parent, "Listen, we have not got a programme here for your child; you know, we cannot do anything about it." I think a board has to make a very sincere effort to see if there are programmes available elsewhere; to see whether arrangements might be made, to, shall we say, provide an educational programme of validity for that youngster. I think we have to anticipate this, Mr. Chairman, that with an excess of two million children or students within the school system, and we should be discussing this probably under the vote that relates to special assistance to special education, you get into the whole question of the economic capacity of this jurisdiction or any jurisdiction to offer the great variety of programmes in the field of special education that, I think, really on the surface, are quite valid.

We have discussed this, your new leader and myself, as it related to the emotionally disturbed some two or three years ago. These are on-going situations. The problems have not changed, that is in their complexity, the varying degrees of, shall we say, handicap. When I say handicap or learning disabilities, I am going from one end of the spectrum to the other. These are becoming, I think, more easily identifiable, if I can use this term, but the programmes to deal with them have not been developed as rapidly as anybody in the educational business would like. It is not easy.

I cannot comment any further, as relates to the Hamilton situation. If the hon. member would like to, shall we say, make me more fully informed, if he would like me to make a few inquiries related to this matter, I would be delighted to do so. But I cannot comment on all the facts and information beyond which I have tonight.

Mr. Deans: Just to complete that particular topic, let me say to the minister that the parents did eventually have to phone The Department of Education. They did have to go to great lengths to get the board to sit down with them. We were informed in no uncertain terms that this was a tremendous lot of bother for the board and after all, they were very highly paid and had much more to do with their time than to be sitting down and chatting with them about the needs of little Johnny or whatever his name was. I think that this attitude could well be done without.

I just point to section 5(8) in the tabled report, "Designed for Development", and point out that section 5(8) says: "Special classes should be established for children when first attending schools, with an emphasis on individual programmes." If this is what we are aiming for in northwestern Ontario in the just newly tabled report, surely to heaven we can aim for something similar in southern Ontario and make it available for all children.

I want to ask the minister about one other matter and then my concern for the educational system will be terminated for this year. Last year the member for Scarborough East raised this whole bit about the Ontario school record. I want to know now whether the minister, having reflected on it for a year, has yet decided whether any record that is

kept on a child should be available to a parent, whether or not it does not seem reasonable that a parent should be able to have access to any record kept on his child by any school system or any school.

I think as a parent, and this is what most of us speak as, I would want to know if my son or daughter—sons or daughter in my case were not doing particularly well. I would want to have access by going to the school to all the records so that I could determine for myself in what area he could be best helped, if I could help him at all.

The Ontario school record is not available. As I understand it, it keeps a pretty full accounting of the child and the parent. I think it is not good in this society to have records available to teachers who could well be leaving the system at a moment's notice and be becoming employers, or for that matter anything else. They have access, and have had access for some time, to the records of people.

I think that if this record is to be available to them it should certainly be available to parents on request; that there should be someone in each school who is capable and prepared to sit down with any parent who comes to see it and explain to him what this report actually said. I do not think there is any need for secrecy in a living society where the freedoms are tough enough to maintain. I think that information in regard to your child's progress or behaviour, or for that matter the teacher's opinion of the parent involved, should be available to the parent.

Hon. Mr. Davis: Mr. Chairman, I am now a little concerned myself. I do not recall—and I just look at the forms from time to time—where an assessment is made of the parent by the teacher. I better have a look at this.

Mr. H. Peacock (Windsor West): How did you get to see them?

Hon. Mr. Davis: Oh, I see the forms, not the students, but the forms that are used and, as I say, I can almost imagine what the assessment might be in a couple of schools in Brampton, but that is facetious.

I am interested in the member's argument because really, it is somewhat contradictory to the argument presented by the member for Scarborough East. As I recall, the main thrust of the discussion a year ago—

Mr. R. Gisborn (Hamilton East): We are not responsible for his argument.

Hon. Mr. Davis: No I am just pointing out—

Mr. J. L. Brown (Beaches-Woodbine): He is just not responsible.

Hon. Mr. Davis: I am not responsible for either of your arguments. I am just trying to point out the difference in the direction we are going. As I understood it, because he referred to it, the argument from the member for Scarborough East related to the confidential nature of the reports and that the student record should be a matter of complete confidentiality. This is, I think, basically what he has suggested. The member for Wentworth suggests they should be completely available.

Mr. Deans: No, I did not say that.

Hon. Mr. Davis: Well, I am sorry; they should be completely available to the parents. These things should not be secret, and I guess really we have to determine at what point they become secret, at what point they are no longer secret and how confidential you can keep them or should keep them.

I will just express a personal point of view, that we are in the process of determining what I hope will be some reasonable long-term policy with respect to student records. The student records basically are designed to assist the students' educational career; this is their sole purpose and the only purpose for which they should be used. I am expressing a personal point of view here until we finalize the report and have legislation. To suggest their being kept confidential as it relates to having them used, say, by some exterior or external agency, I think is very difficult because a lot of these asesssments on the reports are very personal.

Some of them are the personal judgements of the teachers; some of them are straight statistical marks, facts and so on, but some of them involve personal assessments. And if these are going to be used by some external agency, then the person making those assessments should be in a position either to justify them or otherwise. I think this has been the issue in one or two situations which we are presently in the process of considering.

I would only say this further: As far as the school having a responsibility is concerned, I do not know whether you do it on the basis of the total student record, because it starts in kindergarten and goes through grade 12, or whether you expect, say, the grade 12 teacher to go through the whole list with the parent at that level. It may be asking too much, but as for the teacher being available to discuss the progress of the student, there is no question that they should be able to

discuss it, to speak very freely to the parent. The parents should have complete access to the opinions and the points of view of the teacher who is involved with the education of their children.

Mr. Deans: This is interesting and I think it is right. I think that if in the record—

Hon. Mr. Davis: Sometimes parents do not like to hear.

Mr. Deans: Well, that is fine. But I think if there is some indication in the record of some problem outside of school, then the parents have a right to know. And I think if the grade 12 teacher notices that in grade 9 something happened outside that obviously affected the child and his or her progress, then he should quickly bring it to the attention of the parents. I think this is important. Whether the parents like it or not, that is fine, and whether they accept it or not is also fine, but I think the majority of parents are concerned about the well-being of their children—as concerned, if not more concerned—than any teacher. And I think they are entitled to have the opinion of the teacher since the teacher is with the child probably more waking hours a day than they are.

Mr. T. Reid (Scarborough East): Could I just comment on this specific issue briefly?

Too often the Ontario student record is used not for educational purposes but as a control technique on students. In other words, particularly at the high school level, the students do not know what is in their Ontario student record; they do not know what the teachers have put down; they do not know what the vice-principal has put down, and so forth. And if a student is questioning, say, the structure of the school, the judgements of the principal, the teaching abilities of some of the teachers, as we have seen recently, then the Ontario student record can be used —not necessarily, of course, in all cases—to intimidate some high school students because of the importance of the student record for getting into university and because of possible use in the courts; the Attorney General (Mr. Wishart) has refused to grant the information a privileged position.

The students know that what is in their Ontario student record folder can be very detrimental to their future lives and to their future career—can be. I would just remind the minister that there are students in the high school system in this province who feel the Ontario student record is used as a lever to get them to conform to the school system.

I will just tell one brief story on this: I sent out a letter to the presidents of the student councils of all Metropolitan Toronto high schools inviting the presidents to come to a meeting or to send a representative to a meeting, and in one case the student involved —it was all by name; the address on the envelope had the student council president's name, not just the position on it—the student council president came to me and said: "You know, I picked up your letter from the principal; he had opened the letter." Now, that is a federal offence; the principal could presumably go to jail for opening a person's private mail, and so forth.

So I said to the student, "Why don't you get a lawyer and make a charge against the principal of that particular school for opening mail addressed to you personally?" And the student said, "If I do that, my Ontario student record may not read too well. I might be classified as a troublemaker and that could cause me all sorts of problems later on."

So I must remind the minister, Mr. Chairman, that the Ontario student record can be used as a control factor, if you like, on a student's behaviour which has actually nothing to do with his education. I think that that should be looked into very seriously. Again it infringes upon the rights of teenagers and pre-teenagers in our society; it can infringe upon their basic rights as individuals in our society.

Mr. E. Dunlop (York-Forest Hill): Mr. Chairman, would the hon. member permit a question?

Mr. T. Reid: Certainly.

Mr. Dunlop: Would the member describe exactly how that letter was addressed, because this has a great deal to do with the question of whether it is a criminal offence or not? As you know, in the case of a letter addressed to a person at a business address without saying, "in care of", it has been held that that is not personal mail.

Mr. T. Reid: All I can do is to explain to the hon. member, Mr. Chairman, what the situation was, and that I understood it to be an infringement upon the federal law. The envelope was addressed to the person by name, president of the student council, with the name of the high school, street address, Toronto, Ontario. And that envelope was opened by the principal of the school. I am sorry, if that is not a federal offence, I will withdraw my remark.

Mr. Dunlop: I am not sure whether it is or not, but there is a great deal in the jurisdiction as to exactly how it is addressed and whether it is to the business address of an institution or personal address of an individual and whether the words "in care of" are used or not.

Mr. T. Reid: The words "in care of" were certainly not used. This is a letter addressed in the same form as I receive many of my letters, I suppose, "Tim Reid, MPP Scarborough East, Parliament Buildings, Queen's Park, Toronto". I certainly do not expect the Provincial Secretary or anyone to open that letter unless I give specific instructions for them to do so.

Mr. Dunlop: Yes. Whether it was an offence or not is not the question.

Mr. T. Reid: Well, this point still stands, Mr. Chairman. This student felt she could not complain about the behaviour of this particular high school principal in opening a letter which she believed to be a personal letter. The reason she felt she did not want to do that was not that she was not sure of the legality of whether or not it was an offence, a legal offence, but she simply said, "If I do that, my record, my file folder, is going to have in it that this student is a troublemaker and I need a good recommendation from the principal to get into college or to get a job."

I am simply saying, Mr. Chairman, that the Ontario student record in some cases—I hope it is not widespread, but we just do not know—can be used to intimidate students into a form of socializing behaviour in the school system.

Hon. Mr. Davis: But, Mr. Chairman, let us be very practical. If the principal were so inclined as to take offence at this, it does not have to be part of any student record or any verbal recommendations he might make anyway. Let us look at it very pragmatically if we can. The student records are not designed to do anything other than assist in the educational programme of the students, and I think basically they serve this purpose. If anybody wants to use them in some manner other than that, I say with respect they do not have to resort to the student records to do so.

If in the example given by the member for Scarborough East, the principal were to take offence because this head of the SAC complained, it does not have to appear as part of the student record if he, in fact, wants to be difficult with that student. Still if a prospective employer calls up, he does not very frankly ask in my limited knowledge of the subject, "Can we have the student's record?" He will call up a teacher, or a principal, and say, "How do you think so-and-so would work into our particular business or into our particular enterprise?", and so on. So the student record does not, I think, become an issue of any great discussion in most cases as between principal and prospective employer.

I am not saying the whole area does not matter because we obviously are concerned and the committee is in the process of developing an approach basically on a confidential nature of it. But let us not be unrealistic and indicate there are ways of getting around this, no matter what you do with student records. And it has been this way from the day 1.

Mr. T. Reid: Well, the minister can say I am being unrealistic. But I simply said to him that I have talked to students in the school system who feel that they have to keep quiet about certain things that are happening in the school, that they do not want to stand up and be counted because they are fearful, rightly or wrongly—if you want me to put that qualification in—of what will be put into their student record which could be passed on. They do not know what happens to their student record. No one has ever told them that. They do not even know what their rights are in this regard.

But they are fearful that remarks concerning their behaviour—"unco-operative," "thinks too much of himself"; these types of subjective remarks which are put on student records, as the minister knows—will be a hindrance to them in either their plans to get into post-secondary education or when they need a letter of recommendation from the principal or from the vice-principal or from the head of guidance.

Quite often these people are so busy that all they do is sift through the student record, the file of the student and write a general letter to an employer or to a university. Quite often they do not even know the student. But what they do know is that they have got a nice big fat file on the student and it contains a great deal of subjective information about that student, a great deal of it that has nothing whatsoever to do in a strict sense with their educational achievements but with their attitudes toward school.

That is very dangerous, and I am pleased the minister is looking into it. We cannot be allowed to dismiss it.

Mr. W. G. Pitman (Peterborough): I wonder if I may ask a question? Is it possible for the student to see, upon request, an OSR file? Can he see that? Can he demand to see his own Ontario student record?

Mr. T. Reid: That is the next point I want to make to the minister, Mr. Chairman, and it is right on: students have requested from the principal of their high school a look at their Ontario student record and they have been told—and perhaps the minister can clarify this once and for all for the record—that they do not have a right in law to see their record, that it is confidential to the school system, even though it is privileged information on that particular student, in the sense that it has not been collected with the student's permission.

So the student by law must remain in the school system to the age of 16, and what goes in his file is not collected with his permission. Perhaps the minister can answer that question?

Just that procedure—I wish the Minister of Health (Mr. Wells) were here—is used in the regional school of nursing. I will be specific. In the Scarborough regional school of nursing the following practice is followed:

Very extensive files are kept on each student nurse. Assessments are made almost daily on the performance of each student nurse, the supervisors write these reports; they write things about their attitudes toward nursing, their views about whether so-and-so would become a good nurse, quite apart from the academic knowledge or skills of that nurse.

Those reports in full are made available to the student nurse. And the student nurse has a chance to write her own counter report to explain why she was late for duty on a certain day, why she may have been appeared to have used or been careless with some drugs. In other words, in the student nursing files—and I presume it is under the leadership of the Minister of Health or the former Minister of Health—a student has a right to rebut information derogatory about her and stored in her student record.

I would point out to the minister that if he were in the armed services he would know this. If you are a member of the armed services of this country and at the end of a certain assignment your superior officer writes a report on you, he writes it, he gives it to you and says, "I am sending this report in. Do you have any comments to make? Do you want to file your own report on why you were AWOL"; or so forth? In other words, a person in the army has more rights than the teenagers in this province in the school system. A student does not have a chance to rebut what a teacher, trained or otherwise in this type of assessment of personality and attitude, puts on his student record.

Now the minister is living in a Neanderthal age if he does not realize that teenagers have basic rights in our society, as well as people who are over the age of maturity, and he can do something about them.

I conclude these remarks with support for the practice in the nursing schools. We are going to have to have student records, fine, but give the student, at least—I am not too sure about the parents; I must say I have to think about that—but give the high school student, that is, when you differentiate between elementary school and high school students in this regard, a chance to rebut what teachers and school administrators are saying about him, in that information being stored in the school record.

There is a basic principle of justice here: The right to refute derogatory statements about you, particularly if they are put in a file.

With those remarks, Mr. Chairman, I will conclude on that issue.

Mr. Chairman: Anything further on the main office?

Mr. Peacock: On item 9.

Mr. Chairman: The hon. member for Windsor West.

Mr. Peacock: Mr. Speaker, I will defer if the members wish to speak on earlier items. I wish to speak on the contribution to the teachers' superannuation fund.

Mr. Chairman: Yes, that will come a bit later. We are doing it, as I understand, programme by programme, so that would be in one of the later programmes.

Mr. Peacock: It is within the same vote.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I wanted to raise a matter of policy and that is the minister's response to the decision taken democratically by the boards of education of North York and Toronto to implement a new programme of what you might call religious education or comparative religion, or ethics teaching, in their school systems.

I was shocked that the minister simply dismissed any decision out of hand and said that it was not within their purview nor their

responsibility to proceed with this. The minister frequently has emphasized his desire to decentralize this sort of decision, and it was definitely out of character for him to react or to have his staff react the way they did.

I do not want to spend too long this evening recalling to you, Mr. Chairman, the history of events associated with this sensitive topic. You recall, sir, that it was, I believe, in 1944 that the present regulations were enacted requiring the teaching of religion in the schools on a prescribed curriculum with prescribed texts, giving the right to any school board to opt out of this if it so desired.

It was under these circumstances and not those that have come down to us since the days of that other great Minister of Education, Egerton Ryerson, that the present controversy arose. I have talked to many people who have felt that the present attitudes toward teaching of religion in the schools were basically decisions arrived at in the earliest days of the emerging colony of our emerging community. And I think we often forget that the changes in regulations are much more recent than that and were, in fact, political issues back in 1944.

The sequence of events gets rather complex. I think it was in 1965 that the debate in this House was sparked because of references in the press to inadequacies in the curriculum which was then severely out of date and which has remained unchanged. The textbooks had all sorts of archaic references, and certainly most people who were objective in their view felt that the time had come for substantial change.

I well remember saying in the House that I favoured the abandonment of religious education in the schools, unless the department could come up with a substantial alternative in which ethics and comparative religion would be the base rather than the type of religious instruction that too commonly was a part of school instruction under those circumstances.

I would recall, Mr. Chairman, a circumstance that I have knowledge of in my own community where no members of the clergy were prepared to undertake this responsibility. No teachers did it, and a special group of men who came from the United States and who were part of a mission, a businessmen's mission, were sent over into Canada apparently to educate the heathen and to save us if possible. My own children were exposed to the education that was given to them from this source.

I met the man concerned, a fine gentleman he was, but certainly his attitude was that he had come to Canada to assist in this missionary approach, one that I found completely offensive, almost incredible, when we consider our own background in these matters and the responsibility that most of us are prepared to take.

The upshot of the concern expressed in the Legislature and in the community at that time was the appointment of a royal commission. Or was it a minister's committee?

Hon. Mr. Davis: Minister's committee.

Mr. Nixon: The minister's committee chaired by the late Keiller Mackay. This was sparsely discussed for a number of years. The minister was able to give an explanation why the report was delayed. Certain members of that committee, unfortunately, were taken from the scene; substitutes had to be found. The work, it seemed, had to go back to the beginning to accommodate the new members of the committee It was not until a full three years later, actually a bit more than that, that the late Keiller Mackay brought down his report which recommended the elimination of the present programme, the rigid curriculum and text, which have been largely discredited and, in fact, used very little. Normally a more informal approach had been taken simply by calling in local ministers who would give their own approach to the gospel message, and what they felt should be put before the young people in schools of the province.

Mr. Mackay's recommendations were quite definite. Obviously they were as a result of some give and take and trading on the committee, but he recommended the abolition of the old course and the introduction of a course stressing modern ethics and comparative religion. The government since that time, since 1968, has failed to take any significant action; there has been no statement by the minister that meant anything. I think he has made several statements but none were definitive in any aspect.

The culmination really was that some of the boards, some of the most progressive boards, had decided not to wait for the minister to make up his mind as he timorously approaches this subject. Perhaps he is not approaching it at all; that is what I suspect, like so many other subjects of this type. He is prepared just to let them sit there and solve themselves or fester. So I was quite relieved, actually, when some of the more progressive boards took the matter into their own hands, and, as I believe is their responsibility, undertook to prepare courses that fit the needs in their view. They are a

democratically elected board, administering education in their own community. They undertook to prepare courses which, in their view, would meet the needs of their students and their parents.

Really, the minister's decision to veto these initiatives was shocking, unbelievable, because it was so much, at least, out of the character of his statements, if not out of the character of his actions. It simply meant that he, as a minister, was prepared to stop these boards from taking the initiative which in my view was so valuable.

I think the minister owes the House an explanation of where the matter now stands; of what action he intends to take. If he does not intend to take action, surely he will take the reasonable course of leaving this up to local responsibility.

Hon. Mr. Davis: Mr. Chairman, the answer is, relatively, nothing is simple. The Leader of the Opposition's summation of the Mackay report is not really quite accurate. The report recommended the discontinuance within the elementary grades of the existing course of study. I am you know, in two or three minutes, trying to synopsize the total report and replacing that as it relates to the total programmes, with something of a philosophical approach. It did not suggest courses being introduced in comparative religions at the elementary level. This was an extension, really, of their thinking and was not necessarily part of their original terms of reference. In other words, it related to the secondary school programme, I think grades 11 and 12. I am going here by memory, Mr. Chairman, and the initiative—I do not want to discourage initiative on the part of the local boards—by two or three boards related to the possibility of comparative religion.

We are not quarrelling with their desire to do this. All we are saying is simply this: If the local board wishes to create a course in comparative religions, for credit, one has to make, I think, a very realistic decision. If they are to be for credit, I think they have to come within certain total guidelines across the province. This does not mean that each course will be identical by any means, but there must be certain structures related to the number of hours, some academic validity, you know, in the total sense of the word. This is what we are in the process of digesting and preparing for the schools of 1971.

All we have said to the two or three boards that have wished to move ahead, is "Wait until we prepare for you some total guidelines within which you can operate." I think it is a very reasonable and realistic approach, Mr. Chairman. An area that is somewhat emotional can become rather completely involved and we are very anxious in this department not to discourage local initiative but to see that it has some application on a province-wide basis.

I think it is a totally realistic approach, Mr. Chairman, and one which, I think in the fullness of time, will make great sense. But let us not minimize the further complexity of the problem, with great respect to the report. It comes up with some general suggestions; it states what I think all of us have agreed upon here, and on which I think, in fairness, most of those who have responded to the material we have sent to them also agree, and that is the inadequacy of the existing elementary school curriculum.

With great respect to the authors of the report, the practical suggestions as to how one does what they are suggesting in the report at the elementary level, are not really as easily defined, or the answers as easily found; I can assure the hon. members of this. Nor is there any complete consensus. You see, we get some criticism from time to time from across the House, Mr. Chairman, you know, that we move in advance; we impose situations, we do not consult.

The Mackay report was made available, I think it is fair to state, to every clergyman in the province. The boards have had it; all the interested groups have had it, and we have had representations made to us as recently as two weeks ago, related to the report itself. It is very basic to the feelings of a lot of people of this province, and I am as anxious to move on these matters as anyone in this House. But at the same time, Mr. Chairman, it is a matter that is of very real concern, I am sure, to all of us. The consulting process may be taking far longer than the Leader of the Opposition would like, but, you know, he tells me I do not consult enough on some other issues. I can assure him there has been a lot of consultation on this particular one, and the replacement of what is existing at the elementary level is really turning out to be one of the very difficult areas.

I do not think the question of options, credit options, and comparative religions at the secondary school level will turn out to be as difficult as the others. But we are still faced with some material coming in to us for consideration within the department and government. We are moving as rapidly as we can, Mr. Chairman—I know, not as rapidly as the Leader of the Opposition

would like, but we really are doing what he has told us to do on so many occasions; and that is involve ourselves in, you know, something of significance in the consulting process. We are in the process of doing just that.

Mr. Nixon: Mr. Chairman, the minister's answer is sort of typical—it will certainly please his supporters and amuse his detractors, but if there was anything specific in it, it is that I gather in September, 1971, a programme will be available for the schools, and I presume—

Hon. Mr. Davis: No.

Mr. Nixon: Yes.

Hon. Mr. Davis: No, on a point of order, Mr. Chairman, on a point of order—because this is a very important subject.

Mr. Nixon: September, 1971, is the only specific thing you mentioned.

Hon. Mr. Davis: I said we—no, I think I went a little further than that and I said guidelines as they relate to possible courses in comparative religions at the secondary school level.

Mr. T. Reid: The red issue is elementary—

Hon. Mr. Davis: Now, with great respect, Mr. Chairman, I recognize the academic background of the member for Scarborough East, his great knowledge in all of these matters. But I told him I have had some slight personal experience myself. I even taught Sunday school—the closest I ever came to teaching. If he thinks we can develop a valid course in comparative religions for kindergarteners, I say with respect, I do not think we can. I really do not think we can.

Mr. E. R. Good (Waterloo North): The report is not asking you to do that.

Hon. Mr. Davis: No, but he was suggesting, why not elementary? I am just saying, kindergarten is a very tough age to teach some of the subtle differences in religions, and this—

Mr. T. Reid: How about grades 7 and 8?

Mr. Nixon: We must presume then that the 1944 regulations prevail and that the minister is not prepared to tell the House that he is going to make changes.

Hon. Mr. Davis: Mr. Chairman, of course, the minister is more than prepared to make changes. What I have not told the House is specifically—

Mr. V. M. Singer (Downsview): A change is necessary, but not necessarily change.

Hon. Mr. Davis: No. What I have not told the House are the specifics of the changes as they relate to the elementary school approach to the problem. But we are, or will in fact be making changes everybody accepts—I think it is fair to state that with all the church groups with which I have had consultation, and there have been many—I think there was a degree of unanimity as to the degree—I do not like the word inadequacies but for want of a better one— of the inadequacies of the existing courses of study.

Mr. Nixon: Obviously, the mildest one you could possibly concur with.

Hon. Mr. Davis: Yes, I think there is general agreement on that. As to what one does, you know, where you take them out, what one does from there—that is where there is not quite the same consensus.

Mr. Nixon: Mr. Chairman, I must say that I find the minister's statement and the minister's actions totally inadequate in this area. Since 1965, it has been agreed by members on both sides of this House that action should be taken. Now that we are in 1970 he is talking about 1971 action that obviously is never going to get to the point where he can begin the solution of this problem on the terms as he expresses them – certain guidelines expressed some time in the future for certain grades and for certain areas.

Mr. Peacock: Mr. Chairman, I appreciate the exchange between the minister and the Leader of the Opposition with respect to the development of guidelines for the teaching of one of those recommendations—comparative religion. What I would like to ask the minister is if he has settled yet on the other recommendations, specifically the two dealing with the recitation of the Lord's Prayer each day in the public elementary schools and at assembly in the secondary schools? In the minister's opinion does the recitation of the Lord's Prayer constitute a religious exercise?

Hon. Mr. Davis: Mr. Chairman, the hon. member is making it very difficult. As to whether or not I consider it a religious exercise, I have to be very frank and say that from a purely personal point of view the recitation of the Lord's Prayer—

Mr. Singer: Might or might not be.

Hon. Mr. Davis: I do not know whether it is a religious exercise. I cannot see it being, you know, any great detriment to a school

or to the students who recite the Lord's Prayer. Maybe this goes back to my Methodist-Congregationalist background but I have not found too much in the Lord's Prayer which, if repeated by a group of people, creates any major problem. In other words, I think the issue as it relates to religious education in the school goes far beyond repeating the Lord's Prayer in the morning.

Mr. Peacock: Is that not simply just a part of the teaching of comparative religion, and not at all a part of the instruction of young people in a religious belief? I mean it is either one or the other; either it is part of the teaching of religion to children who come from all backgrounds, all faiths, or from families who do not exercise a religious conviction; or else it is, in fact, simply a part of the guidelines which the minister will eventually develop in the teaching of comparative religion. It is one or the other; it is either religious instruction or else it is part of the development of guidelines on comparative religious education.

Hon. Mr. Davis: I think this points out the complexity of this kind of discussion. It could be that it does not fall into either category. It is quite conceivable.

Mr. Pitman: I might say that one clergyman friend of mine made the suggestion that saying the Lord's Prayer in the morning was like having a vaccination to make sure that the real thing, religion, never really takes hold.

But to come to the whole way by which the minister is going about this. Am I to believe, then, that it is impossible for there to be a course in comparative religions in grades 11, 12 and 13, in a high school in Ontario?

Hon. Mr. Davis: No, I said just the contrary.

Mr. Pitman: Then it is possible for this to take place at the secondary level? A history teacher, for example, teaching grades 11, 12 and 13, could offer a course of comparative religion and teach this at the 11, 12, 13 level, and it would be acceptable in The Department of Education here in Toronto.

Hon. Mr. Davis: That is not what I said. I watched the member for Peterborough listening so attentively to everything that was said, as he always does, and that of course is not what I said.

Mr. Pitman: I just want to clarify it, that is all.

Hon. Mr. Davis: If the hon. member for Peterborough wants me to repeat what I said, I shall try to do so. It was very simply this; I said that the department was in the process of preparing guidelines as they relate to courses, optional or for credits, in comparative religion in the secondary school programme. So I am going no further than that. Okay?

Mr. Pitman: You do not need to go any further than that. This is exactly the point I want to spend a moment on. It would seem to me this is where the full problem of localism and centralism hangs up, because here you have a local school and a bright young man decides he wants to carry on what he thinks is the minister's direction to develop a course of comparative religion for grade 11. He offers the course and so the directive comes out from Toronto and says he can no longer offer this course.

There is a great scramble for books, and a great scramble for course material, and so forth, and everyone goes back to "Go" again. This, it seems to me, is an unfortunate way of going about it. It seems to me that this could be an example of allowing localism an opportunity to flower, to flourish. It seems to me that here you have an opportunity for a pilot project and you might even have two or three or four or 10 or 15 different courses going on in different parts of Ontario.

Hon. Mr. Davis: I think we will.

Mr. Pitman: Yes, but it would be under the guidelines of The Department of Education. Of course, as long as it comes from Queen's Park or from 44 Eglinton Avenue West then there is no longer a welling up of the desire of local people to present some kind of a course for young people in that particular jurisdiction.

You cannot have it all ways. You cannot take advantage of all kinds of opportunities and freedoms for local people and then simply say, "You cannot do this until we provide guidelines for you." Certainly, you have got to give them some kind of opportunity to develop their own directions.

Hon. Mr. Davis: We have, in family life education. This is exactly what has happened. We have prepared guidelines. You will find that they are in the process of arriving for man and wife education, which for all of us is sex education in all the different aspects.

Mr. Pitman: Yes, I have heard of it. In this spirit of good humour may I say to the minister, there are not two teachers in Ontario

who are teaching the same course, and he knows it. So what I would suggest to the minister is, he may as well give up the façade. The first thing that is thrown out at the beginning of the year is the department outline for a course. Let me assure you that across this province, without the instructions, teachers are "doing their own thing" and students are "doing their own thing", for it seems to me this is a particularly clear opportunity for a good thing to be done.

It does seem unfortunate that you have the dead hand here that you see. This is the moment the minister says he is releasing all these potentialities across the province and in all these local jurisdictions. But downtown is the dead hand and it says, "Thou shalt not", in very good biblical terminology, "carry out a course in religious education or comparative religion in secondary schools until the department shall say from on high, until it shall be handed down on stone tablets that thou shalt provide guidelines."

Mr. Nixon: Stone tablets!

Hon. Mr. Davis: I can assure the House that this will not be on stone tablets.

Mr. Pitman: Well, I can assure the minister that he will not be able to afford to put them on stone tablets next year.

Mr. Peacock: Item 9, Mr. Chairman.

Mr. Chairman: No, item 8. I would like to get to that sometime.

Anything further on main office?

Mr. T. Reid: Yes, item 9, Mr. Chairman. I have two things before we leave it.

Just one question: Will the minister table in the Legislature or make available to members of the House the report on the audit on The Department of Education, dated April 23, 1969? Will he table the Provincial Auditor's report on his department in the House or make it available to the members of the House?

Hon. Mr. Davis: Mr. Chairman, I am not sure whether I shall or not. But if we want to go back to that, and if the hon. member was reading in the report from the year before, if memory serves me correctly, where once again he was making some suggestion as to the accounting procedures, I do not want to get into it again. With great respect, he tried to lump the total operation of the department into the one area where there has been some discussion as between the auditors and the practices within the department as they related basically to revenue, and to try to associate and say that you know all the expenditures. I have very carefully discussed this myself—

Mr. T. Reid: It says, "revenues and expenditures."

Hon. Mr. Davis: No, no! It says that it should be under the jurisdiction of the section of the department dealing with administration that is already controlling expenditures, and that this should be related to revenue so that revenue and expenditures would be under the one jurisdiction. I think if you read it very carefully that is, in fact, what the auditor has said. Also I think it can be fairly substantially supported that the vast majority of the recommendations from the auditor have, in fact, been implemented. I will try to get some, shall we say, supporting documentation of this for the member for Scarborough East.

Mr. T. Reid: My request was a very simple one. I asked the minister if he would table with the House or make available to members of the House, the report on the audit of The Department of Education dated April 23, 1969, and the minister has not answered that question.

Hon. Mr. Davis: I will consider it.

Mr. T. Reid: Why do you not make it available? What have you got to hide if you are so clean, so efficient, so managerially competent and confident? Why not make it available so we can judge for ourselves whether or not your self-evaluation is true or false? Will you make it available?

Hon. Mr. Davis: I shall consider it.

Mr. T. Reid: Why not? Why do you not make it available? It is a harmless little report by a timid Provincial Auditor.

Hon. Mr. Davis: Mr. Chairman, with great respect, I do not think he is timid.

Mr. T. Reid: So he is not timid? Is that why you will not make it public? Why are you keeping it as a secret document?

Hon. Mr. Davis: I am not.

Mr. T. Reid: Well, make it public then! What have you got to hide? It is either secret or public. Do we not have a right to know what the Provincial Auditor, the meek and mild man that he is, says about your managerial incompetence?

Mr. Singer: Are we being denied another auditor's report?

Mr. R. F. Ruston (Essex-Kent): Better have an Auditor General examine it as in Ottawa.

Mr. T. Reid: I mean, you know the questions in the general report are so tempting. I would just like to see what else he says. Why do you not make it public? Can you tell us why you do not want to make it public?

Hon. Mr. Davis: Mr. Chairman, I have indicated to the hon. member that I shall consider whether or not it shall be made available to the hon. members.

Mr. T. Reid: Mr. Chairman, could I ask the minister what criteria he will use in making his momentous decision?

Hon. Mr. Davis: I have established no criteria nor will I be prompted into any further discussion as to what the criteria might be.

Mr. T. Reid: So the people of this province do not have a basic right to know?

Hon. Mr. Davis: Mr. Chairman, with great respect, this department was before the public—

Mr. T. Reid: Mr. Chairman, is the minister on a point of order?

Hon. Mr. Davis: —this is on a point of order — public accounts committee chaired by your colleague, when all of these matters were discussed and when the question of auditing procedures and so on were available to be discussed by all members of this House. It was chaired by, if memory serves me correctly, the member for Kitchener (Mr. Breithaupt), and his department was part of the scrutiny by the public accounts committee, I believe, two years ago.

Mr. Peacock: No, last spring.

Hon. Mr. Davis: I am sorry, last spring was it?

Mr. Peacock: It was the very first time we had a look at the revenue side.

Hon. Mr. Davis: It is very limited compared to the expenditure side. You know, it was there, and some of your colleagues—

Mr. T. Reid: Mr. Chairman, do I understand the minister to say that for some peculiar reason, because there was a meeting of the public accounts committee last spring, that that is a reason he refuses now to make available to the House the report on the audit of The Department of Education, dated April 23, 1969? Is that your criterion, because it was discussed apparently at this meeting last spring? Therefore you will not make it public; the public has no right to know? I mean, is that your reasoning process? I feel sorry for the students of this province if that is your state of logic.

Hon. Mr. Davis: It will really contribute very little to these discussions.

Mr. T. Reid: I just find it inconceivable, Mr. Chairman, that the minister refuses to make a basic document on the expenditure of over $1 billion available to the people of this province. I think $1 billion is a lot of money and I think that anything that the Provincial Auditor has said about the record-keeping of that $1 billion and how it is spent is very pertinent information for the public to have.

Interjections by hon. members.

Mr. T. Reid: I am rather intrigued. You know there are three paragraphs, Mr. Chairman, from the report on the audit of The Department of Education in the Provincial Auditor's general report—three paragraphs of something which I think would be a very important public document—and the minister refuses to make that available to the people of this province and the members of this House.

Hon. Mr. Davis: I did not say I refuse, Mr. Chairman.

Mr. T. Reid: Why do we not have a right to those three paragraphs?

Hon. Mr. Davis: Let us just make this point very clear:

(a) I have not refused;

(b) part of the Provincial Auditor's report has been considered as it relates to education by the standing committee on public accounts, chaired by one of the hon. member's colleagues. Mr. Chairman, I have said that I will determine whether or not the report which, for all individual departments, has been confidential to the departments traditionally within the government, is in fact, or should be, a public document; that is and should be no question.

Mr. Singer: It is a public document.

Mr. T. Reid: Is not the Provincial Auditor a public official? Did he not write a report? And therefore is that not a public document?

Mr. Peacock: Do not be trapped the way the Minister of Public Works (Mr. Simonett) was.

Hon. Mr. Davis: I do not want to discuss it any further.

Mr. Singer: That is a very good answer, the best one you have had all night.

Mr. Chairman: Main office—shall that programme carry?

Mr. J. P. Spence (Kent): Mr. Chairman, I wonder if I might ask a question in regard to county school boards under this vote?

Mr. Chairman, since the county boards came into existence the tax rate or the costs of education have skyrocketed and have caused great concern to the taxpayers across the province. I would like to know how many officials or experts you have in the county school boards and what is the cost to operate county school boards in this province in general? I understand you have a regional office in the county which I would like to see included, too.

Mr. Chairman, I would like to ask the minister while I am on my feet—I understand that the county school boards buy supplies and equipment needed to operate the county school boards. It has been asked of me on many occasions that our buses are the same, a lot of our supplies must be the same in Kent county as they are in Huron county. Why would not the supplies and equipment that is needed for all county school boards across the province of Ontario be bought by one purchasing agency so that you could advertise?

Of course, when the cost is a burden to the taxpayers of the province of Ontario, I think every effort should be made to lighten the burden of taxation. I would like to hear the minister's remarks if this is possible, or if any thought has been given on it.

Hon. Mr. Davis: Mr. Chairman, I guess most things are possible; it is a question of how probable they may be. To have, shall we say, a central purchasing agency for all school boards—not confined to the county school boards—for the total $1,600,000,000 or $1,700,000,000 budget, which is the grand total of the grant support from here and the municipal contributions, whether or not a central purchasing agency, say, for books, supplies, buses and what have you would in fact, lead to economies, I think this could be debated. I do not think that anybody would reject consideration of this kind, but I do not think there is any evidence.

Say they were bought centrally by The Department of Education. Your colleague, the member for Scarborough East, would say, "You are adding to your bureaucracy, Mr. Minister; this should be something that should be done by local level." I mean he might say that, because he has said, really, that we should do this in many other areas and I guess that to be consistent he would say that. He might say that to be consistent with some of his other positions.

Mr. T. Reid: Consistency is a virtue of the—

Hon. Mr. Davis: I realize it is not everybody's virtue, Mr. Chairman. Dealing with the costs of the county school boards, per se, as I indicated in my general remarks, it would appear from the preliminary information we have that the percentage increase in costs of 1969 over 1968 is no higher, and may be even somewhat less than 1968 over 1967; and that the percentage increase in costs again in 1970 may be somewhat less; certainly not significantly higher than in 1969.

In other words, what is emerging is that the financial impact in total dollars, or dollars per student, for the county school boards really is not as great as I think some members felt in this House a year ago. The problem has been, and there is no secret in this, that it relates to the distribution of the cost internally within the school jurisdictions. This is, I think, in fairness, the main area of concern and one which we are in the process, I think, of resolving.

We did this in the first year through the subsidy situation which was carried through in the grants in the second year. There is a feeling, Mr. Chairman, and I know that the member for Kent has been involved in this, that because the departmental employees, the former inspectors, as we know them, have become part of the local board's operation, this has added an additional burden. In fact, Mr. Chairman, we are talking about roughly the same number of people involved. They have become, many of them, the employees of the local school jurisdictions rather than of The Department of Education.

I think it is fair to state, Mr. Chairman, that in total numbers of supervisory personnel—I am not going to argue that we have not, over the years, and it goes back many years in this province, had a higher degree of inspection or supervision than perhaps was completely necessary, although some will argue the other way—all I am saying to the hon. member is that the county school system has in no way affected this balance or this distribution.

If we are over-supervised, it has been part of the educational approach in this province for, you know, 50 years or more. There are

some in the academic world and outside who would say that we do not have enough supervision per se as relates to teachers at this moment. I do not happen to support that point of view. I think perhaps I would lean toward the fact that as we improve the quality of the teachers' qualifications, as they are upgraded as they have been, we will be able to move away from as much supervision as we presently have. This would be my own personal approach to it.

I will just give these figures, Mr. Chairman, because they are somewhat interesting. I want to emphasize this—the 1969 and the 1970 are estimated figures, and I am talking about percentage increase of costs over preceding years. As long as we understand what we are saying—

Interjection by an hon. member.

Hon. Mr. Davis: Right, this is total across the province.

For the year 1966, the increase over the preceding year—and these are in percentage terms—was 15.92. In 1967 the percentage increase was 19.32. In 1968 it was 20.44. The 1969 estimate—and this may be a shade low at this moment—is 14.77. And the estimate for 1970 is 13.88.

All the returns are in and those figures could be one or two percentage points out. I would not argue that for a moment. But I think it proves fairly conclusively that, even if the figure were not 14—even if it were 17 or 18, which I do not think it will turn out to be, but even if it does—it is very much in line with the rate of increase in preceding years across this province. I hope that is the kind of information that will be helpful to the member for Kent.

Mr. Chairman: Anything further under the main office?

Mr. Pitman: I would like to talk to the minister about what is essentially a policy, rather than an expenditure, and has to do with teacher education.

As I say, I realize this comes on a later estimate in regard to expenditure, but essentially I want to talk about the policies of the minister. This is a continuation of a discussion which began some four months ago on the estimates of The Department of University Affairs. In view of the fact the minister has had four months to think about it I would expect that he might be able to make some reply tonight.

I do not want to repeat what I said some time ago, but the whole question of how we teach teachers, of how we educate teachers in this province, seems to me is one of the major problems which we have to face.

Mr. Chairman: Does that not come under the next vote?

Mr. Pitman: Well, Mr. Chairman, I am in your hands. We talked about curriculum, we talked about school boards, we talked about OSR cards, under the main office. I have not a clue what we are doing under this particular vote, except that we are talking about a policy. I am talking about a policy—the minister is talking about a policy. Can I go on?

Mr. Chairman: I am finding it very difficult, as are most of the members, to clearly distinguish between the various aspects of this whole programme, but I do find teacher education listed at the top of page 33. This is vote 402.

Mr. Pitman: You would like me to speak about it then, would you? If we ever get to it?

Hon. Mr. Davis: I think it makes sense.

Mr. Peacock: On 401, Mr. Chairman, item 9. Teachers' superannuation.

Mr. Pitman: Well, we are not on that yet.

Mr. Chairman: We are dealing with vote 401 and we are taking the vote by programme of activity. The first programme of activity as listed on page 28 is the main office.

Mr. Peacock: And you are still on the first programme?

Mr. P. D. Lawlor (Lakeshore): Are you not dealing with the preamble?

Mr. Chairman: Now is there anything further under main office? Is the main office programme carried?

Carried.

Now we will go to general administration, which includes salaries, travelling expenses and maintenance. Any discussion under that programme?

Carried.

We go to financial administration. Any discussion there?

Carried.

Now let us move to departmental business administration.

Carried.

Now data processing operating cost. Any discussion?

Carried.

Mr. Pitman: We will help you.

Mr. Chairman: I am sure that you are following very, very closely in the book as well.

Anything under personnel services?

Carried.

Legal services?

Carried.

Information services?

Carried.

Now, grants, which is item 8.

The hon. member for Peterborough was on his feet.

Mr. Pitman: I would like to speak on this item of grants on the Ontario Institute for Studies in Education.

I would like to say first that there have been a great many changes at the Ontario Institute for Studies in Education over the past number of months. And although we may sometimes pat ourselves on the back over here unnecessarily, at least we have hoped that we have had some influence on that particular institution.

I think we are finally off the one man, one research project gambit, which I think was the bane of the first years of this institution. Although I think we had a great deal of research, I feel we did not go very far except in securing for one man the particular academic degree he was seeking. I think we have gone a long way toward developing a research thrust in various areas, rather than under that old, rather distended system.

I have noted the very real change in the Americanization aspect of OISE. I notice there has been a very real effort to bring Canadians into OISE and, indeed, Ontarians into OISE. In fact, there has been a little bit of a joke about that. There was one chap who hung around Toronto for about a week last summer receiving interviews for OISE and he really did not have the qualifications which he thought that he needed, nor did he have the area of interest. But there seemed to be a great deal of interest in the institute around him and he suddenly discovered the main reason; the main qualification was that he was a Canadian. And they were trying very hard to find a place for him.

However, I am sure that did not happen too often. But nonetheless I think there has been a very real change in direction in that particular area. But I think so many points of influence are still in the hands of the Americans and that is still a problem. I think it is one which the institute still has to be very conscious about.

I think we are on our way toward democratizing the institute. Surely if any institution should have an interplay and a participation of students and faculty, as well as those who are involved with the board of governors at the present time it should be OISE.

Mr. Chairman: I wonder if the hon. member would help the chairman by indicating just where he is speaking.

Mr. Pitman: I am talking about grants to OISE. Grants to the Ontario Institute for Studies in Education, $9,540,000.

Mr. Chairman: This is under—

Mr. Pitman: This is under grants, item 8.

Mr. Chairman: Under grants with a total of $1,296,000 or what is it?

Mr. Pitman: $9,540,000 my—

Hon. Mr. Davis: This is the fourth item under grants, item 8.

An hon. member: I would say OISE gets too much.

Mr. Chairman: All right, but the hon. member is speaking generally on grants. He has just—

Mr. Pitman: I am talking about grants to the Ontario Institute for Studies in Education.

Mr. Chairman: He has just picked out this particular one.

I think the hon. member may continue.

Mr. Pitman: Thank you very much, Mr. Chairman. I could not possibly be out of order on that particular issue.

Well, I do want to say, incidentally, that this is really one of the most unfortunate things about these estimates. To look down the estimate book and see a grant for $9,540,000 and be expected to make a very intelligent response to that kind of a figure really is more than we can be expected to do on the floor of this Legislature, especially when you come up to the legal services grant of $38,000. They must have one lawyer with one car. It was $500 for travel.

It just seems completely incongruous the way we deal with estimates in this Legislature, but that is something we certainly have to deal with.

I still would like to suggest to the minister that OISE, although it is on its way, has not yet justified itself to the teaching profession of this province.

An hon. member: Hear, hear!

Mr. Pitman: I think we have to speed up the process whereby what goes on at OISE has some reflection in the classrooms of Ontario. Teachers still look upon it as an ivory tower or a marble palace now, down on Bloor Street. They do not feel that it has impact in their daily lives, that things that happen at OISE really provide them with some help.

I think that one of the main problems, of course, is that OISE came along at the same time as the county board system came along. Well, OISE came along before the county boards, but by the time OISE got started and began to make an impact they found they had to work through county boards instead of a single departmental structure—the bureaucratic structure of the minister. They found they had to work through the 39 or 50-odd county board jurisdictions.

I think this makes it very difficult. I think that one of the main problems which OISE has to face, and, I would say, one of the main areas of expenditure for the minister, is to provide much better information services, much more effort in the area of research and development themes—so far as the research is concerned, much more involvement of teachers.

Now it is very nice to develop a research project on Bloor Street, but there have to be far more pilot projects going on in the classrooms of Ontario and this needs a tremendous lot of interplay and this is costly, and very demanding.

I know that there has to be a balance between the pure research in education where we do solve basic problems, but there has to be, I suggest to the minister—particularly at this point in time, when teachers at no other time in history have been so insecure, when they really have to feel that this institution is solving their particular problems and their problems are massive and they are many and variegated and they are diverse—some kind of response from that same institution to all these problems. Of course, I suggest to the minister as well that this is not a very easy task, because I do not think any research institution in education really has made much of an impact on North America over the past number of years.

One of the best books I have read on this whole area is "Run, Computer, Run", the mythology of educational innovation by a man called Ottinger. I would like to read just one or two comments he made:

> Educational circles have made significant findings about the learning process, curriculum innovations, educational technology. It is distressing when one considers the tremendous lag between initial research findings and the implementation of these findings, even to the rocket escalation of federal research—

and this is an American book:

> —of research funds for education. The return of this investment has been inconsequential. In short, it seems that a massive and radical redesign of the secondary education programme is imperative. To bring this about, a co-ordinated timing and development effort involving a variety of social institutions is necessary.

I do not want to go into that whole question but this is exactly what I have been trying to suggest. The whole society must make a response, if we are going to do anything effective in education.

> The prospects for change are all so depressing when one looks at schools, district by district—

or, I may say, your county by county:

> —and sees a tangle of authorities who feel mostly threatened, conservative and broke. School administrators and teachers are fearful, filled with legitimate concern for the safety of their jobs and of their persons. Professional accomplishment is neither stimulated nor rewarded.
>
> These key people are ill-disposed by both background and training to innovation, with or without the devices of new technology—

He went on to point out, I conclude:

> —local rhetoric about educational goals and possible new technologies sharply were at variance with the reality of schools.

The thing is it is too much the Canadian experience. Too much of the rhetoric goes on at the local levels, there is not much more than that. It is rhetorical and if you take a look at what is going on in the average classroom, day by day, week by week, so little seems to be happening.

In fact, I might even quote Mr. Ottinger again. He looks to Boston which has a number of programmes going on.

> In Boston there are enough trial programmes and experiments to fill a book.

> The life of the average child and the average classroom is virtually unaffected. The teachers, the curriculum, the school committee are the same. The books are the same. The attitudes are the same.

Now I would not go as far as that; I think there have been changes that have been made but I say these changes are not happening quickly enough. I suggest to the minister that there have to be fewer projects and ones that we are prepared to support in depth, to go further and develop projects within the borough school systems, in close liaison.

One of the most discouraging things to a teacher is to have someone from OISE turn up, take a great lot of information, disappear and never be heard from again. You do feel that you are some kind of an outsider. You somehow have not made it into the hallowed halls of the researchers and I think this is just dead wrong. I think it is important that there be more money for this aspect of OISE's operation in the future.

I might also point out one of the areas that received, I think, not enough, other than a number of booklets of the Hall-Dennis report. I hate to keep bringing this document back in again and again but it is a symptom of the major thrust of the minister in the area of the whole business of the philosophy of education, of a direction of education.

The minister has no doubt found it is a very revolutionary document. He is stuck with a document which demands a totally new society, but nevertheless it is about time, I think, that the Ontario Institute for Studies in Education became involved, not to just express its views, which it has done well and done often, but perhaps costing out what the recommendations would mean if some of the projects which are mentioned in the Hall-Dennis report actually came into effect.

We have to take risks. One of the places where we should be very afraid of taking risks is in education. I realize that you are dealing with young people. You are dealing with their intellect. You are dealing with their future. One has no right to play around with a person's future, but nonetheless there are a great many things which could be done which have none of that possibility inherent in such an experiment. There seems to be so little experimentation going on.

Why is it that so many high schools are the same? Why are there not more different things going on in high schools: more patterns of curricula; patterns to develop; patterns even of behaviour, being experimented with in the various schools with the assistance of OISE again? I realize we are making very great demands upon this institution but take one of the areas we have talked about a great deal, the area of textbooks.

The minister said one thing this afternoon, and I want to suggest to him it is not enough to say that if a book is published in the United States, because it has an Ontario author, it is therefore good for Ontario students. I was talking to a very bright young fellow who was offered an opportunity to write a textbook in Canada for an American publisher and, of course, the hitch was "We want you to write this book, but you will have to write it in such a way that it can be used in the United States."

It would have completely distorted this particular subject he was writing about but he could have done it if he had wanted to prostitute himself in this way and produce a textbook, of which there could have been more than one, which could have been used in the United States and also used right here in Canada.

Hon. Mr. Davis: That does not mean it would have been on Circular 14.

Mr. Pitman: It may not have been true.

Hon. Mr. Davis: That is the very—

Mr. Pitman: I suspect that the minister would have a hard time determining whether it would go on or off Circular 14, because I think it would have been very easy to make those kinds of manipulations which still would have meant you might not have had a Canadian product in spite of the fact you had a Canadian author. But I want to come back to the point.

Is it not time that we put some of our money or give some effort to developing textbook research? It seems one of the reasons textbook companies are having a rough time in Canada is that they do not have enough money to do the research which is necessary in Canada and to support the much shorter run of textbooks which will, of course, be more costly.

I suggest these as a few areas which have bothered me. Now, as I say, compared to our concerns of two years ago—it must be two years ago now—we are not quite as hung up, uptight, about OISE, but I think that the main problems still have to be overcome. The teachers across this province need more help than ever before. They are facing more challenges, more difficulties; they are faced with,

I would say, a greater credibility gap as teachers. At one time it was almost simple to be a teacher since one simply manipulated a classroom. Today, a teacher is being asked to do a great many other things. It is becoming very difficult. He needs more help, more support, and I would suggest that OISE could very well be the institution which could provide more of that support.

Mr. Singer: Mr. Chairman, on a point of order, I thought the Minister of Education would like to know that there is a new Liberal government in Nova Scotia tonight.

Interjections by hon. members.

Mr. Good: Mr. Chairman, if there is no further discussion on OISE, I would like to move down two items to the air cadet programme, sir.

Hon. Mr. Davis: Mr. Chairman, I would like to reply very briefly—not to prolong this because we had a long go at the institute when these estimates were before the estimates committee on education—but to point out two or three problems that still face the institute and I think should be mentioned. Mr. Chairman, when you look at the figure, it is a large figure and I am not minimizing it—$9.5 million—but then you must relate this to a total expenditure in education at the elementary and secondary level of about $1,600,000,000 or $1,700,000,000.

If you work out the percentages, you will see what percentage 9.5 is of that total, related to research. Of the $9.5 million, about $4 million goes directly towards the graduate programme. This is the graduate work that does not relate directly to research or the involvement with local school jurisdictions. We are talking about a sum of, say, about $5.5 million for research in education.

One of the problems the institute has experienced is that everybody and his brother, very frankly—from one local school jurisdiction teacher, even the department—every time there is a problem, we say "Let us get the institute to research this and solve it for us." Mr. Chairman, they have neither the dollars available nor do they have the faculty or the staff to handle the very large number of requests that are made to that particular organization. This has led to some of the concern that is expressed by the teaching profession and others because the institute just has not the financial capacity nor the personnel to respond to all the requests that are made to it. I think this has to be understood.

The other point I wanted to make tonight, just very briefly, is that we have had discussions with the institute, and I think part of their problem is relating their expenditures to various practical concerns, and the decision-making process in turn is a very tough one for them. But we have discussed it with them, and I think it is fair to state that we have made substantial progress in recognizing that there is merit in moving to the formula method for the graduate work related to the same formula system for the universities in the field of graduate work; also a portion of the research funds—and this has not been finalized—are to be done by way of contract, whereby the contract will refer to specific areas of interest where quite frankly the department or whoever is involved will be looking for immediate practical results and that there will be a percentage of curiosity-motivated research—esoteric or whatever term you wish to use, because I think this is still necessary.

I believe this will help the institute in the decision-making process, and quite frankly put it on a somewhat competitive situation. The institute has been in operation now for five or six years; I think it has established itself to the extent that it can compete with other institutions that want to do educational research, so you will find a year from now that a portion of the financing of research in this province will be by way of contract, and of course the institute is the obvious organization to undertake a goodly portion of this type of approach. But this is the direction things are taking, and I think it will be very helpful to the institute itself to give greater practical emphasis to some of the problems they are asked to face.

Mr. Pitman: I wonder if I might ask one or two questions on this. Does this mean that the institute will be contracting out to private companies, to private individuals?

Hon. Mr. Davis: No, it means that The Department of Education, for instance, on the basis of a contract instead of a lump sum grant, could say to the institute or perhaps some other organization: "We have $250,000 that we want to invest in a study of a specific problem. Would you bid on this and can you do this for us? This is the sum available; this is the kind of work we want to see or these are the areas we want to have researched by you." So this, then, helps them in the determination of their priorities internally, when a portion of the funding is by way of contract. I do not mean that they contract out; it means that a portion of their

budget will relate to contracts from external agencies such as the department.

Mr. Pitman: If I might just ask—

Hon. Mr. Davis: I think this is a very healthy approach to it.

Mr. Pitman: It could be. Well, will this mean that OISE will then be sort of zooming in on a few problems rather than on a tremendous number of problems?

Hon. Mr. Davis: I do not think there is any question of reducing the total number of projects.

Mr. Pitman: Yes. Could I ask what has happened to the Canadian studies project? This is the one that was being worked on at OISE. I understand the individual who was running it has left; I understand that there has been some reduction in the budget. I wonder if the minister could tell us what has happened in this project, if indeed it is operating and if it needs further encouraging. This is one of the areas that the institute indicated to us a year ago was of major concern to the institute.

Hon. Mr. Davis: Well, Mr. Chairman, I just hope there is not any confusion. My understanding is that it is still very much operative. If we are relating this to the Canada Studies Foundation—this is the one that Mr. Hodgetts and others were involved in in its development—this is still very much of an on-going process. The foundation itself, I believe, has been established and has been moving into the private sector for support. There was a report to the Council of Ministers of Education in September as to the progress that was being made, and I think by and large it is quite encouraging.

Mr. Pitman: I think there was another project which was being done by OISE itself; I do not think it was the Hodgetts one. It was another one, which I think was at OISE, and we heard a great many very different reports of what was happening in this project. I would like to know what has happened to it.

Mr. T. Reid: Could I ask the minister a further question about the Ontario institute, Mr. Chairman? Did the minister send to the institute, or did the—

Interjection by an hon. member.

Mr. T. Reid: Yes, I suppose the minister would have to do it.

Did the minister send to the Ontario Institute for Studies in Education the same request that the minister's committee on university affairs sent to the universities requesting the citizenship analysis of the full-time members of staff at OISE?

Hon. Mr. Davis: Mr. Chairman, in that the financing of the institute in the graduate work is not part of the committee on university affairs' responsibility, that same request in the forms has not been made to the institute because they are not yet involved with the committee on university affairs. However, I believe I indicated to the director of the institute some few months ago my personal concern as it related to the numbers of non-Canadians, if we can use this term, on faculty at the institute. And, as the member for Peterborough has pointed out, in my view the institute is making a very genuine effort to increase the percentage of Canadian faculty members at the institute. I think that one must say this in fairness to them: they have made this effort; they are in the process of doing so.

Mr. T. Reid: Just to follow this up briefly, Mr. Chairman. Could the minister substantiate his conclusion that there seems to have been an effort made by the Ontario institute to bring about a relative shift in the number of Canadians to non-Canadians? Can the minister tell me the citizenship breakdown of the fulltime members of staff—I suppose the research teaching staff—at the Ontario institute for 1968-1969, for 1969-1970, and for the current year, 1970-1971, so that we will be able to judge from the facts whether whatever effort has been put in has resulted in a greater Canadianization of this basic educational research institute?

Hon. Mr. Davis: The figures for 1968-1969 and, I believe, for 1969-1970, were available and I think we discussed them last spring. I will get an updating of the figures as of September for the hon. member; it will take a day or two, but I will get them for him.

I think I have the answer to the other question the member for Peterborough was asking about. It was not Canadian studies; it was the Canadian public issues project.

Mr. Pitman: That is it.

Hon. Mr. Davis: I am informed—and I do not often read notes, but it is interesting—that it is alive and well, progressing under the department of curriculum within the institute, and is well financed. In other words, there are adequate sums in the view

of the director to move ahead with the programme.

Mr. Chairman: Anything further under grants?

The hon. member for Waterloo North.

Mr. Good: I would like to say a few words under the Air Cadet League of Canada.

Mr. Chairman: Excuse me, perhaps we should complete this. Is it OISE we were talking about?

Mr. Good: OISE has been completed, I believe, Mr. Chairman.

Mr. Chairman: I have not asked that. That is what I am trying to determine.

Anything further under OISE?

Mr. Pitman: Not OISE. I want to discuss the Council for the Arts.

Mr. Chairman: All right then, we can proceed with grants generally. The hon. member for Waterloo North.

Mr. Good: Yes, moving from the $9.5-million grant to the Ontario Institute for Studies in Education to the $3,000 grant to the Air Cadet League of Canada, I rather think that the impact made by the Air Cadet League of Canada in my own community is of more significance to the general public than that of OISE. I have spoken to several teachers who I think were not even sure what OISE was, nor on further questions have they admitted that they have noticed any results of that great study body in their class of work.

The Air Cadet League of Canada has in Ontario about 51 units and a membership of about 6,000 young men, so that the grant from the Province of Ontario of $3,000 represents about 50 cents per young lad in training with the Air Cadet League in Ontario. The Air Cadet League, as you know, is run by volunteers who give of their time for the benefit of young men who are studying. They are under a great deal of difficulty trying to operate a glider programme in the Province of Ontario, which is their main course of work. Their main interest lies with the airplane and glider programme, but they are finding it most difficult to get any kind of financial support.

Now, I think any kind of work done by volunteers for the betterment of young people today is a very worthwhile project, and I am sure the minister will agree that the work done by the Air Cadet League is a very worthwhile project. But I think there must be something wrong with the priorities given by this government to such things as the Air Cadet League.

The programmes are severely hampered by lack of funds. Our own unit has to scrounge, beg, borrow and use every means at its disposal just to get a small amount of income in order to have a programme that is suitable for these young people. And the general opinion of the public seems to be this—and I have spoken of this since it was brought to my attention in my own area. There appears to be a great deal of money available for other projects, some of which have varying degrees of importance. I felt the controversy in my own area when the university, as an example, bought a $125,000 home for its president and it decided to spend $150,000 for an overpass so the university students would not have to cross the busy street to get to the parking lot of the university.

This is the type of expenditure which irritates the general public of many municipalities. They see huge sums of money like that being spent.

Then they look at a grant of $3,000 to help further the cause of 6,000 air cadets in the Province of Ontario. Really, Mr. Chairman, I think there is something wrong with the priorities. I would respectfully ask that the minister give some consideration to going over these grants in the light of today's conditions and the meaning for such things as programmes such as the air cadets of Canada and especially the 51 branches in Ontario and see if this grant could not possibly be increased.

Mr. Chairman: Anything further under grants? Does the minister wish to comment? I think the hon. member for—

Hon. Mr. Davis: Just so the member for Waterloo North will not think we are disinterested in the air cadets, I must say we are very sympathetic. But what he says of the air cadets applies to boy scouts, boys' clubs, to all the organizations that are listed here. These organizations, also unlike some aspects of departmental support, have access to other funding agencies. In other words—I am not sure whether I am right in this. Yes, we do. I think they are eligible for support from the United Appeal—two or three of these organizations within the local community.

These grants really are given to the central body to assist them in their central administration with the recognition that there is a degree—and a fairly substantial degree—of community support. I do not think, really

that one can relate these grants to other areas of financial commitment by the department where we are the sole source of their operating support.

Mr. Chairman: The hon. member for Algoma-Manitoulin. Then I will come back to the hon. member for Peterborough.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, just so we do not get into a hassle with respect to the item. I want to speak on grants. The grant to the Elliot Lake Centre for Continuing Education is $185,000. That is in the general section.

Mr. Chairman: Quite in order. Yes.

Mr. Farquhar: Mr. Chairman, first of all I would like to say that I appreciate the opportunity to support the item, of course. But I want to make a suggestion that the grant in this particular case is not the most important thing that the department could be doing for this operation and for this centre. For one who has been close to the centre, as I have been, there is plenty that could be said about the background of the centre. I will not allow myself that privilege but I have to preface the suggestion I have to make with a comment or two.

The House should be aware, Mr. Chairman, that the centre at Elliot Lake was founded on something of a dream not too many years ago. Perhaps the reason for the founding was more economic than from any interest in higher learning or education. Of course, from time to time the centre has run into some rough waters. The minister will be aware that the dream has been somewhat shaken down from the original concept and really it appears that that is not the way it is going to work.

However, I do detect under the new director, a Mr. William M. Kidd, a new look at a more practical approach being taken with longer-range planning and new appointments. There have been local appointments to the board of governors—this type of thing that seems to be oriented to the physical attributes of the actual plan. In other words, plans are starting to be generated now that would include what really is the important facet—the residential accommodation.

Now the idea which includes the residential facilities there worked very well under the Manpower programme but my complaint is that the department has not really helped the centre to stake out a position in the field that is unique and that could serve a purpose not now being served all over the waterfront in education.

I do not think I need to go into that. The programme we originally visualized encompassed the whole spectrum of possibilities, and of course the regular structure of education has moved into most of these fields and there is not much left. I am suggesting by way of offering a specific suggestion that the department look at the centre and its support of the centre in terms of its unique position of having the residential accommodation that is available there now.

To get specific, I wonder if the minister has given any thought to talking to the federal Minister of Citizenship and Immigration, and the Manpower people to try to work out a programme that would streamline whole immigrant families into these residences to stay there for a period of even a week?

This would help them to learn English, and teach them the Canadian way of life in an open atmosphere. It would teach them about the sports programme that is available there and that kind of thing. I realize there are programmes to take care of these people in various ways and in bits and pieces but I wonder if you would not give some consideration to actually developing a programme that would bring these people directly to an institution where the whole family could go into residence, stay together, learn together and get involved in a community that would be much more amenable to the kind of thing they need than moving into a metro area with all the attendant problems of housing and so on that they are immediately faced with.

In other words, they are immediately thrown into a situation which is completely confusing to people who are already confused. That type of use of the centre would do the job and eliminate the need for this type of continuous grant every year. I wonder if I could have a comment on that.

Hon. Mr. Davis: Mr. Chairman, I welcome the very constructive interest of the member for Algoma-Manitoulin in the Elliot Lake centre. It is a centre which was born out of certain crisis situations in the community and, as the member himself has pointed out, since the centre was created other educational developments have taken place. The problem is to provide some sort of unique use for the centre using the residential facilities that are there. Certainly, the suggestion he has made here tonight is one that I would be more than prepared to discuss with my colleagues to see if it might have some practical application. The board itself—there has been some new personnel there—is very anxious to find

programmes with validity that can be offered there, because basically it is a very excellent facility. Suggestions of this kind are very helpful to us and we will pursue it. I do not know, from the practical standpoint, whether there are any problems but it might be and it is, Mr. Chairman, worthy of consideration.

Mr. Chairman: The hon. member for Peterborough.

Mr. Pitman: Mr. Chairman, I would like to move into the rather esoteric area of the grants to the Province of Ontario Council for the Arts. This is not a great deal of money, $1,400,000 and I suppose many people would say that this whole grant section is sort of on the borderline; it is really not education. I might suggest to the minister that a great many of the things being done by the groups in this great list of grants are perhaps far more important than are being done in other forms of assistance in some cases. I think that our time put in in talking about these grants is time well spent and so we do not need to apologize at all for zooming in on some of these grants.

The grant set up for the Ontario Council for the Arts is one of the grants which has bothered me for some time. I am not going to say that it is not enough; I am suggesting to you it is too much on the basis of what is being done now. It is not one-tenth as much as it should be if we really believed that the arts were a form of education, were a form of the total spectrum of education.

Unfortunately, at the present time, the view that many people take towards the Council for the Arts is that it is a fine group of people who are all concerned about chamber music and ballet but that their main role is to contribute to the reduction in the cost of tickets on the part of well-to-do people in Toronto, so they can go to concerts by the Toronto Symphony Orchestra, the National Ballet, the Canadian Opera Company, and so forth.

My suggestion is that this is unfortunately the view that too many people have, that the main grants are given to these major expressions of culture in this province. I want to suggest to the minister that my feeling is that there should be a grant made for the cultural benefit of the entire province and for all people in the province, not just for those well-to-do people who happen to live in Toronto, but for the people in northern Ontario. And one of the things is that substantial grants should be made, first of course, to local theatre groups and local concert orchestras and local cultural groups of all kinds, painters, weavers, and so forth, but as well as that, if grants for the Toronto Symphony or the Canadian Opera were contingent upon their touring northern Ontario and going into areas that have not had an opportunity for this cultural expression, I think we would be doing something really significant and really worthwhile.

Maybe you will say that the Toronto Symphony is too big, that you cannot take it all over northern Ontario. It will have to be cut down. We can make three orchestras and send them around. There are ways by which we can do this. We can do the kind of thing we were doing Expo year. We seemed to have money in the year 1967 to express ourselves as Canadians, and express ourselves as Ontarians. Here it is 1970 and we do not have any money really to do anything significant. And I suggest, at the instant that this Design for Development came out tonight, the reason that people do not want to go into the north is not just the fact there may not be the kind of economic opportunity or the exciting employment opportunities but the fact they do not want to leave what are essentially the cultural centres of southern Ontario.

They do not want to go up into northern Ontario where they never hear a symphony orchestra, never see an opera, never see a ballet. I think that what we should be doing is thinking of this Council for the Arts as a means of cultural expression across the entire province and I think that should be its main role.

As well as that, there should be a role whereby the arts can be an expression of, you might say, equality in our society. Unfortunately it is the middle class which has all the advantages when it comes to recreation, and cultural recreation is one of the areas where they have perhaps the greatest opportunity.

Why do we not, as a part of this grant, because of the arts, see that tickets for various cultural extravaganzas put on by these various groups are made available to social workers to give to people who are poor and the children of people who are poor, so that we could really make something out of the Council for the Arts if we really used our imagination and did something about it.

One of the things that the Council for the Arts has done, and done very successfully, was to reach out to young people. That is where young people do get turned on by various forms of the arts and crafts. They have done a very significant job in this area. I would suggest to the minister that he take

another look at the Ontario Council for the Arts and see if this could not be a real expression of Ontario, of Ontario culture, and Ontario equality of opportunity right across this province. I suggest to the minister $1.5 million is not very much for that kind of thing, but I would also suggest to the minister it would be better that he redefine the purpose of this organization and make a real impact on the whole province.

Mr. T. Reid: Mr. Chairman, could I follow up with one comment on this particular specific vote? Can the minister tell us whether any of this money which is spent by the Council of Arts is being spent on programmes designed specifically for children who are living in the inner city areas across the province? I am referring here to street theatre, if you like, in a moderate sense among the children of Regent Park or in large Ontario Housing Corporation developments, and so forth.

I am just following out the theme of the member for Peterborough here, that we must have, I think, as legislators, some assurance that this amount of money, over $1 million, is being distributed in some reasonable proportion to people of all economic classes in the province. So I would like to ask the minister, very specifically, if he can tell me whether any of this money is going into specific programmes in the so-called culturally deprived areas of the province, perhaps in some Indian reserves, perhaps in some of the rural poverty areas, perhaps in the inner city areas of Metropolitan Toronto and indeed Hamilton? If it is not, does he think it is a good thing that in respect to most of this public money, which is raised from all sorts of taxation, and from all people of various economic classes, that the council should be concerned with a more equitable distribution of these funds in terms of all culture areas in our society as opposed to simply upper-middle-class and wealthy culture in this society?

Hon. Mr. Davis: Mr. Chairman, I do not want to get into a discussion of upper-class culture in that I guess I am not as cultured as some of the members opposite. I think the main thrust of the arts council has been to assist in the promotion of the arts in a general sense here in this province and I think they have done it very effectively. One can say instead of moneys—or as much money—to say, the Toronto Symphony or to the Stratford Festival, that perhaps money spent in some other community on some other project could be more relevant. I am not going to debate this, Mr. Chairman.

Obviously, if there was an unlimited supply of money there are a number of very valid projects that the arts council would like to support. Last year there were funds made available for an organization that relates to the problem raised by the member for Scarborough East. I believe the organization's name is "MAD" which was involved in, shall we say, culturally disadvantaged situations. I do know that personnel from the arts council were involved in some area in research as to the impact of certain programmes in the arts. I believe it was in the Regent Park area—I will check this out specifically for the hon. member—and I think they have recognized the desirability of doing this. I think, in fairness, they also pointed some of the problems involved in trying to create this sort of interest as well. Heavens above, it is difficult; one can talk about the middle or upper-middle class but when you look at the total number of people involved, it has not been easy for either the Toronto Symphony or the Stratford Festival to get numerical support from this segment of our society and so the public sector, or we as a government, are in this position of supporting them.

There is the ballet, the symphony—and this is not confined to the Toronto Symphony; there are grants going outside the city of Toronto—

Mr. Pitman: No, I realize that the major grants go to the big organizations.

Hon. Mr. Davis: Well, they do go to the larger organizations in terms of numbers and people participating. I do not think there is any doubt about this, but this has been a pattern that is not unique here, nor unique anywhere else. What are the alternatives? You shift the money away from these organizations into other areas where you increase the total allocation. And I think that if one pursued the member for Peterborough's argument, it would be a question of perhaps increasing the total allocation.

Mr. Pitman: Yes, but it also means changing the purpose of the council's efforts—

Hon. Mr. Davis: Well, I do not know, Mr. Chairman—

Mr. Pitman: —so that it is not just a handout agency.

Hon. Mr. Davis: Well, it is not just the question of being a handout agency; it is a question of the council acting as, shall we say, an independent body to establish some of the priorities for government. In other words, instead of the Minister of Education—

I know you would not enthuse over this—I am just saying that the Toronto Symphony would get X dollars, the Canadian Opera Society X dollars and so forth, then the council itself. It is more knowledgeable people who are involved in not only this association but really in some promotion. They have been very active in the promotion and they have been active in the development or concern over, shall we say, the music programmes within the school system. They had some initiative here two years ago. They were involved in the art programmes and they have been very determined in some of their relationships outside the larger urban centres, but it is a question of dollar allocation and how much resource could be made available to it.

The member for Peterborough is saying we should have more money, more involvement with other groups, smaller groups and organizations. I am not going to quarrel, Mr. Chairman, but it gets down once again to the establishment of priorities and how much dollars can we allocate to the various areas of government responsibility.

Mr. Pitman: If I might just pursue this, because I think we can hit something here, that is the very point I have been trying to make over the past number of months. Because we spend so much money on schools and on formal education, we do not have any money for this kind of education, which, surely, is as important or perhaps more important to our society. That is just the very point.

I think the minister should be thinking more carefully about the amount of money which is going into formal schooling, particularly at the post-secondary level and particularly at the secondary level, and certainly he should be spending more of his money in the elementary, below elementary, and the continuing education areas. But because of the tremendous obsession with schooling we do not have money to do the things for young people which could be done outside the school system.

Mr. D. C. MacDonald (York South): Mr. Chairman, I wonder if I might ask the minister a question in this connection. You will recall that about a year ago, or during the past year, there was a bit of public furor with regard to the appointment to the arts council of a person who had been an American citizen and who had been working—

Mr. Peacock: Nicholas Volk.

Mr. MacDonald: Nicholas Volk, yes. The council made a rather strong case for the justification of this appointment, that his experience had been in working with peoples to develop their indigenous talents on precisely the kind of lines that the hon. member for Peterborough has just been spelling out. Can the minister inform the House as to what progress has been made in that connection? To what extent are they going out and trying to relate—

Mr. Singer: He has left.

Mr. MacDonald: Well, if Volk has left, to what extent is this programme of the arts council making progress, to go out and develop the indigenous talents of the community and co-ordinate them with the work of the arts council?

Hon. Mr. Davis: Mr. Chairman, the arts council has developed in their probability submissions to the department and to the government this year some area approach to the situation. These will be considered by the department in the submissions from the arts council this year. But whether Mr. Volk was the initiator of this, or whether he was not, is not really relevant. The fact is the arts council itself is anxious to involve itself in community activities of this type.

Mr. Chairman: The member for Windsor West.

Mr. Singer: He took the programme with him.

Mr. Peacock: Mr. Chairman, I noted the large proportion of the miscellaneous grants which is headed, "Miscellaneous, $930,900", and I wanted to enter a piece of special pleading to the minister on behalf of an organization known as the Ontario Association of Family Service Agencies. It has addressed itself primarily to the Minister of Social and Family Services (Mr. Yaremko) in a brief presented on September 17, 1970, entitled "A Statement on Public and Private Responsibilities and Relationships affecting Voluntary Family Service Agencies". Now while its concern is essentially with that minister and that department, because of the frequency with which that minister's clients come into contact with the member agencies of the association, it is without question that the family service agencies of the province have a very large role in providing support for school children who find themselves in difficulty in school because of family-centred problems.

There are problems with alcoholism, problems of emotional disturbance on the part of

one or both parents or between the parents and child which affect adversely the ability of the child at school to get along and to learn. I want to ask the minister, within this year's allocation still unexpended, although no direct or official application has been made, if he would give consideration to the granting, out of that very large sum of $900,000, an amount of money which would provide at least a pilot project for one or more family service agencies in the Province of Ontario, in the larger centres of the province, that could provide a service to a school board with or without the psychological services that some are endeavouring to establish, so that the school system itself could refer to the agency children who are in need, and not only children but the children and their parents as a family unit who need family counselling services.

The minister knows better than I do the amount of money that is spent on special education classes, opportunity classes, on all kinds of training for teachers with special skills to deal with children who have behavioural problems or are slow learners. In so many instances, the cause is a direct relationship with the family setting, and one which is not dealt with at all within the school system. That is why I make this very brief plea to the minister to examine the role the family service agency can play in providing privately a service to the school boards of the province; a service which will help children, through family counselling along with their parents, to take their full part in the educational programme of their school.

In my experience as a member of the Legislature, coming into contact with constituents whose immediate problem may be housing or a family quarrel or a marital dispute, so frequently the involvement of children leads one to discover that the children at school are very often in difficulties themselves as a result of the family situation. I suggest that family get in touch with the family service agency.

These family service agencies are struggling to provide counselling services to such families on a no-fee basis but they cannot do so very much longer. Where it is the school system which needs the agency's help, I think it is incumbent on this Minister of Education to take into consideration that the school system, through legislative grants or through the miscellaneous grants herein provided, should be helping to pay the costs of family service agencies that are providing support to the child in school.

Hon. Mr. Davis: Mr. Chairman, leaving any particular organization out of the discussion for the moment; if, in fact, an agency, shall we say, in the private sector is providing a service for the local board—in other words, if the board is going to agency A and saying, "You resolve this problem for us because of the personnel you have," I think there is no question that the board should be paying for that service. I think this would be the appropriate way to handle it.

Mr. Peacock: You need to show them how to do it.

Hon. Mr. Davis: Mr. Chairman, I do not think, really, we need to show them how to do it. We are paying X number of dollars per student and if this becomes part of their programme, I think the boards can show enough creative initiative to do this, if it is relevant for them.

Mr. Peacock: What are you spending the $900,000 on?

Hon. Mr. Davis: A lot of places. A lot.

Mr. Chairman: Anything further under this item? If not, the grants item is carried. We will now discuss the—

Mr. Pitman: No!

Mr. Chairman: The hon. member for Peterborough?

Mr. Pitman: I thought you meant that particular item we were talking about.

Mr. Chairman: I am sorry.

Mr. Pitman: I want to finish what I was saying about one more of the grants, because I think it is extremely important and if you will listen for a moment, I think you will know what I mean. The $10,000 grant to the Ontario Federation of Home and School Associations: I would say to the minister, instead of student power, we should be talking more about parent power this coming number of years. It seems to me that if any group of people has been left out of the accounting in this whole ball of education, it is parents. I want to suggest to the minister one or two things.

First, the only way he may very well get the kind of school councils across this province, which have been, for example, acting directly somewhat in Montreal and some part of the United States, is by giving grants to schools for school councils. As to actually providing the Ontario Home and School Associations with the opportunities to fund school councils in individual schools, I am

coming more and more to believe that the real participation of people in the educational system in this province is not going to take place at the county board level. It is going to take place at the individual school level.

The whole concept of the community school and the use of school buildings and the full participation of parents in the on-going programme of the school and the administration of the school, indeed, the atmosphere of the school must be done through some organization like the Home and School Association. I suggest it is rather inappropriate for the trustees associations of this province to get somewhere between $20,000 to $30,000 and the parents of this province should receive $10,000, and I am sure have a very hard time squeezing along with that amount of money.

I just suggest to the minister that much of the alienation which is causing problems within the school, much of the anger and frustration which is causing problems among taxpayers might very well be bridged by more effective use of parents in the schools. In fact, I might even suggest that parents could provide the bridge in the school. In many cases they could participate during the day and provide very valuable services to various school boards, if there were only a proper role as teacher assistants, teacher associates—I do not care what you want to call them. But the main point that I am making on this particular grant—and I shall make it very quickly—is that $10,000 is a very inappropriate grant for all the parents of this province. It will not allow them to mobilize themselves to provide the kind of service they should provide the school system of this province.

Hon. Mr. Davis: Would the hon. member for Peterborough agree with me that the parents are in a much better position themselves to contribute financially than are the trustees, whose sole source of revenue is from public funds, as it is?

I quite agree with the member for Peterborough that there should be a greater involvement on the part of parents but, with respect, I think they should help finance it to a far greater extent.

Mr. Pitman: Let us put it that way, Mr. Chairman. What we really need is an infusion of capital at this point in time to provide the Home and School Associations with a funding which will allow them in future to be able to fund themselves. I think what is needed at the present time are programmes which give relevance to Home and School Associations which need a degree of centralized planning or development. They could be, I think, virtually given that kind of a leap forward by impetus from The Department of Education.

Mr. Chairman: Under item 8, grants? If not, this item is carried.

The next item is payment to teachers' superannuation commission.

The member for Windsor West has been on his feet quite frequently to get at this programme.

Mr. Peacock: I put away all my notes anticipating that I would not get the floor on this item. However, I will endeavour to recall without sorting all through them what I was going to say to the minister and that is:

What has he done by way of reply to the Ontario Teachers' Federation's request for the make-up of pensions paid to teachers in retirement in accordance with or in line with the annual increases received by teachers who are still employed by school boards?

Secondly, what has he done by way of reply to their request for a cost of living escalator clause in the teachers' superannuation pension scheme?

Thirdly, what has he done by way of reply to their request for an end to discrimination as between a man and wife teacher team, where only one, the survivor, is eligible for a pension benefit and a pension is not paid to each of the teachers in retirement, only to one of them?

Mr. Chairman, I want to ask the minister when is he going to urge on his colleague, the Treasurer (Mr. MacNaughton), an end to this bookkeeping setup which makes us, and seems to make some of the teachers believe, that there is a huge unfunded liability in the teacher's superannuation plan? Each year the minister asks the Legislature to vote certain sums of money as a contribution toward that unfunded liability. Yet, in each of the past four or five years, the teachers' superannuation fund has received from teacher contributions alone—never mind the combined contributions from the teachers and the government—more than sufficient to meet the obligations of the teachers who are in retirement, and those who have died and for whom a survivor or death benefit is payable. The teachers' contributions by themselves have been larger than the payout of benefits from the fund.

I ask the minister, what is the point of continuing to carry on the books of the fund

a huge unfunded liability? What is the point of saying to teachers, "We can do no more for you because of this outstanding liability which we must carry"?

You have a growing work force of teachers contributing to the teachers' superannuation fund. So long as that present number of teachers remains fairly constant, or continues to grow, there always will be sufficient contributions coming in to pay the obligations of the fund, provided the minister is willing to treat it on a pay-as-you-go basis or to convince his colleague, the Treasurer, that this fund could be a viable fund on a pay-as-you-go basis and not this pretended actuarial system of funding for a liability which the minister sees growing to monumental proportions year after year.

That, to my mind, Mr. Chairman, is the essence of the solution to the disagreement between the teachers and the minister—the means by which some of their proposals can be met. Once the pretence of the unfunded liability is done away with, once the plan is treated as a pay-as-you-go proposition, once it is recognized that the teacher contributions, plus the government contributions, will always be sufficient to cover the obligations of the fund, then we will get down to providing a full recognition of the teachers' equity in the plan.

Hon. Mr. Welch moves the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow the Conservative government of Ontario will consider—

Mr. V. M. Singer (Downsview): The only one in Canada.

Hon. Mr. Welch: —second readings that appear on the order paper as printed and at the appointed time tomorrow, at about 5:15 p.m. or 5:20 p.m., we will go back and finish up the estimates of The Department of the Attorney General—concurrence in his supply.

Hon. J. P. Robarts (Prime Minister): At one time we were the only Conservative government in the British Commonwealth.

Hon. Mr. Welch: How about that!

Mr. W. G. Pitman (Peterborough): Could the minister indicate at least what bills are likely to come out at all?

Hon. Mr. Welch: The second readings standing in the names of the Minister of Social and Family Services (Mr. Yaremko), the Attorney General (Mr. Wishart), and the Provincial Secretary.

Mr. D. C. MacDonald (York South): Who is that?

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Legislature of Ontario Debates

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Third Session of the Twenty-Eighth Legislature

Wednesday, October 14, 1970

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, OCTOBER 14, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: We have many visitors with us today. In the east gallery we have students from St. Thomas Separate School of Waterdown and from Bathurst Heights Secondary School of Toronto; in the west gallery there are students from Northern Secondary School of Toronto and from the Adult Education Centre of Toronto.

Statements by the ministry.

Oral questions.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have some questions for ministers not present.

Mr. Speaker: Very well put. Does the hon. member for Scarborough West have questions for the ministry?

Mr. M. Makarchuk (Brantford): You could ask him where the others are.

Mr. S. Lewis (Scarborough West): I think you might throw it open, Mr. Speaker. I do not see any here that I have questions for.

Mr. Makarchuk: Where are the other ministers?

Mr. R. Gisborn (Hamilton East): Meeting with the building trades representatives.

Mr. Speaker: I believe there can be no alternative but to proceed with the next order of business.

Interjections by hon. members.

Mr. Lewis: On a point of order. There surely are—

Mr. M. Shulman (High Park): I will ask a question.

Mr. Lewis: I defer to the hon. member for High Park to lead off.

Mr. Speaker: As long as there are questions we can proceed.

WOMAN UNABLE TO COLLECT COMPENSATION FOR INJURY

Mr. Shulman: I would like to ask of the Minister of Financial and Commercial Affairs, what is a person to do, who is injured at work, when the compensation board refuses to pay her on the grounds that there is not proof that the accident occurred at work, and the insurance company involved, the Occidental Life company, refuses to pay her on the grounds that as far as it is concerned it did occur as a result of the work?

Mr. Lewis: No false work.

Mr. Nixon: Take it as notice.

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Well, Mr. Speaker, I think the first thing that a person could do of course would be sue the insurance company on its interpretation of the contract between the two of them. I am not sure, as I stand here, whether or not there is any legal opening at all under The Workmen's Compensation Act, under the conditions so tersely mentioned by the member. There was to have been an action there but there is certainly one action, and I would think that an action against the insurance company and a ruling by the court would certainly force the hand of the board itself, as a matter of interpretation of the responsibility involved.

Mr. Shulman: Mr. Minister, if this particular person does not have any funds to sue, should there not be a responsibility in government to step in when we have a government department on one hand and a government regulated agency on the other both claiming that it is the other's responsibility? Does the minister not agree with me that there is a responsibility in government to step in here and help this person?

Hon. A. B. R. Lawrence: There are two responsibilities in government. One is that this woman is not insured, as it were, by a government-regulated agency.

From a governmental point of view, I will certainly take it up with the superintendent of insurance and see whether prima facie, the company has taken a reasonable position.

But, of course, the superintendent of insurance and my department cannot act in a judicial capacity. We can lean on people, we can request people, we can threaten people, but we cannot come down making judicial orders.

The second point is that—and it might be addressed to the Attorney General (Mr. Wishart)—my understanding of our legal aid system in Ontario is that where reasonable grounds are shown, any kind of a prima facie case can require legal aid to be made available to a citizen who cannot otherwise afford it.

Mr. Lewis: Does anyone know if there is a crisis in the government?

Mr. Speaker: The hon. member for Essex South.

INCOME TAX POSITION OF FARMERS AND PENSIONERS

Mr. D. A. Paterson (Essex South): Yes, I might ask a question of the Minister of Revenue.

In line with the government's announcement the other day of four things they are doing for the people of the province, what is the income tax position in relation to the rebate that the government is going to give, first of all, to the farm population, and secondly that to the elderly persons that you are going to assist? Does this affect their personal income tax in the case of the latter and, we will say, their business tax, or personal income tax in the case of the farmers?

Hon. J. H. White (Minister of Revenue): We have been informed that the rebates in the hands of the recipients will be treated as a reduction in expense and not as an increase in income.

Mr. Paterson: Does the same apply to the old age pensioners as to the farmers?

Hon. Mr. White: Yes.

Mr. Speaker: Now does the hon. Leader of the Opposition have questions for any of the ministers who are present?

All right, the hon. member for Scarborough West.

DESIGN FOR DEVELOPMENT IN NORTHWESTERN ONTARIO

Mr. Lewis: I have a question of the provincial Treasurer, Mr. Speaker.

Why did the provincial Treasurer and his branch decide to choose the moderate trend of development for northwestern Ontario from among the alternatives available to it, as distinct from the more dramatic development which might have meant something to the region?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, on the basis of the earlier research and the analysis of the northwestern region, it came through rather clearly that moderate growth would be more acceptable to the people there than an accelerated and advanced stage of growth.

We undertook a very exhaustive programme of analysis of the region, its potential, its problems, in terms of the people. The underlying message we got back in the briefs, the submissions, the discussions over a wide range with representative groups indicated to us that it was moderate growth that probably had the most appeal to the people of that part of our great province.

Mr. Lewis: Mr. Speaker, does the destiny of an increase of roughly 12,000 in population over the next 21 years strike the minister as likely to be acceptable for the people of northwestern Ontario, and 900 jobs a year through that entire period?

Hon. Mr. MacNaughton: I believe it is probably a fair statement for the hon. member to make, but, of course, he was not there.

Mr. Lewis: My colleague was, and I checked with him.

Hon. Mr. MacNaughton: Yes, then he would have heard me say last night that we made reference to three levels of job opportunity increases and the subsequent population increases.

We indicated that an additional 18,000 jobs, which would mean about an increase of 50,000 odd in terms of population, was the basic minimum that was readily and easily within the level of attainment. But we also stated that certainly a medium range of a higher figure ranging between 25,000 and 30,000 jobs, and a corresponding increase in population, was also attainable and that there was an optimal figure of something in the order of 54,000 jobs and, of course, a higher rate of population increase that was achievable if that was within the desired goal of the people themselves. Those were three of the questions that were posed to the people, and we asked them to let us have their opinions on these levels.

We have asked the Northwestern Regional Development Council to hold a series of meetings in representative areas throughout the region to explain the report in greater detail to peoples throughout the vast area that could not be in attendance last night, and to explain the various points in the 69 proposals that were contained in the report, and to get an expression of their attitude by this means. We invited people, individuals, groups, organizations, associations and municipalities to submit their—

Mr. Lewis: It is a very pessimistic report.

Hon. Mr. MacNaughton: Mr. Speaker, I am not quite through with my reply.

Mr. Lewis: It just gives them very limited prospects.

Hon. Mr. MacNaughton: They were asked to express their views to us by January 31 next in order to have an expression of views that we can then say represents a consensus of the people in the area. Our final report, when presented, will be as truly representative of a consensus of the wishes of the people as possible.

Mr. V. M. Singer (Downsview): That is a new thought.

Hon. Mr. NacNaughton: No, it is not.

Mr. Singer: The government does not seek consensus in other areas.

Hon. Mr. MacNaughton: Oh, yes we do.

Mr. Speaker: Supplementary? Does the hon. member for Thunder Bay have a supplementary?

Mr. J. E. Stokes (Thunder Bay): Yes.

Mr. Speaker: All right, then.

Mr. Stokes: Is the minister saying, in reply to my colleague from Scarborough West, that he opted for moderate development because he did not want to expose the people of northwestern Ontario to all the forces that are undesirable, such as pollution, overpopulation and high cost of land? Is he suggesting that one is not possible without the other, that one must have the bad effects of development if one is going to have any development at all?

Hon. Mr. MacNaughton: We are not altogether saying that. I would suggest, Mr. Speaker, that our attitude, based on our findings from the analysis that was made, is simply that in that area of the province—and we stressed this last night—the quality of life is as important to those people as is population or growth. I am quite confident from the general attitude of the meeting, and of many people that I talked to after, that they feel the same way.

Mr. Lewis: The minister is making them a resources hinterland.

Hon. Mr. MacNaughton: I am talking to the member for Thunder Bay. I am talking to him.

Mr. Lewis: The minister has consigned northern Ontario to a resource hinterland.

Hon. Mr. MacNaughton: The hon. member for Thunder Bay will have heard one of the lady delegates to that meeting last night express her great concern about the establishment, in areas other than the key growth centres, of those things that, shall we say, we are concerned about, associated with certain elements of growth in other parts of the province. He will have heard her say that. He will have heard my expression of assurance to her that that was not the purpose of the exercise.

Mr. Stokes: Does the minister share her apprehension? That if you are going to have the kind of development that is needed, you are going to have to suffer the consequences? Does he share that apprehension?

Hon. Mr. MacNaughton: I do not know that I do. I think the economy in that area of the world, or the province, which is our world I guess, can achieve its potential in modified or moderate growth terms; and provide the amenities and the benefits associated with the quality of life that many parts of that part of the province desire, without attempting to stimulate the type of growth that characterizes other parts of the province. I really think that is what the people up there are interested in; at least, that is the expression that I got last night.

Mr. Lewis: Right, the minister has made them a client-state of southern Ontario.

Mr. Speaker: The Leader of the Opposition.

FUTURE OF QUETICO PARK

Mr. Nixon: Mr. Speaker, I have a question of the Premier on the situation in Quetico Park.

Has he acquainted himself with all the facts associated with what is known as the

multiple use of this supposed wilderness area? Is he going to give some direction to the minister and the cabinet committee concerned with this, which, in fact, will return the area to wilderness use before the transference of licences which are pending?

Hon. J. P. Robarts (Prime Minister): Yes, I have concerned myself with the problem. I am particularly concerned with some of what I consider quite irrational statements that have been made about Quetico Park. I want to find out for myself what basis of fact there may be and whether we are, in fact, pursuing the proper policies.

I read that article in the weekend magazine and I have had it pretty completely analysed, because there were certain aspects to it I did not think were entirely accurate and I wanted to find out.

Certainly it is not our intent, of course, to set up parks like Quetico and allow them to be ravaged—which is one of these wild terms being used. On the other hand, we take advice from the best sources as to proper methods of ensuring that the lumber in these parks is cropped, and cropped properly.

We have a committee set up for both Algonquin Park and Quetico to ensure that our policies in this regard are not only the proper ones but are properly understood. So I think my answer to my hon. friend's question is yes.

Mr. Nixon: Supplementary for clarification: Are we to understand, then, that the Premier in his position as head of the government is reviewing the policy and the information that led to the enunciation of the policy by the minister?

Hon. Mr. Robarts: It is a constant review. Nothing that the government does is fixed forever. The multiple-use policy of the parks was established; and, of course, as enunciated by the minister it is the policy, but if there are variations that need to be made in that policy they will be made.

Mr. Nixon: The Premier is aware, I believe, that there is a four-week limit that is pending on the transfer of some of the licences that have been referred to in this House several times? If there is going to be a review of the facts it would be useful if these be made public to the members of the Legislature and those people in the community who are heartily concerned about the matter. Is the Premier aware that there is a four-week limit?

Hon. Mr. Robarts: I am aware.

Mr. Lewis: Supplementary, Mr. Speaker: Has the Premier spoken with Mr. Gavin Henderson, the executive director of the National Provincial Parks Association who resigned from the advisory board of the Minister of Lands and Forests (Mr. Brunelle), claiming that the action in Quetico was a breach of faith constituting desecration, having visited there with numerous people a couple of weeks ago?

Hon. Mr. Robarts: The answer to that question is no.

Mr. Lewis: Would he then consider that such statements are likely to be irrational, having been on-site observations?

Hon. Mr. Robarts: I have not any idea what—

Mr. Lewis: The Premier called them "the irrational object".

PROBE OF POSSIBLE INFILTRATION OF UNIONS BY CRIMINALS

Mr. Nixon: Mr. Speaker, if I might direct another question to the Premier.

Will he undertake to discuss with the Attorney General the possibility of making public the report by the Ontario Police Commissioners to the Attorney General having to do with the infiltration of labour unions in this province by organized crime? It was referred to in the Legislature yesterday. I feel this is a matter of importance based, really, on the statement that the Attorney General made at that time.

Hon. Mr. Robarts: Mr. Speaker, since yesterday I have read the report myself and I do not think it would be in the public interest if it were to be made public.

Mr. Nixon: Supplementary question, Mr. Speaker: I wonder if the Premier would indicate to the House if he would feel that some members of the House would regret it if this report were made public. Those are the words the Attorney General used yesterday.

Hon. Mr. Robarts: No, Mr. Speaker, I think the Attorney General gave an explanation yesterday of the remarks that he made. I do not know. That is not the basis for my conclusion. It is a working report. It contains a certain unsubstantiated statement that I just

do not think would be in the public interest if it were made public. After all, it is a working document of a law enforcement agency.

Mr. Nixon: Right. Can the Premier tell the House if one of the recommendations was that a public inquiry be held into this matter?

Hon. Mr. Robarts: I do not recall. However, I would be happy to check and find out for the member. I do not recall that specific recommendation, but before I said categorically that it was not there I would want to go back because, frankly, I was more interested in the body of the report than the—

Mr. Nixon: Is the Premier aware that the Attorney General could not recall either whether that was included when we asked him?

Hon. Mr. Robarts: No, I am not aware of that. I can just assure the House I am not trying to—as a matter of fact, if it would be of any assistance I might be able to make the document available to the Leader of the Opposition to read. Then perhaps he would understand my position.

Mr. Nixon: Mr. Speaker, this is a very interesting offer, indeed, that the Premier has made. My own feeling is, however, that it should be made public and I would continue to urge that on the leader of the government.

Mr. Shulman: A supplementary question: Why have charges not been laid against those persons who threatened the life of Mr. Gus Simone as documented in that report?

Hon. Mr. Robarts: I do not propose to answer that question.

Mr. Speaker: Are there other supplementary questions? Does the hon. Leader of the Opposition have further questions? The hon. member for Scarborough West has no further questions? The hon. member for Kenora.

CONTROL OF U.S. CARRIERS IN NORTHWESTERN ONTARIO

Mr. L. Bernier (Kenora): Mr. Speaker, I have a question of the hon. Minister of Tourism and Information.

Can the minister advise the House if any, and what, progress is being made with respect to controlling the American air carriers operating into northwestern Ontario as outlined in the brief by the Northwest Ontario Air Carriers' Association?

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, I can say that myself and the Minister of Lands and Forests have written to the Canadian Transport Commission in connection with the licensing of, I think, C-94 carriers; it is a charter operation. What we have recommended is that these licences be restricted to landing in licensed airfields or on licensed seadromes in the northwest part of the province and limit it to two stops. I think there are some 46 recognized airports or seaports, which are in the majority.

In discussion with the air carriers' association in the northwestern part of the province, they seem to feel that this will be a great help and I think that The Department of Lands and Forests feels the same way: that in fact it is now up to the Canadian Transport Commission which, I understand, is reviewing this.

Mr. Speaker: The hon. member for Sarnia was on his feet. Unless there are supplementaries, the hon. member for Sarnia.

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, with your permission I would like to direct a question—

Mr. J. Jessiman (Fort William): Supplementary.

Mr. Speaker: The hon. member for Fort William.

Mr. Jessiman: A supplementary question to the Minister of Tourism and Information: Will the aircraft flying into Canada or Ontario also have to report before they fly out of Ontario?

Hon. Mr. Auld: As far as observations that we have made are concerned, they would not. However, perhaps the Minister of Lands and Forests could explain further, as far as hunting is concerned; with the trophy fee, they would still have to report to Lands and Forests before a successful hunter would leave.

Mr. Jessiman: But not for fishing?

Hon. Mr. Auld: Not for fishing.

Mr. Speaker: The hon. member for Sarnia.

INCOME TAX POSITION OF FARMERS AND PENSIONERS

Mr. Bullbrook: Mr. Speaker, I have a question of the Minister of Revenue.

Do I understand correctly the nature of the minister's reply to my colleague from Essex South that the return of the voters' money to them, as contemplated in the statement by the Provincial Secretary (Mr. Welch) last week, namely to farmers and old age pensioners, will be regarded by The Department of National Revenue not as income but as a reduction of expense? And if I am correct in such an assumption, recognizing that farmers carry on what is known under The Income Tax Act as the nature of a business, how can the minister justify the interpretation that he gives when the original tax payment by old age pensioners, exclusive of property rented by them, is not an expense item?

Hon. Mr. White: I understand what my hon. friend is saying, and he will recall that I said we have been informed that these rebates in the hands of the recipients will be considered a reduction of expense and not as an increase in income. I did not think my hon. friend would want a short lesson in double-entry bookkeeping. If a person is carrying on the business of farming, the net effect of a reduction in expense will be an increase in income.

Mr. Bullbrook: The old age pensioners—

Hon. Mr. White: The old age pensioners who are not in the business of farming, and presumably are not in the business of anything else, will not have their taxable income increased. They will simply have a lower shelter expense.

Mr. Bullbrook: By way of a supplementary, can the minister explain to me how you can lower a non-existent expense?

Mr. Speaker: The hon. member for Wentworth.

ONTARIO CARPET INDUSTRIES

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs.

Can the minister indicate whether his department has received a number of complaints from residents of the province about the operations of the Ontario Carpet Industries and whether those complaints have been specifically in reference to the type of contract used and misleading advertising?

Hon. A. B. R. Lawrence: No, Mr. Speaker, I do not recall receiving any general flurry of complaints or multitude of complaints. I do recall one individual complaint over a carpet contract, and the settlement related also to the value of the carpet, but there has been no general flood of complaints or representations to the department.

Mr. Speaker: Are there supplementaries? If not, the hon. member for Hamilton Mountain.

G.I.S. NOT TO BE CONSIDERED INCOME BY HOME OPERATORS

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, I have a question of the hon. Minister of Social and Family Services.

Is the department going to amend the regulations affecting the homes for the aged and charitable institutions so that those residents in receipt of the GIS may obtain the full $50 tax credit cheque from the province rather than having it absorbed by the respective boards of these homes for their upkeep?

Hon. J. Yaremko (Minister of Social and Family Services): Regulation amendments will be passed to indicate that the payments made under the plan are not to be considered as income by any institution, whether it be a home for the aged operated by a municipality or a home operated by a charitable institution.

Mr. Speaker: The hon. member for Downsview.

PROBE OF POSSIBLE INFILTRATION OF UNIONS BY CRIMINALS

Mr. Singer: Mr. Speaker, I have a question of the Premier.

In light of his reply to my leader about this report—and the report, incidentally, is a joint report of the Royal Canadian Mounted Police and the Ontario Provincial Police, and the Metropolitan Toronto Police—resulting from a speech made by former Chief Mackey of the Metropolitan Toronto police force, and in view of the fact that I have been advised the report does in fact recommend a public inquiry, what action, if any, does the government intend to take to answer the charges made by Mackey that organized

criminals have infiltrated certain aspects of the construction trades here in Metropolitan Toronto?

Hon. Mr. Robarts: Mr. Speaker, what action might flow from this report is presently under consideration.

Mr. Singer: Mr. Speaker, by way of supplementary: In view of the fact that the government has had possession of this report for a number of months, how much longer is it going to take for the government to take some action?

Hon. Mr. Robarts: I would say as long as we require.

Mr. Singer: In the meantime, on it goes and the people believe—

Interjections by hon. members.

Mr. Speaker: Order! Does the hon. member for High Park have a supplementary?

Mr. Shulman: Yes. What action has the government taken about the comments in the report about Mr. Papalia?

Hon. Mr. Robarts: Mr. Speaker, I do not think I will answer any more questions concerning this report.

Mr. Lewis: The Prime Minister is querulous and testy.

Mr. Speaker: The hon. member for York South.

SEVEN-YEAR-OLD UNDER WARDSHIP IN FORT FRANCES

Mr. D. C. MacDonald (York South): A question of the Minister of Social and Family Services: Is the minister aware of the details in connection with the recent action of the Fort Frances Children's Aid Society in moving to place under wardship the seven-year-old daughter of Mr. and Mrs. Big George?

Hon. Mr. Yaremko: I am not, Mr. Speaker.

Mr. MacDonald: Well, by way of supplementary: Would the minister inquire into this and, in the course of it, would he either explain now or later whether it is normal practice for a parent to be called to the office of the Children's Aid Society and, once there, to be presented with a summons; and, secondly, before the summons is heard by the family court, that the child should be placed in custody—in short, prejudging the decision of the court?

Hon. Mr. Yaremko Mr. Speaker, I shall be pleased to look into the matter.

Mr. Speaker: The hon. member for Parkdale.

GUIDELINES SOUGHT FOR POLICE ON PORNOGRAPHY

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I have a question of the Attorney General.

Does the minister intend to give the various police forces in Ontario any guidelines as to what is pornography and so engender some common sense into the administration of the law?

Hon. A. A. Wishart (Minister of Justice): I am sorry, Mr. Speaker, as to what is?

Mr. Trotter: As to what is pornography.

Hon. A. Grossman (Minister of Correctional Services): Would the member like to try?

Mr. Trotter: You know, the magazines.

Mr. Lewis: You were reading "Cocksure" in the last session, Mr. Minister.

Hon. Mr. Wishart: Mr. Speaker, the courts have dealt with this question time after time, and the definition of pornography or obscenity is a very difficult question, even for our most capable jurists.

I do not believe that one can, as a minister, define for the guidance of police forces what is pornography or what is not. The matter depends on the particular situation, the particular item which is published or displayed, or printed. I think this would be impossible.

I think the hon. member must realize what we do when we find a situation. We have a committee which advises us as to publications and items of this nature which are being put out. Then we, with the police, in their investigation, lay charges. We have succeeded in achieving a considerable number of convictions and in having these items removed and persons punished by way of fine for their sale or display.

Mr. Trotter: Well, Mr. Speaker, by way of supplementary question, could the Attorney General explain to me why Canada Customs approve the vast majority of items that are on the bookshelves in these Toronto bookstores and yet the Metropolitan Toronto police are carrying out raids in Toronto, as well as other areas of the province?

Why is there this confusion?

Hon. Mr. Wishart: Canada Customs, of course, is a federal body—a federal agency carrying out The Customs Act as they see it.

I do not think they are judges either. I do not think they are capable of judging what is pornography—

Mr. Trotter: Does the minister think any police force is?

Hon. Mr. Wishart: —or what is obscenity and I do not think they want to take that on. I do not think they have the ability; I do not think a customs officer has the qualifications to do that.

Mr. Trotter: Is a police officer qualified to judge?

Hon. Mr. Wishart: No, allow me to answer. If the Minister of Justice at Ottawa wishes to put out directives to his agency in the area which the member was suggesting, that would be something for him to consider. But I think we have to make our own judgement when we find these things coming into this province. We find things which are undesirable, things which we think are immoral and have a bad effect on our public, and we act accordingly. There is no confusion. I make no apology for that; I think it is the way we have to do it.

Mr. Trotter: One final question, Mr. Speaker: Does the Attorney General believe that a police officer is qualified to decide what people should read or what is moral or immoral?

Hon. Mr. Wishart: No, I do not. I will answer immediately and directly, Mr. Speaker. I do not. As I say, we have a committee which advises us. We learn of these things. There are certain things which are so pornographic and which are so displayed for no other reason than to appeal to the lowest of one's nature. There are certain things of this kind, and—

Mr. Lewis: Do they teach it at the police college?

Hon. Mr. Wishart: —even the leader of the New Democratic Party would be able to judge that it is not a good thing to have that displayed in public.

Mr. Trotter: Is the minister in favour of banning the works of James Joyce?

Hon. Mr. Wishart: No.

Mr. Speaker: The hon. member for High Park.

SAFEGUARDING OF POLICE COLLEGE

Mr. Shulman: I have a question of the Attorney General, Mr. Speaker:

Could the Attorney General make better arrangements to safeguard the police college in view of the fact that at least last Saturday the building was left completely empty, unguarded and unlocked?

Mr. Lewis: With pornographic pictures on the desk.

Hon. Mr. Wishart: Mr. Speaker, I understand that the hon. member for High Park, accompanied by another member, went to the police college on Saturday last.

Hon. Mr. Grossman: Saturday? It could not have been Saturday, that was a high holy day. He must have been in the synagogue.

Mr. Lewis: Some of us did not need the entire holy day to atone.

Hon. Mr. Wishart: His complaint, Mr. Speaker, as I have listened to him in this House, has usually been that he did not have enough freedom to visit our public institutions.

An hon. member: Just open the doors—

Mr. MacDonald: You go from one ridiculous point to another.

Hon. Mr. Wishart: Right. When you ask ridiculous questions you get worse answers.

Mr. MacDonald: No. It is your position which is ridiculous.

Mr. Speaker: Order!

Hon. Mr. Wishart: The police college is open, the dormitories are open, the classrooms are open. We do not lock them; there is a duty officer on duty at all times. There were, I think, some 24 students who are taking courses there who were around the premises on Saturday. I do not know that they were all there, but—

Mr. Lewis: They were on a treasure hunt.

Hon. Mr. Wishart: —there is nothing in the way of security that was necessary to be locked up there particularly. I am glad the hon. member had an opportunity to look at the facilities that we have there.

Interjections by hon. members.

An hon. member: Did the member pinch anything?

Mr. MacDonald: The swinging-door government—from closed door to open door.

Hon. Mr. Wishart: No, I think, Mr. Speaker, if one went to a dormitory on the University of Toronto, York, or any of our universities on a Saturday afternoon where there are students around, you would not find the doors locked or the dormitories locked, or the classrooms locked. We do not even lock the library at the police college. And one might learn something by going there.

Mr. Shulman: Well, I have a supplementary, Mr. Speaker.

Mr. T. Reid (Scarborough East): Do you have anything to lock up?

Mr. Shulman: Does the Attorney General think it is wise to leave material about giving advice to police officers on how to apprehend criminals, which is apparently available to anyone to pick up?

Hon. Mr. Wishart: I am sorry again, Mr. Speaker, I confess and I apologize. I was not listening to the first part of the question.

Mr. Shulman: Does the Attorney General think it wise to leave material lying about loose which gives information to police officers on how to apprehend criminals, and how to handle offensive weapons?

Mr. Singer: Why should that be secret?

Hon. Mr. Wishart: Mr. Speaker, I have carried on a very extensive correspondence with the hon. member for High Park. In my estimates he insisted on having the procedures which police officers follow, and I have made them available to him. I have informed him in sending—

Hon. Mr. Grossman: That is just as good as making it public.

Hon. Mr. Wishart: —sending him that material. I pointed out to him that some of these things would not be—

Mr. J. Renwick (Riverdale): Why does the Minister of Correctional Services not leave one of his institutions open?

Hon. Mr. Grossman: Oh, he was there too on the holy day.

Mr. Speaker: Order!

Hon. Mr. Wishart: It would not perhaps be in the public interest that what I would entrust to the members of this House should be made entirely public, but I think there is nothing on the desks of the college which is something that would not be in the interest of the public to know.

Mr. Speaker: Supplementaries? Is this a supplementary?

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Does not the Attorney General think it would be an awful thing for people to go to jail for stealing a copy of the Criminal Code?

Mr. Speaker: If there are no further supplementaries, the hon. member for Kitchener.

COST OF ADVERTISEMENTS PUBLICIZING ONTARIO

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I have a question of the Prime Minister:

Will the Prime Minister inform the House as to the cost of the full-page and part-colour advertisements appearing over his signature in the Kitchener-Waterloo *Record*? Can he advise us how many other newspapers are publishing this advertisement, and from what vote the costs come?

Hon. Mr. Robarts: I am afraid I am not aware of the advertisement. However, I will take that question as notice.

An hon. member: Where would you rather be?

Mr. Speaker: The hon. member for Scarborough West, a supplementary?

Mr. Lewis: By way of supplementary, could the Premier, in giving us the information, tell us what possible use the advertisements are, what they are intended to convey?

Mr. Trotter: Advertising the Tory party.

Interjections by hon. members.

Mr. Speaker: Order! The hon. member for Grey-Bruce.

Mr. Singer: Has Dalton Camp not been fired yet?

Mr. E. Sargent (Grey-Bruce): A supplementary, Mr. Speaker, of the Prime Minister: In the daily media across Ontario yesterday the government spent in excess of $100,000 on three ads. Would the Prime Minister

advise the extent of this propaganda? Is it going to be $1 million, or how much money are they going to spend on this type of propaganda that my colleague from Kitchener brought up? This full-page ad – this 2,000-line ad here—"Ontario, is there any place you would rather be?"—

Mr. Speaker: The hon. member does not really have a supplementary question.

Mr. Sargent: Well, I would like to ask the Prime Minister—

Mr. Speaker: Does he have a question? He is embarking upon a speech which he knows right well is out of order.

Mr. Sargent: Would the Prime Minister advise then—

Mr. Speaker: What is the question?

Mr. Sargent: A supplementary of the Prime Minister, Mr. Speaker: Will the budget be $1 million or $2 million on that type of propaganda?

Hon. Mr. Robarts: Mr. Speaker, I believe the Minister of Trade and Development (Mr. Randall), when I was not here last week, made a very complete explanation—

Mr. T. Reid: He put the ads in the paper?

Hon. Mr. Robarts: —of this. I think if the member checks *Hansard* he will find it all in there.

Mr. Sargent: What is the budget for this type of propaganda?

Mr. Speaker: The hon. member for Hamilton East.

AID FOR FAMILY SERVICE ASSOCIATION IN HAMILTON

Mr. R. Gisborn (Hamilton East): Mr. Speaker, my question is of the Minister of Financial and Commercial Affairs.

An hon. member: Call an election. Soon—very soon.

Mr. Gisborn: A question of the Minister of Financial and Commercial Affairs—

Mr. Lewis: The last Tory government in Canada should call an election—

Mr. Gisborn: Has the minister recently, in the last four months, had a request from the Hamilton Social and Family Services Association for financial assistance to carry on its work in credit counselling in the city of Hamilton?

Hon. A. B. R. Lawrence: I believe so, Mr. Speaker. There are several of the credit counselling services that have asked for increases in assistance. We do assist some but I will check into it and see what the situation is.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Yes, Mr. Speaker; may I ask of the minister if he is considering advancing support to similar organizations in other communities? For example, in my own community the services found themselves unable to carry on any longer because of insufficient funds. Assistance from the government certainly would enable them to carry on their responsibilities.

Hon. A. B. R. Lawrence: Yes, Mr. Speaker, on a situation-by-situation basis we have qualified certain agencies, I know, in Ottawa, Toronto, and perhaps in Hamilton, for this kind of support. One of the problems at the moment is we are trying to work out with the federal government, or get a solution to the question on whether or not the federal government welfare assistance payments can provide support along with any grants that we put in. This is in the air at the moment. It is being studied and when we solve it, there will be federal and provincial participation, both going into what one might call accredited debt counselling or credit counselling services.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid: I have a question of the—

Mr. Speaker: Order, please! A supplementary. The hon. member for Kingston and the Islands.

Mr. S. Apps (Kingston and the Islands): A further question of the Minister of Financial and Commercial Affairs.

Would the minister consider looking into the problem presented when you have the credit counselling under one department, the family counselling under another? Both are very much intertwined because credit counselling has a great deal to do with family counselling. At the present time they are handled by two separate departments. I would ask the minister if he would not con-

sider looking into it and see if it could be combined under one department.

Hon. A. B. R. Lawrence: Mr. Speaker, I certainly would. May I say to the House that I am cognizant not only of this problem but of the total community counselling problem. It also involves obviously consumer education—the counselling services that the Provincial Secretary, in citizenship work, can provide. My hope is that between the different departments we shall be able to come up with a rationalized system of community counselling in half a dozen different fields.

Mr. Speaker: The hon. member for Scarborough East.

GRANTING OF LIQUOR LICENCES TO MOOSE LODGES QUESTIONED

Mr. T. Reid: I have a question of the Provincial Secretary, Mr. Speaker. Why does the provincial government of Ontario, through the Provincial Secretary's department, in effect condone the American white racist penetration of Ontario through the government's granting of liquor licences to the lodges of the Loyal Order of Moose which operate in Ontario?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, other than the opinion that has been expressed once again, the hon. member raised this question in the House a few days ago. I had assumed that he was talking about the issuance of special occasion permits. I asked him to give me some further particulars as to the lodges in question which he undertook to do. Today he asked the question in about the same way as a week ago without the information. I have been waiting to get the information, Mr. Speaker.

Mr. B. Newman: The minister's department has it all.

Mr. Speaker: The hon. member for Yorkview (Mr. Young), a supplementary?

Mr. T. Reid: Do I understand the minister correctly in that he is stating that he is incapable of finding out who hold liquor licences in this province?

Mr. Speaker: That is not what the hon. minister said at all.

Mr. L. Braithwaite (Etobicoke): Supplementary.

Mr. Speaker: Supplementary.

Mr. Braithwaite: If it should happen, Mr. Speaker, that I, as a citizen, were to make application to one of these organizations refered to by the member for Scarborough East and if, for the right reasons mentioned some time ago by the said member I was refused, what steps would the hon. minister take to make certain that the liquor licences and any other licences held by that particular organization were cancelled?

Hon. Mr. Welch: Mr. Speaker, as you understand, we do not answer hypothetical questions in the House.

Mr. T. Reid: This is not a hypothetical situation at all—

Mr. Braithwaite: Is the minister suggesting that I do this and then come before this House? How much notice does the minister need?

Mr. Speaker: Order, please! The hon. minister is quite correct. The question is hypothetical.

Mr. T. Reid: This is supplementary, Mr. Speaker. The supplementary is, would the minister provide to this House and to the people of Ontario those lodges of the Loyal Order of Moose which hold licences issued under the present government of this province?

Mr. Speaker: The hon. minister answered that question.

Mr. T. Reid: He did not.

Hon. Mr. Welch: If there is any doubt, I would be very happy to; if I am being asked to provide the hon. member with the names of brances of this lodge that have licences issued by the Liquor Licence Board, I would be glad to.

Mr. T. Reid: Thank you.

Mr. Speaker: The hon. member for Yorkview.

PROPOSED COURTHOUSE AT RICHMOND HILL

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Public Works. Is the minister aware of any negotiations in respect to a lease of space by the province in a proposed courthouse building to be erected in Richmond Hill?

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, I think I answered this question last week and I said at that time the

answer was no. Since then I have asked the people in our department to give me a report if there had been any move to lease space there. I believe the member's question last week was to lease space where there had not been services provided. Is that right? I do not know of any negotiation for leasing but I can assure the member this—that if we are leasing in Richmond Hill, it will be property that will be properly serviced.

Mr. Young: Thank you. As a supplementary, Mr. Speaker, last week, I might explain, I asked the minister if he was negotiating about a lease at that time or if he had offered a lease and he said no. This is why I came back with this particular question. Now it may be that the Miniser of Justice is the proper person to ask about this. The building is not yet established but negotiations are going on and there is a threat that unless Richmond Hill locates this building in a certain place, it will be moved out of the municipality. That is all.

Hon. Mr. Simonett: Mr. Speaker, I am sorry I cannot answer that but I understood the question last week was whether we were negotiating a lease for a courthouse on property that was not serviced, and I said no at that time. Now we could be negotiating in many municipalities for buildings for The Department of Justice. This I do not know until negotiations are practically completed and the report is back to me or to the deputy minister.

Mr. Speaker: The question period has expired.

Petitions.

Presenting reports.

Motions.

Hon. A. B. R. Lawrence: Mr. Speaker, I move, seconded by the Minister of Revenue, that leave be given to introduce a bill intituled, An Act to amend The Investment—

Mr. Speaker: Order, please! We have not reached the time of introduction of bills. Are there any motions? Now, introduction of bills.

INVESTMENT CONTRACTS ACT

Hon. A. B. R. Lawrence moves first reading of bill intituled, An Act to amend The Investment Contracts Act.

Motion agreed to; first reading of the bill.

PREPAID HOSPITAL AND MEDICAL SERVICES ACT

Hon. A. B. R. Lawrence moves first reading of bill intituled, An Act to amend The Prepaid Hospital and Medical Services Act.

Motion agreed to; first reading of the bill.

Mr. Speaker: Introduction of bills.

Hon. A. B. R. Lawrence: One of the members has asked what the subject matter is. It relates to a half-dozen minor amendments, that taken together give the superintendent of insurance greater powers in relation to rates, rate approvals, winding up, and investment powers insofar as it involves—after yesterday, I guess—about a half-dozen different plans that are still operating in the province.

Mr. Speaker: Orders of the day.

CONDITIONAL SALES ACT

Hon. Mr. Wishart moves second reading of Bill 140, An Act to amend The Conditional Sales Act.

Motion agreed to; second reading of the bill.

Mr. J. Renwick (Riverdale): Mr. Speaker, we have no comment on the bill on second reading. We will deal with it in committee.

Mr. Speaker: Shall this bill be referred for third reading?

Hon. A. A. Wishart (Minister of Justice): No. It will go to the committee on legal and municipal bills.

Mr. Speaker: It will go to the committee on legal and municipal bills.

ELDERLY PERSONS CENTRES ACT, 1966

Hon. Mr. Yaremko moves second reading of Bill 144, An Act to amend The Elderly Persons Centres Act, 1966.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I have just a very small comment I would like to make with reference to this bill. We had in the borough of Etobicoke a problem connected with the elderly persons' recreation centre. I am quite concerned as to whether or not the Minister has, in preparing

this bill, taken any consideration of the fact that the regulations can cause quite a bit of trouble.

I am referring, Mr. Speaker, to the Rexdale West Acres Senior Citizens' Club. Back in 1967, the members of this club wrote to me and told me about a situation which existed on certain lands which were owned by the Metropolitan Toronto Housing Authority and which were located on the lands of the Kipling Acres Home for the Aged. What happened, Mr. Speaker, was that some years ago the Rexdale Lions Club had secured from the Royal Bank, I believe, an old prefab building and they put it on these lands which were owned by the Metro Housing Authority. The building was being used by the Rexdale West Acres Senior Citizens' Club, which at that time had about 30 people in it.

Now, Mr. Speaker, as time went on the club expanded to somewhere around 150 people, and the problem that came up, and that this bill is directly related to, was that, when these people attempted to have this temporary recreation club moved, and a larger building put up, they ran into many difficulties.

I should say right from the start that Mr. Crawford of the minister's department was most helpful. Even with his assistance the problem that these people ran into was so great that it took almost two years before an agreement was arrived at whereby a new clubhouse could be built. And, in fact, by the time that the agreement was arrived at, the borough of Etobicoke had come to the conclusion that it was just too costly, and too time-consuming to conform to the many regulations and requirements of the minister's Act.

For instance, they wanted the club to incorporate and they wanted full-time supervision. There were many things that were asked of this group that really had nothing to do with a situation such as pertained at the Rexdale West Acres Senior Citizens' Club.

I am particularly concerned, Mr. Speaker, only as far as the regulations are concerned. The Act itself is an improvement, certainly, but I do hope that, when the minister has a few comments on the bill, he is able to say that his department and the individuals working under him will be given more leeway. You find a group, such as this, in the borough of Etobicoke, turning down the fact that 30 per cent of the cost of the building is available. They turned this down because the rules are just too difficult.

I do hope the minister will give some thought to giving his officials some leeway, so that the regulations can be moulded to fit the various situations. As I said, Mr. Speaker, it took something like two full years for an agreement to be arrived at between the various levels of government and this club, and even at that time, the individuals in the club and the borough of Etobicoke were so disgusted that they said they did not want the province's money and they went out and raised it elsewhere.

I say, Mr. Speaker, that this all occurred even though the minister's department was most co-operative. But they are bound by the rules, and they are bound by The Elderly Persons Centres Act, and they are bound by the regulations. I do hope that the minister is in a position to say that the regulations themselves have been widened and have been given some room for manoeuvre, and the people who are administering the regulations have been given some room for manoeuvre, so that a situation such as this, if it comes up again anywhere in Ontario, will not mean that two years are spent in order to get something like a senior citizens' clubhouse built.

Mr. Speaker: The hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Mr. Chairman, we in this party welcome the extension of this Act to charitable corporations incorporated under the laws of Canada as corporations that may be approved for the purpose of receiving capital assistance from the province for the establishment of centres for elderly persons' care. We also welcome the extension of the Act to municipalities, permitting the municipalities, subject to the minister's approval to establish and operate elderly persons' centres and clarify the authority of a municipality to grant aid to such centres. It may be interesting to note that the aid may be granted from the municipality in the form of property, or equivalent value, and not necessarily in the form of money to meet the requirements of a formula for eligibility for provincial grants.

We are pleased that the minister has specifically provided for a director who will be responsible for the administration of this programme, because we feel that the programme requires the undivided attention of some specific person in the minister's department.

Mr. Speaker: The hon. member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Speaker, in section 6 there is a matter which I would like to ask the minister and the House to give some attention to, and that is that the Act of 1966 is amended by giving new power to the minister, or his director, or, indeed, to any person, any employee or class of employee designated by the minister or the director, to suspend or revoke the approval which the minister may have given to an elderly persons' centre. I would suggest to the minister that he take another look at this section in the light of the recommendations of Mr. Justice McRuer, in the light of the many pieces of legislation which have been presented to this House, which protect the person enjoying privilege or benefit under a statute from summary procedures by the minister.

In the operation of elderly persons' centres or drop-in centres, we do not have the financial equity, say, that a person operating a home under The Children's Residential Treatment Centres Act would have, or under many other Acts that regulate the financial operations of persons who are governed by statutes in the province. But we have many communities in the province where elderly persons and others have worked very hard to establish drop-in centres, and I think that a due process such as that recommended by Mr. Justice McRuer, such as that already written into many of our statutes, covering this kind of service to people, which in this instance they have organized for themselves, should be also a part of this Act.

It should not be a summary procedure for the minister to revoke an approval, or to suspend an approval, albeit he may have reason to do so, without first providing at least for a hearing of the process by the minister himself or someone designated by him at which the persons engaged in the direction and operation of the centre can appear and make their case against the minister's order before it takes full force and effect.

I would, therefore, urge the minister to further administer this section 6 of the bill to provide for that very fundamental process of appeal from a summary order, or some mechanism by which the affected centre, or its authorized representatives, may have a hearing before the suspension or the revocation takes full force and effect.

Mr. Speaker: Are there any other hon. members who wish to speak on the bill before the minister comments? If not, the hon. minister.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I was very pleased to hear the remarks of the member for Scarborough Centre. They were well said and I think that the programme as it has been developed merits such a comment. I know that those who are associated with the programme will appreciate those remarks.

The programme has been intensified in recent years, Mr. Speaker. During the period from 1963 to 1966 under the predecessor Act there were five such centres approved. Since the beginning of 1967 to the present it has been a great pleasure for me to have completely approved 12. Now we have within the province of Ontario 17 elderly persons' centres approved which have, from the beginning, complied with the requirements of the regulations and accordingly have become entitled to the grants and the subsidies under the Acts.

The history has been a very interesting one. I think the first one in the province of Ontario was the one in Windsor which was a forerunner and has been and is one of the most active community centres subscribing to any age of population in the province.

One of the most outstanding in recent years has been the one in Oshawa where, between the joint efforts of the community and the union and other interested bodies, they have brought into being an outstanding centre which has received over $100,000 in subsidies from the department. I have the whole list which I read for the benefit of the member for Etobicoke: greater Windsor, Kitchener, Peterborough, Avenue Road Lions Club in Toronto; Forest Hill Kiwanis in London; Senior Citizens in St. Catharines; Brant Senior Citizens in Brantford; Baycrest Day Care Centre—and I am sure the member for Downsview knows, this is one of the outstanding ones in the province, from the point of view of developing programmes and initiating new ways of involving the senior people.

Mr. V. M. Singer (Downsview): Absolutely. A good riding. I am on the board of directors.

Hon. Mr. Yaremko: I say that Baycrest is in the forefront. Harmony Hall in East York; Burlington, Stratford, St. Joseph's in Dundas; the Second Mile Club in Toronto; St. Christopher House in Toronto; the Oshawa Senior Citizens; the Good Companions Elderly Persons in Ottawa; the North Bay Golden Age Club. There are new ones contemplated in Leamington and Tilbury, in Chatham—

Mr. R. F. Nixon (Leader of the Opposition): St. Catharines.

Hon. Mr. Yaremko: No, St. Catharines already has one.

Mr. Nixon: We have had one, under the old Act.

Hon. Mr. Yaremko: I know the hon. Leader of the Opposition is familiar with the one in Brantford—

Mr. Nixon: Yes, very familiar with it. They are doing excellent work.

Hon. Mr. Yaremko: We are emphasizing this—now it is a choice for the community. The people in Etobicoke decided that although other communities had been able to meet and comply with the regulations, they would do their own thing their own way. Of course, one of the difficulties that not only the department but the minister himself operates under is that we are bound by statutes and regulations. Though we tend to give as broad and flexible and lenient an interpretation to all of them as possible, the requirement, for example, of being incorporated is a very simple one that presents no difficulty because the government, of course, has to have a legal entity to deal with.

The people felt they would prefer to operate in their own way, of course, I am very sympathetic to them and this is no reflection on the kind of work they are carrying on, but rules and regulations are there to be complied with. I know that Mr. Crawford has spoken to me about this matter and we are very sympathetic, but I can say that the minute I begin to disregard one regulation in one place, I might as well repeal all the regulations. That is the position in which the people of Etobicoke found themselves. Mind you, we are quite willing to extend to them every possible consideration under the rules and the legislation and the regulations as set out.

With reference to the comments of the member for Windsor West, actually that section was brought into being in order to meet a suggestion of Mr. McRuer that where there was to be delegation of authority that delegation be spelled out either I think in the legislation, or by regulation; but it in fact be spelled out.

I bring to the hon. member's attention that only the minister or the Lieutenant-Governor-in-Council who give the approval have the right to withdraw that approval. The powers which are delegated to the director and could be subdelegated by him do not extend that far. They only extend to the operation, the supervision, and the contacts with the elderly persons' centre.

With regard to whether there should be an appeal from the minister or from the Lieutenant-Governor-in-Council, this of course, opens a very broad question, not just on The Elderly Persons Centres Act. We are still living in a society, in a democracy, where ultimately the responsibility lies with the minister; and if he does not discharge his responsibilities the ultimate decision, of course, lies with the people.

Mr. Peacock: This is why we had Mr. McRuer appointed to deal with arbitrary acts of the executive.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. Renwick: Mr. Speaker, we request that it go to one of the standing committees.

Hon. Mr. Yaremko: Committee of the Whole House.

Mr. Speaker: The hon. minister has said the Committee of the Whole House.

Hon. Mr. Yaremko: The Whole House, I think, would give ample opportunity to deal with this.

Mr. Speaker: The bill shall go to Committee of the Whole House.

SOLDIERS' AID COMMISSION ACT

Hon. Mr. Yaremko moves second reading of Bill 145, An Act to amend The Soldiers' Aid Commission Act.

Mr. Speaker: Before we debate this motion, we have a rather important visitor with us in the Speaker's Gallery today—George O. Ratteray CBE, who is the chairman of the Senate of Bermuda.

The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I rise in support of the bill. I have had the local veterans' association ask me to make a few comments on it on the second reading of the bill. However, they also asked that I inquire concerning the amounts of funds that would be transferred from the Treasury to the minister's department—that is to the Ontario Soldiers' Aid Commission—and if an individual who

is receiving benefits under this Act were to transfer residency for health reasons from the Province of Ontario to one of the states in the south, would that person be still entitled to receive compensation as provided in section 6 of the Act?

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, subject to what the minister thinks of the comments I am going to make, I am going to ask that this bill be referred to one of the standing committees, perhaps the legal and municipal bills committee, rather than the regular committee to which the minister sometimes refers bills. I have some problems with the bill and —I say this with a great deal of diffidence— I am concerned about the drafting of the bill. The bill itself provides that certain funds will be made available to the commission and used, to use the language of the bill, "for any person belonging to any class mentioned in section 6;" then, in addition to that "to persons who served in the Korean War and also to any widow, child or dependent of the various classes of persons."

When we look at section 6 of The Soldiers' Aid Commission Act, as it appears in the Revised Statutes of Ontario, we find that is a very special section and that the basic fundamental class the Soldiers' Aid Commission was established to assist are the members of the Canadian Expeditionary Force; that class of person in fact is established, according to the statute, by an order-in-council of November 10, 1915. It would therefore seem to me that we have not only the classes of persons referred to in section 6 but we have the class of persons that was the fundamental founding class as established by the order-in-council of November 10, 1915, which was the class of persons who were members of the Canadian Expeditionary Force.

It would therefore seem to me—and I say this with some diffedence, because I have not looked at the order-in-council of 1915—that there perhaps is an omission in the bill in the way in which it is drafted to accomplish the purposes which the minister intends.

It would also appear to me—and perhaps the minister, when he comments, can clear up this matter—that the reference to those persons who served during the Korean War is only contained in this amending bill. And it may well be that if there are funds available to the commission other than the Kathleen Hammond Fund, the William Scott Fund and the Mabel Kennedy Fund, perhaps there should have been an amendment to section 6 of the bill as well in order to ensure that any other funds which are available in the hands of the commission would be available not only for those who served in the various classes to which I have referred but also would be available to those who served in the Korean War.

I make these comments because of concern which I have over the draftsmanship of the bill, and I would trust that the minister would consider referring it to a standing committee where it could be dealt with leisurely and with some concern for the specific intention of the amendments.

I think the amendments are well found but I raise these questions because of the concern which I have about them. I would join with the member for Windsor-Walkerville in asking that the minister advise us of the amounts of money remaining in the Mabel Kennedy Fund and in the Kathleen Hammond Fund as well as the amount of money which is now going to be transferred from the Treasury to the Soldiers' Aid Commission as proceeds of the William Scott Fund.

I would also ask the minister to advise us of the total amount, including those three funds, which will be available to the Soldiers' Aid Commission. It may be that the minister will consider that those are questions which would be more appropriate when his estimates are in committee, but it did seem that on occasions such as this where only once in a long time does one of these bills come before us that the minister could perhaps put on the record some of the basic information about the fund.

Particularly I would ask the minister to refer the bill to one of the standing committees if he considers that there is any merit in the points which I have raised with some diffidence.

Mr. Speaker: Does any other hon. member wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Yaremko: Mr. Speaker, the Soldiers' Aid Commission has been in existence for some time since 1915. At that time it was established by order-in-council, and I read an extract from the order-in-council, "to take care of and to find employment for members of the Canadian Expeditionary Force."

Subsequent to the passing and action being taken under the order-in-council some question was raised as to the legality or validity of that step being done by order-in-council, so in 1916 there was passed An Act respecting

the Central Provincial Committee of the Military Hospitals Commission, known as the Soldiers' Aid Commission of Ontario, which enshrined in legislation the terms of the will.

Again, there was some dispute between the commission and the executors and residuary beneficiaries under the will so that an Act was passed in 1922 which enacted into legislation a settlement that had been reached between the parties.

The whole bill was re-enacted as chapter 377 of the Revised Statutes and it was under that statute that the commission has been operating in a broad range of activities.

The balance of the Kathleen Hammond Fund as of March 13, 1970, was $183,000—

Mr. J. Renwick: $183,000 ?

Hon. Mr. Yaremko: $183,000 plus. Since the class of beneficiary was so limited, the fund really has not been disbursing as quickly as people really wanted it to. Those, of course, are private funds. The only funds that the province makes available are the $21,000 given to the commission to pay for the administration of the funds. Those are private funds.

Indeed, the commission at one time advanced the proposition that the whole fund be wound up perhaps by disbursing the capital grant. That would have presented certain problems because there would have been a very difficult decision to reach as to the dispersal of these funds, either to a broad number of people, or to any specific area, because the funds were to be made available for the whole of the province.

In coming to grips with the matter and discussing with people in veterans work and the legion, we came up with the proposition that we turn all of the funds over. Previously the William Scott estate consisted of a capital bequest of $10,000 willed to the Treasurer in 1916, and it has been the income from that which has been turned over to the commission. The Mabel Kennedy bequest of 1966 amounts to $1,367.77 and that is available directly to the commission.

So the scheme was developed that we would turn all of the funds, both capital and income over to the commission, and then broaden the sphere of veterans and dependents to attempt in some way to come to some conclusion of what the testators would have wished had they been doing this in 1970.

Mr. J. Renwick: Are those the only funds available?

Hon. Mr. Yaremko: Those are the only funds available to the commission. I may say to the hon. member for Riverdale that I did go into the matter of the legislation, the series of Acts, and the wills, in quite some detail myself, and in conjunction with both our counsel and our programme directors, we feel in all honesty that in this bill as it has been devised we have worked out what is in the best interests.

We have put all the funds into this Soldiers' Aid Commission. These are private funds. They do not envisage any increase in the grant from the government. In respect of the administration funds, that has been fairly static in recent years. We have allowed $21,000 for this year, the actual expenditures in 1968-1969, and we do not anticipate that there will be any undue burden on the office staff as it is. I suggest to the hon. member that I am not averse to these bills going into committee, but I really see no purpose that would be served.

If the hon. member wishes me to give him any specific information and then when we deal in Committee of the Whole House with the specific items, I can give him any additional information. But I assure him I have gone into all of these aspects in great detail to achieve the intent and purpose of the bill.

Mr. J. Renwick: Perhaps, Mr. Speaker, unusual as it would be, I could ask the minister just one question and he need not answer at the present time. My concern is—and I now only have one in view of the understanding that the commission's assets consist only of these funds, plus the grant for operating expenses—that in item (a), to any person belonging to any class mentioned in section 6, you have in fact excluded the founding class, that is, members of the Canadian Expeditionary Force, which is not referred to in section 6 but is the founding group which was established by the order in council, and that is my problem.

Hon. Mr. Yaremko: Mr. Speaker, "to any person belonging to any class mentioned in section 6" brings in everybody who was entitled up to today.

Mr. J. Renwick: Mr. Speaker, that is my point. It does not bring in the members of the Canadian Expeditionary Force.

Hon. Mr. Yaremko: I have before me chapter 377 of the Revised Statutes, Mr. Speaker, and you will see that sectioin 6, which sets out the powers of the commission,

delineates specifically the persons that the hon. member is concerned about.

Mr. J. Renwick: That is the point. It does not cover the members of the Canadian Expeditionary Force in section 6.

Hon. Mr. Yaremko: It does.

Mr. J. Renwick: Well, we will have this argument later, Mr. Speaker.

Mr. Speaker: Yes, I think the debate at this point is not in order. It is second reading, approval of the bill in principle. It will be going to committee and the motion is for second reading of Bill 145.

Motion agreed to; second reading of the bill.

Mr. Speaker: I presume this bill shall not be ordered for third reading; it will go to Committee of the Whole House?

Mr. J. Renwick: Mr. Speaker, because it is a technical problem, would it not be better, with the minister's consent, if it went to the legal and municipal bills committee?

Mr. Speaker: I must point out that it is the prerogative of the minister to designate the committee to which it will go and the argument has been placed before him. I leave it up to the hon. minister to select the committee which he proposes to deal with it.

Hon. Mr. Yaremko: Mr. Speaker, the hon. member has raised a very specific point which can be checked out between now and the time the Committee of the Whole House meets, because what he is concerned about is exactly what we want within the bill. I will check it out and assure him when the bill is before Committee of the Whole House, and if necessary we will amend it. Otherwise, I will give the member the assurance that he seeks.

Mr. Speaker: All right, then the bill will be referred to Committee of the Whole House.

VITAL STATISTICS ACT

Hon. Mr. Welch moves second reading of Bill 173, An Act to amend The Vital Statistics Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be referred for third reading?

Agreed.

DAY NURSERIES ACT, 1966

Hon. Mr. Yaremko moves second reading of Bill 174, An Act to amend The Day Nurseries Act, 1966.

Mr. Nixon: Mr. Speaker, we, of course, support this amendment, which simply extends one more service to the Indian bands, one more grant programme which would be available to them.

The thing that I find disconcerting about this bill and another one that we will be dealing with in a few moments, is that we have been assured, certainly as long as three years ago, by this minister, who then had the responsibility for ordering the business of the government of Ontario with regard to Indians and Indian bands, that a search had been made of legislation, and with an eye to extending to the Indians every provincial programme which would come under the responsibility not only of The Department of Welfare as it then was, but of other departments of government, such a search had been made and the programmes had been extended where it was possible and advantageous to do so.

I do not mean to imply that we oppose this bill in any particular way, but since the principle of this bill is, basically, the extension of services and programmes to the Indian people in the province, I wonder if the minister could comment on my view that this should have been done three years ago at the latest, and I wonder if he can give the assurance once again that we in this Legislature are extending all usable programmes to the Indian people?

Mr. Speaker: Does any other hon. member wish to enter the debate? If not, the hon. minister.

Hon. Mr. Yaremko: Mr. Speaker, I think that if the hon. Leader of the Opposition will refer to *Hansard* he would have noted that I stated it was our intent that all the legislation within the scope of the department be amended to make available to the Indian bands the same facilities which are made available to municipalities. We have, certainly within my term of office, been amending all the relevant legislation in the proper way, and these bills are further steps.

It is not only Bill 174, but Bill 175 and also Bill 176 which deal with this aspect. When these three bills will have passed, it is my understanding from my advisers that all our legislation will have encompassed all of the services made within our department.

The intent of this Day Nurseries Act is as follows: the municipalities can either set up their own day nurseries or purchase services. The Day Nurseries Act, as it stands, gave the right to Indian bands only to operate, and this they have done in the case of Walpole Island in a very fine degree. Now this will enable them to purchase services, to have exactly the same facilities as do municipalities.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Hon. Mr. Yaremko: Committee of the Whole House.

Mr. Speaker: Committee of the Whole House.

GENERAL WELFARE ASSISTANCE ACT

Hon. Mr. Yaremko moves second reading of Bill 175, An Act to amend The General Welfare Assistance Act.

Mr. J. Renwick: Mr. Speaker, I suggest to the minister that this bill provides something of a problem. We agree with the principle of what he obviously intends to do, but in order for a band under this Act to form part of a county for the purpose of the administration of assistance, it is necessary for the approval of the council of the county to be obtained. That is a pre-condition of the band being considered as part of the county for general welfare assistance for the purpose of the administration of assistance. It seems to me that there may well be circumstances where the council of the county would not be interested in including the band as part of the county for the purpose of that administration.

It would appear to me that the solution which the minister appears to have found in the bill, which he will call next, is a somewhat more adequate method of dealing with it. As I read that bill—and I know, Mr. Speaker, you will forgive me because it is very pertinent to what we are doing—in that particular case, the approval of the minister is required, but either the council of the city, or the band, may make the request and then it leaves it up to the minister to exercise a supervisory function.

Rather than making the band solely dependent upon whether or not the resolution of the council of the county is passed, it would appear to me to be much more appropriate—I would certainly be glad to hear the minister's comments—if he would consider the proposition that a band, if it wishes to be included in a county for the purposes of the administration of The General Welfare Assistance Act, should have the opportunity to apply to the minister, or that the council of the county could apply to the minister and, in either case, the minister would have an overriding ability to make the decision.

It seems to me that otherwise you are leaving it open to—whatever the reason—the council of a county simply by taking no action to prevent the band from having the benefit of the provision of the bill which the minister obviously wants them to have.

Mr. Speaker: Any other members wish to participate? The hon. minister.

Hon. Mr. Yaremko: Mr. Speaker, this is somewhat of a unique step forward because of the fact that the procedures relating to the setting up of a county form of administration involve the participation of the municipalities. The simple majority of the municipalities can bring into being a county administration and then, of course, based on population and assessment, and related matters, the individual municipalities make their financial contribution. In this aspect, the Indian bands are in quite a different position and the only way that this can really be implemented is by an agreement between the parties.

It would be an agreement which would be worked out, we anticipate, between the band and the county. The approval of the director is purely to have somebody who is quite objective at present to ensure that no one is adversely affected by any terms of the agreement. But we cannot, in this instance, relate the position of municipalities within the county administration units, the same as in the next bill, vis-à-vis Indian bands. That requirement is "at the request of the council of the city or the band with the approval of the board". You still need the approval of the board and the director of The General Welfare Assistance Act, so the effect is exactly the same.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. J. Renwick: Mr. Speaker, I would like the bill to go to committee, in view of the comments that the minister just made; if the minister would agree, to the Committee of the Whole House.

Mr. Speaker: All right. The bill shall go to the Committee of the Whole House then, rather than for third reading.

DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

Hon. Mr. Yaremko moves second reading of Bill 176, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, if this bill is going to the Committee of the Whole House, then I think that we will reserve our comments to that time.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill referred then to the Committee of the Whole House?

Agreed.

JUDICATURE ACT (1)

Hon. Mr. Wishart moves second reading of Bill 177, An Act to amend The Judicature Act.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, this is an important bill, if I have the right number, which is the bill dealing with the implementation by the government of the recommendation of the Rand commission with with respect to injunctions in labour disputes.

Mr. Speaker, this has, of course, been a matter which has been of concern to this party and indeed throughout the whole of the labour movement for many many years. It is strange to note that it was as late as 1958 that the recommendation of the select committee on labour matters reported to this House and recommended in substance the abolition of the ex-parte injunction and it is some 12 years later that the government, finally supported by the Rand commission report, has moved to correct the obvious injustices which occur. But the bill is cast in somewhat broader terms and I think that it is essential that we put on the record, so that we can be certain that we understand fully the implications of it, the provisions as I understand it, of what the law presently requires and what this amendment will, in fact, carry out.

Let me very briefly and succinctly put on the record what The Judicature Act of the province presently provides because mixed in with the procedures is a great deal of substantive law.

The bill before us, Mr. Speaker, amends section 17 of The Judicature Act, but the basic power of the court to grant an injunction occurs in section 16 of The Judicature Act which says, in substance—I read only those parts which are important for the purposes of putting it on the record:

> An injunction may be granted by an interlocutory order of the court in all cases in which it appears to the court to be just or convenient that the orders should be made and any such order may be either unconditional or upon such terms and conditions as the court deems just.

Then, in section 17 of the bill, we had the provision for what could be called an interim injunction, which was a short-term injunction limited to four days.

That interim injunction could, in certain circumstances, be granted ex parte—that is, without any person against whom the injunction was to be effective being afforded the opportunity of being present before the court issued that order.

And then, for the purposes of the procedural concern that we have about it, after the expiration of the four days the applicant can come before the court and ask if that interim injunction be continued until trial of the action.

I want to emphasize for a moment, Mr. Speaker, the concern which we still have about some aspects of this bill. That is, that any action for an injunction in our courts has got to be commenced by a writ of summons. This is for the possibility that at some point in the future there would be a trial of the issue of concern to the parties. In other words, that there would be at the end of the road, just as in an automobile accident case, a specific trial of the facts of the situation—a decision by the court as to whether the injunction was merited, whether it should be continued permanenty or not, and secondly

whether or not in most cases, damages should be awarded or not, and thirdly, depending on the outcome, how the cost should be awarded in the action, whether for or against the applicant.

The study which was made, Mr. Speaker, by The Department of Labour, which is a two- or three-volume report, clearly indicates the statistical information to show that, for practical purposes, what had happened was that the writ of summons was only a procedural device to get the injunction and it was never intended to continue the matter on to trial and have a decision in a court. I want to just make the point that that is still the existing situation.

To that extent there will continue to be a very real air of unreality about the question of injunctions in labour disputes, because what this bill does not do is to affect that basic proposition and that is, that in the future, as in the past, any company or employer, or other person wishing to get an injunction would have to commence an action by writ of summons. This would envisage in the minds of those who practise law, and in the minds of anyone else familiar with the proceedings of the court, that ultimately somewhere there would be a judge on a bench who would hear *viva voce* evidence, subject to examination, cross-examination and re-examination, to determine the issues finally and conclusively.

There is nothing in this bill which indicates that it will not continue to be a very unreal world and that in fact, as in the past, few, if any, of the cases will ever go to final trial and ultimate disposition as it is intended by the procedures of the court. And I think that that poses a fundamental flaw in what should have been a more all-embracing conception of the obligation of this government to deal in some sense in a totality with the question of the injunction in labour disputes.

With that comment—

Hon. Mr. Wishart: I wonder if I might just ask the hon. member a question. Perhaps I may ask it this way: if he would agree that there are, at least in some cases where one is seeking an injunction, why there are other issues—I was going to say other larger matters —damages or something of this sort being sought which would be in the action? Is he suggesting that where perhaps there are these other concerns, that the injunction could be obtained without the issue of a writ, just by an application?

The tenor—and I say this further—the proposal of this bill is to make the securing of the ex-parte injunction subject to very definite conditions and obligations on the part of that person seeking them, by way of notice, proof, and so forth.

Is the member suggesting that the Act should have gone so far as to say that the application for injunction need not be part of an action, not by way of a writ? That would, perhaps, make, in a sense, the principle contrary to that set forth here, that you make the obtaining of an ex-parte injunction somewhat difficult in hedging it about with these conditions.

One of those, now, under our law is you get it in an action while you issue a writ. Is the hon. member suggesting that we should take that condition away?

Mr. J. Renwick: What I am suggesting is that we should be very clear as to what we are accomplishing. I am referring to the in-depth study which was done on this whole question of the labour dispuate—the report of a study on the labour injunction in Ontario. A. W. R. Carruthers is the editor and director of the study; E. E. Palmer was a deputy director of the study.

Volume 1 is a treatise by Horace Krever, a professor of law at the University of Toronto, in which he very clearly makes the point that the Minister of Justice and Attorney General refers to. He makes the point that this is a procedural matter. That, in fact, it is a matter of the kind that would normally come on before the court by way of notice of motion. On a very early page in his report he states:

> Having made the point about this distinction between a writ of summons and a motion which would commence by originating notice of motion—

He makes the point—

> In practice, however, there is rarely a trial and the rights of the parties are effectively determined as though the case was of the sort for which the procedure on originating motions were appropriate.

And he reinforces that argument very clearly by pointing out that—

> —in many cases, the judges, when they hear these cases, always disclaim the fact that they are dealing with the substance of the rights of the parties at the time that the matter comes on before them on the motion for an injunction.

And yet, having clearly disclaimed that they are dealing with the substance of the matter, they know full well that the substance of the matter, on the experience in the courts today, will never ever come before them.

My point to the Minister of Justice and Attorney General, is you create an unreal situation.

The study quotes, for example, remarks made by Mr. McRuer, Chief Justice of the high court, as he then was, in the case where he said:

> I have decided that the injunction should be continued to trial but I want to make it abundantly clear that I am not finally deciding the result of the case. That will be for the trial judge in the light of all the evidence that may be before him and the argument of the law as it should be applied to the particular facts revealed in evidence.

Well, Mr. McRuer, I am certain, was quite aware that when he was disclaiming in the traditional sense any sensation that he was dealing with the substance of the case, was saying that it will be dealt with by a trial judge in the light of all the evidence that may be before him, and the argument of the law as it should be applied to the particular facts revealed in evidence, knowing full well, as this study shows, that it will never ever come on for trial to deal with the substance of the questions.

Hon. Mr. Wishart: All right, accepting what the hon. member says, and I appreciate it, is this a serious defect? Let us say that the action never comes on to trial—and this is well known that very rarely will the substance of the action be dealt with. What we are dealing with here is the granting or giving, the allowing or ordering of an ex-parte injunction. That is what the complaint has been about; that is what all the argument has been about through the years. There are some actions which no doubt will proceed; there will be some of them, but supposing you say that in the great—

Mr. Speaker: Is the minister going to ask a question of clarification? Otherwise, this is developing into a question-and-answer debate, which on second reading is not really proper here.

Hon. Mr. Wishart: Thank you, Mr. Speaker, I think perhaps this is the time to clarify this, if I may. My question is simply, then, what harm if you proceed by way of writs? What harm?

Mr. J. Renwick: The harm is that under the guise of a motion to the court for an injunction—and I am not referring in this instance to the ex-parte injunction, I am referring to the interim injunction which is still being maintained for practical purposes, and I will deal with it, but an ex-parte injunction is only one kind of interim injunction.

Now, the criticism that labour has had of the interim injunction, that is whether they have had notice of the hearing or not, is that they are called forward on short notice—two days' notice—to put a case before a court or a judge who in fact already is not in a position to deal with the substance of the matter, in the first instance, and secondly, as anyone knows, the defendant who is given the opportunity to appear on such short notice has no opportunity to give the substance of his case even if the judge were able to answer for him.

All I am saying is that I think the point is of great significance, but I do not think the point is one that I can further in this debate other than to make the point I made earlier, and that is that you fool people who are not lawyers if you require them to come into court where they think vital matters of concern to them are being decided as a matter of substance and the person before whom the application is made, because of the procedural rules of the court, is not a person who can deal with the substance of the matter, and you leave the impression that in some distant day in the future there will be some dealing or question related to the substance of the matter, and that never happens. I think that that is a point which will continue to be of great concern. I notice in the—

Mr. J. E. Bullbrook (Sarnia): Do you have an alternative?

Mr. J. Renwick: No, I do not pretend to the have the solutions to all these problems. I can think of a situation in which there would be an application by originating notice of motion for an injunction, which as I understand it, was in many cases the procedure which was followed in the equity courts rather than in the common law courts, on which it would be clearly spelled out, if it is necessary to spell it out, that if there are matters of substance to be decided, that the persons know that the judge before whom they appear has the authority to decide those matters, and if there are no matters of substance to be decided but only the procedural question of whether or not certain properties

should be protected, certain persons protected from injury, and certain essential public services continued in operation.

If that is the only question, then the people have an adequate opportunity and the judge presiding or hearing that motion would have the opportunity to say, "I am vested with the full authority to decide the substance of it," and not pretend that at some distant point a trial is going to take place.

I think that a judge in such circumstances should either be vested fully with the authority, or it may well be—and there is, you know, good argument that can be made; I am not necessarily the one to make it; there is good argument to be made—that this whole matter of injunction in labour disputes should be transferred from the courts to the Labour Relations Board, where a board which is a specialist in the area of labour-management relations is dealing with the essential ingredients of the economic conflict within the framework of the occasion which calls for an application of the court for injunction, rather than go before a judge where the judge is basically concerned not with the economic conflict which is taking place, but with the traditional concerns of a court in granting an injunction.

I think it creates a sense of unreality about a very real problem. And I want to leave that point, because I do not think I can advance any further, but I want to simply say that it will be a continuing problem for the labour movement, for this party and, I am certain, for anyone who understands or tries to understand the course of injunctions in labour disputes, until there is some more complete solution to the problem. One of the solutions is that the procedures, if this is going to continue to be dealt with under The Judicature Act, be dealt with by a different special procedure, if necessary, where parties know what the substance of the matter is, or that it be transferred and taken completely out of the court and taken to the Labour Relations Board, which may well be a more appropriate board to deal with it.

I may say, of course, that the study itself is a very detailed and voluminous three-volume study which I think exhaustively sets forth the procedural aspects of the law relating to injunctions in labour disputes in the Province of Ontario. It does not, as a disclaimer in the report points out, deal with the substance of questions about picketing and all the other related questions; that in itself is deserving of another full and compete study.

But when I come to the bill itself—and we are going to support the bill in principle, subject to that caveat that I have just made —I think no one should think for one moment that this bill is a solution to the basic problem. We are going to support the bill because we believe it is a substantial advance and because it implements many of the things which we put forward in this party as a public bill of a private member and which stood in my name on one or two occasions, and stood in the name of my colleague from Hamilton East (Mr. Gisborn) on one or two other occasions. And it does implement the substance of what we felt was the initial step, the only initial step which we could ever persuade this government to take.

The bill appears to comply with and has the merits of the Rand commission report recommendations with respect to injunctions in labour disputes. And I draw the attention of the House to the positive aspect of the bill. I think it is very clear now that there is an appeal to the Court of Appeal. There was always an appeal to the Court of Appeal but it was very difficult to get there because of the procedural rules involved.

There is also a clear statement that any misrepresentation by any applicant of any of the facts or circumstances surrounding his application left him open to a charge of contempt of court if there has been any such misrepresentation or withholding of vital information when the application is made.

I think it is true that a court would always have had that jurisdiction to punish for contempt, but in this kind of situation I think it is wise to have it included in the statute in order to draw it clearly to the attention of any intending applicant.

The bill has the merit of removing one of the difficulties of interpretation which existed in the previous bill, where it defined a labour dispute as being between an employer and an employee, and that raised very difficult problems and provided a method by which on occasion the ambit of the section could be escaped from, and it is a much better, in my judgement, definition of the basic labour dispute which brings this section into force.

The Act then goes on, Mr. Speaker, to outlaw the ex-parte interim injunction except under very specific circumstances and I think that subject to questions of wording which can best be dealt with in committee—and I am sure the minister will be referring this bill to the legal and municipal bills committee so that adequate representation and hearing can be had—I think it does set out

a very real precondition on which the interim injunction as such can be granted, and that is that reasonable efforts to obtain police assistance, protection and action to prevent or remove any alleged damage to property or injury to person, obstruction or interference with lawful entry or exit, or any breach of the peace, have been unsuccessful, and it would seem to me that that is a very real step forward to make that a precondition of any application.

The question of the ability of a person to be cross-examined by requiring him to attend on the motion and to be available to be cross-examined on any statements made in an affidavit is a distinct advance. The time period is four days with two days' notice for the interim injunction, which is subject to changes in wording, is in substance the provision which presently exists in the Act, and the two days' notice not only has to be given to the particular person who is named as defendant in the action but there is procedure to provide that persons not named in the application be given at least some opportunity to know that they are likely to be affected by it, in which case, of course, they could appear at the time of the hearing and have themselves either joined as defendants or at least appear on the application when the injunction is made.

So those are matters dealing with the non ex-parte interim injunction which I think are beneficial amendments, but when we come to the ex parte injunction itself you have it curtailed in its operation in a way which on balance I do not think that we in this party can necessarily disagree with. It makes it a condition precedent to getting an ex parte injunction that the same endeavour to get police protection has been taken, and I would ask the minister to confirm that in his remarks; that in order that one may get an ex parte injunction, or an employer might get an ex parte injunction, he also has to show that he had been unsuccessful in getting police protection.

Then the Act goes on to provide three other requirements: that notice cannot be given has to be proved and without that, if notice was required to be given, that the delay would result in irreparable damage; that reasonable attempts had been made if notice formally cannot be given to reach interested parties by telephone; and that proof of all matters would have to come before the court and be established by *viva voce* evidence.

Mr. Singer: Surely that is what clause 7(a) says.

Mr. J. Renwick: Mr. Speaker, I do not believe clause 7(a) says that. Clause 7(a) says the case is otherwise a proper one for granting of an interim injunction, then goes on to spell out three other additional requirements; it does not appear to me that those are covered by clause 7(a).

Mr. Singer: But it does not say that no words of the Attorney General that are not in the Act are going to change it.

Mr. J. Renwick: Well the four preconditions of an ex-parte injunction are set out in clause 1(7) of the bill and appear to me to be adequate to provide any safeguard which is required against a precipitate grant of an ex-parte injunction. I question whether or not, if and when the Act comes into force, it should not apply to all actions for an injunction, whether they have been commenced at the time the Act comes into force or as well as those which may commence subsequent to the Act coming into force.

On that basis we in this party will support the principle of the bill, but again I want to reiterate the remarks I made at the opening: that this in no way solves in any final sense the fundamental problems which are buried in the procedural requirements that have been in force in this province for so long and lead to a very unreal application before a court in a matter where fundamental economic interests of persons are involved, and where the court is being asked to do something which it may well be that the court is not a proper forum for the decision to be made. But with that caveat we will support the principle of the bill.

Mr. Speaker: The member for Downsview.

Mr. Singer: Mr. Speaker, I listened with very substantial interest to the remarks of the hon. member for Riverdale as he explained why he was going to support the bill, although he had grave reservations, and bearing in mind what the members of the NDP have been saying over the years and their rather loose use of language in connection with injunctions and ex parte injunctions. I have been to many a meeting, Mr. Speaker, where NDP speaker after NDP speaker gets up and says, "We will never have injunctions again in labour disputes." It has been very interesting to hear the hon. member for Riverdale give a learned legal treatise this afternoon and make the abundantly clear distinction which many of his

colleagues have neglected to make in public time after time when they get out on the hustings.

Mr. J. Renwick: Nonsense, nonsense.

Mr. Singer: I do not want to accuse anyone of having any motives, but I suggest that it made a much more ringing form of political speech to say, "Let us do away with all injunctions."

Mr. C. G. Pilkey (Oshawa): And you will hear more.

Mr. Singer: Surrounded in very fancy language this afternoon and searching very desperately for some kind of reason to differ, the hon. member for Riverdale has attempted to make a great issue about whether or not an application for an injunction should be commenced by originating notice of motion or whether it should be commenced by the issuance of a writ in an action.

Now I do not know, and he did not bother making it this clear, Mr. Speaker, whether or not he feels that the determination of the issue of an interim injunction, as to whether it should be granted or not, is the be-all and the end-all of any labour dispute, or whether or not there are alternatives. Surely the hon. member for Riverdale, being a very capable lawyer, would agree with me that there should not be a multiplicity of proceedings in our courts and we should not have only an originating notice of motion form of procedure if as well we are going to allow a Supreme Court action.

It may be that the action, even though it never in fact is finally determined, should not be allowed—at least in the mind of the hon. member for Riverdale. And it may well be that what he is advocating, although he has not said it—and perhaps he will say it before this debate is over or at some time during other stages of the debate on this bill—perhaps he will say that it is improper under any circumstances for a trial of this kind of an action to take place, for an award of damages to be made against any of the contending parties and for an award of costs to be made.

Now if that is what the hon. member for Riverdale has in mind and that sort of a shoring up he has done, then I think he should be much more explicit; because he neatly threw a smokescreen around this whole question without coming out with any party declaration of policy other than to say at this point that what the NDP on occasion have been declaiming really is not bad and this really is not a bad sort of bill.

Now I thought the interjection made by my colleague from Sarnia was a most appropriate one.

Mr. D. A. Paterson (Essex South): That is right.

Mr. Singer: He asked the member for Riverdale what his alternative was, and the member for Riverdale said, "Well, really we do not know." It is the first time I have heard a labour spokesman be so quiet—and he has been so quiet—on a matter that he and his colleagues in that party have been so loud about in the hustings. They are the saviours of labour. Now at this point he is speechless; he has no ideas at all.

Mr. J. Renwick: You mean you are going to vote for me?

Mr. Pilkey: There were thousands down there this morning.

Mr. E. W. Martel (Sudbury East): They were not cheering for the member for Downsview either.

Interjections by hon. members.

Mr. Singer: I will say this, Mr. Speaker: I think this is a good bill. I think substantially what the Attorney General is trying to reflect in this bill is an idea that has been expressed in this House over a long period of time. It has come on a few occasions from the government benches, it has come on many occasions from the Liberal benches and it has come on many occasions from the NDP. I do not think anyone can claim authorship of it as the member for Riverdale in his usual magnanimous fashion has attempted to do. It is an idea that has been put forward in many reports by many people who have been commissioned to write reports.

Mr. J. Renwick: I referred to the bill standing on the order paper of this House.

Mr. Singer: It is an evolution that has been very slow in coming. I think, however, Mr. Speaker, along with some of the other suggestions that the Attorney General has brought forward insofar as amending court procedures, perhaps he has been a little too hesitant about really making major reforms. When we deal with his big amendment to The Judicature Act, which is not this one—I have forgotten the number of the bill—we are going to suggest that perhaps the time has come to do away with prerogative rights and to evolve a new kind of procedure.

He has done that to a certain extent; there has been an improvement in these methods. I wonder if in doing away with recognized forms of procedures that perhaps this might not have been the caveat the member for Riverdale was nibbling at.

I would suggest, though, that we have a real caveat, to use his word, if we proceed in the way he would suggest, because we would oppose any thought that the mere dealing with an application for an interim injunction finally disposes of all of the matters in dispute. It may well be that there is a justified claim for damages, that there is a justified claim for costs and so on, and if that is what the member for Riverdale had in mind, then we are opposed to it.

I say, Mr. Speaker, we will support this bill on second reading.

Mr. Speaker: Does any other hon. member wish to speak? The hon. member for Oshawa.

Mr. Pilkey: Mr. Speaker, obviously the question of injunctions, as the hon. member for Downsview said, has been discussed in the trade union movement right across this province, if not right across the nation, on many occasions. Obviously the trade union movement has taken the position that injunctions have no place in labour disputes. I have not changed my position because of some practical experience with injunctions. You may say that I have been named on a few occasions, even though I have not appeared on that specific picket line, but employers have got an ex-parte injunction which has served an injustice on a union that may be involved in an industrial dispute. As a matter of fact, the ex-parte injunction—I do not have to tell everyone in this House—was used by employers on many occasions, very frankly, to destroy that union. There was no valid reason for the injunction; there was no violence; there was no damage on the picket line, but the employer just automatically went to the court.

That reminds me of a story that has been told many times by the trade union leaders in this province about a judge who was on the third floor of his cosy club, and down below a ball game was in process. After the pitcher had made the first pitch, the umpire yelled, "Strike", and the judge woke up as he was dozing and he said, "Injunction granted." That was typical of what has been going on in this province.

Mr. Bullbrook: David Archer told that story.

Mr. Pilkey: Did he tell the story? I do not know who told it originally but it explained the situation as it was prevalent in this province.

Mr. Bullbrook: I think it was the chief counsel for the UAW who told that.

Mr. Pilkey: Is that who told it? In any event, Mr. Speaker, surely in any act that contravenes the law, there is an avenue under the law to deal with it other than by injunctions. It seems to me that injunctions have no place in industrial disputes. My colleague from Riverdale says that this bill is an advance, and obviously it is. I do not think that anyone can deny that, that it is an advance over what had been in effect previously, particularly that section that says, "No injunction to restrain a person from any act in connection with a labour dispute shall be granted ex parte".

This was one of the things that the labour movement thought was an injustice where no one was allowed to appear, and the employer submitted an affidavit or some evidence and the injunction was granted. Surely that is an advance when this cannot happen, except for those reasons outlined in section 7 of the bill. So that is an improvement. But whether my colleagues on this side of the House join with me or not, this will not stop me from continuing to fight in this whole area of injunctions. Because it is a first step, it is not good enough. In my opinion, injunctions have no place in labour disputes and, as far as the trade union movement is concerned, I am sure that it will continue to take that position as long as an injustice is served on the trade union movement as a result of injunctions.

I want to suggest to the Attorney General, though he has made a step in the right direction, that injunctions will still serve an injustice to the trade union movement in the Province of Ontario. Recognizing that unions will be allowed to go into the courts and, in some fashion, make representation, I want to suggest to the Attorney General, as frankly as I can, that the courts will still pull on the side of the employers, regardless of what happens.

My colleague made the proposition that this should go to a forum—and it could very well be the Labour Relations Board—which understands what industrial disputes are all about. He said that the courts will not make their decision on the basis of the involvement in that dispute, as far as the employer is concerned. I think they will make a strict interpretation of the law and they will apply

it to the situation and to hell with what went on in the labour dispute. I think that is what is wrong with injunctions and, particularly, as they will be handled in the courts.

For that reason, the trade union movement will continue to oppose injunctions as they are outlined in Bill 177, because, as I said, I think you have taken a step in the right direction but there still will be many injustices served on workers in this province.

I recall, if my memory serves me correct, that Mr. Rand wanted to place the whole issue of injunctions in the laps of an industrial tribunal. I think he understood that, if my memory serves me correct—

Mr. Singer: Is the member supporting the Rand report now? That is a good departure. First good word I have heard from those benches about the Rand report.

Mr. Pilkey: I do not think that I particularly can be accused of supporting the Rand commission report. It is—

Mr. Singer: No, I do not think the member can.

Mr. Pilkey: It is clearly on the record of this Legislature, my position on the Rand report.

Mr. Bullbrook: The hon. member is ahead now, he should sit down.

Mr. Pilkey: No, no. I want to make this one observation.

Mr. Singer: The member is going to vote for it anyway, so he should quit while he is ahead.

Mr. Pilkey: One of the bad points of the Rand commission report was the industrial tribunal. There is no question about that.

Mr. Singer: But it is good for another one.

Mr. Pilkey: But the point that I am trying to make is that at least Rand recognized that this should not be allowed to remain in the courts, as I understood it. Obviously we are opposed to it being placed in the laps of any industrial tribunal either, with all its power. But surely, it can be placed, as my colleague points out, in the hands of the Labour Relations Board, which is more qualified and which understands this whole question of labour disputes.

But very frankly, I would suggest that before any of those alternatives are even entertained, that injunctions per se should be eliminated in industrial disputes.

Mr. Singer: How can the hon. member vote for the bill then?

Mr. Pilkey: There are other avenues in the law that can be used. In the question of damages, or injuries to persons, surely there are laws to provide for relief in that area? Surely there are laws under which the government can take action where there is interruption in essential public services? There are governments that have not hesitated in the past to take that action without going into the courts, and—

Mr. Singer: What kind of action is the member talking about now?

Mr. Pilkey: I am talking about this question of interruption of essential public services. Surely that does not have to go the court either, in terms of applying an injunction?

Mr. Singer: Do we not need a special Act for that?

Mr. Pilkey: Well, maybe—

Mr. Singer: Oh come on, the member objects to that—compulsory arbitration?

Mr. Pilkey: I am not talking about compulsory arbitration at this point. I am not talking about compulsory arbitration, and I am not talking about collective bargaining.

Mr. Singer: Well, what is the member talking about then?

Mr. Pilkey: Surely on the interruption of essential services we are not talking about collective bargaining. That point is not relevant to collective bargaining.

Mr. Singer: The first one to howl if they move without power will be the hon. member.

Mr. Pilkey: I just want to finalize my point by saying again to the Attorney General that obviously he has taken that one step. I do not think that he has gone far enough, in terms of the elimination of injunctions in labour disputes.

I want to suggest to the Attorney General, as strongly as I can, again, that the injustices that have been served on the trade union movement will continue to be prevalent as long as we retain injunctions in labour disputes, whether they are ex parte, interim injunctions or any other kind of injunctions that can be placed on workers in a strike situation. And I want to urge upon him that he reconsider, not only Bill 177, but in the

future that injunctions in their entirety be eliminated as far as labour disputes are concerned.

Mr. Speaker: Do any other hon. members wish to speak on this before the minister replies?

Mr. Bullbrook: Yes, if I might.

Mr. Speaker: The hon. member for Sarnia.

Mr. Bullbrook: Mr. Speaker, first—it will come as no surprise—I want to disassociate myself with about 96 per cent of what was said by the hon. member from Oshawa. The four per cent that I agree with is that this statute is a step in the right direction.

As I understand some of his comments, he is saying, in effect, that he wants us, as a legislative body, to completely rid the management-labour field of redress to the courts through the injunctive procedure. In reply to that I would say that this equitable jurisdiction available to the court has been available to them for, I guess, about 600 years now, and it—

Mr. J. Renwick: Not in labour disputes.

Mr. Bullbrook: —and it is available, of course, to any member of the public.

The thing that I find extremely reprehensible, of course, is where we take a general equitable jurisdiction available to people and start to codify situations as they pertain only to the labour and management relationship. I think, in this respect, the hon. member for Oshawa has some justification because what this House has done in the past is said that: "We will regard labour-management situations as far as recourse to the courts is concerned as a specific situation."

I think we have been wrong in that respect. We should regard them in the same position as opposing litigants seeking this equitable redress from the court.

Secondly, delegating to anybody outside the courts the judicial functions in connection with power of this nature, I find totally unacceptable. It begs the question, in any event, to say to the public of Ontario, through us that only the Labour Relations Board is qualified to make a proper decision in connection with the granting of an injunction. I think it is really an insult to those people who inhabit the bench at the present time.

Mr. J. Renwick: We are not here insulting anybody. We are trying to pass decent laws.

Mr. Bullbrook: I might say, under our judicial system we do not appoint experts to the court for a purpose, because the fact of the matter is we do not want experts on the courts. We want those people who are expert only in the law, but not necessarily in the substance brought before them. That is why they are there; to make that type of independent decision. If they—

Mr. J. Renwick: The Attorney General is restructuring the courts in order to provide a degree of specialization.

Mr. Bullbrook: If they require expert advice, of course, such is available to them under the rules.

I am going to concur, of course, with what my deputy leader has said and what has been said to some extent in connection with this bill. It certainly is a step in the right direction.

I did not entirely understand the comments of the member for Riverdale. I suppose it is presumptuous of me to say, Mr. Speaker, that as I understood them he was saying, in many of the situations that come before the court relative to injunctions, the real terminal position comes when the injunction is granted. And so there is to some extent some foundation in the comment that he made, that if the parties are agreed that this is an absolute terminal position, and that all their woes will be resolved by the granting of the injunction, then it might well be that to instigate the procedure by originating notice of motion might be more advantageous.

I could suggest that if the Minister of Justice is going to bring this before the legal bills committee, we could invite, of course, the New Democratic Party to bring before us amendments to this specific section at that time which might implement these suggestions. The problem, of course, is this, that what you have to presume if you begin by originating notice of motion, is that the parties have agreed that they will terminate their dispute at the granting of the injunction.

In my limited experience in this field, I have yet to see the issuance of a writ that asks only for the injunction remedy. This is the problem, because concurrent with most of these disputes you have collateral matters, in many cases involving the question of damages that are concurrent with the dispute itself.

So, I say, with respect to the comments made by the member for Riverdale—although I suggest, and most respectfully, they were all out of order because they had nothing to

do with this statute at all—that if his party wishes to come before our committee, I will be extremely receptive to any codification of his intent. That is what I was interested in when I rudely interrupted and asked, "What is your alternative?" I expected—

Mr. Pilkey: Not really. We got the member's position. He is in favour of injunctions. We got the Liberal position. It came through loud and clear.

Mr. Bullbrook: I expected at that time that we would have the benefit of a reasonable and logical alternative to be given to us.

I have said, in connection with the comments made by the member for Oshawa, that what I consider as a member of the Legislature utterly reprehensible is when we codify things and we provide for remedies—

Mr. Pilkey: The member for Sarnia is in favour of injunctions.

Mr. Bullbrook: —in a statute that relates only to labour and management situations and does not relate to public litigous involvement.

Mr. Pilkey: We got the member's position clear.

Mr. Bullbrook: And what I want to say therefore, if I might, Mr. Speaker, is that the member for Riverdale can very peremptorily slough off the consequences of the principle enunciated in subsection 8 of section 1, but for the first time, to my knowledge, we have attempted to codify here—in a bill that to all intents and purposes deals with labour and management disputes—we have attempted to codify an objective evaluation of what constitutes a contempt of court and I find that unacceptable to me. The reason I do—I will be brief—is this.

To all intents and purposes, of course, activity of this nature is by its very nature a contempt of court and I think that there is an inherent jurisdiction in the court to treat it as such at its discretion, if it wishes so to do. But why does the government insist upon taking this upon itself, when we involve ourselves with labour and management situations? There is a new peremptory discretionary remedy available; that is decodification of an objective evaluation of what constitutes a contempt of court.

A contempt of court is—I am not going to read it; I was going to read Oswald on injunctions but I will not, because when I listen to the member for Riverdale, he reads and reads and sometimes I fall asleep and I do not want to have him in the same position—basically it is a historical remedy, but based entirely on the right of the court to make a subjective evaluation and in regard to what went on in a procedure before it as to whether it must use this very vigorous and very seldom used procedure to chastise and purge the person before it.

I suggest to you now most respectfully, Mr. Speaker, that we do not have to do this. Now I recognize the reasons it was put in, but, again, I want to convey to the member for Oshawa this is the lowly type of activity, through you, Mr. Speaker, that you people—

Mr. Pilkey: That speech will be circulated in Sarnia. The hon. member is in favour of injunctions in labour disputes.

Mr. Bullbrook: I stopped talking about injunctions 10 minutes ago.

If the Attorney General is really vitally concerned with this statute—aside from the all-embracing concept that we must do away with all injunctions—if he is vitally concerned, then he should concern himself with the fact that, to the best of my knowledge—and I am subject to correction and I hope I am wrong—this is the first time that he has ever confided what constitutes a contempt of court, rather than leaving it within that inherent jurisdiction and subjective evaluation to be made by the court at that time.

Mr. Speaker: Any other speaker before the Minister replies now? If not, the hon. minister.

Hon. Mr. Wishart: Mr. Speaker—

Mr. Singer: The NDP has two views on every bill.

Mr. Speaker: Order, please.

Hon. Mr. Wishart: The debate on second reading has, I think, been very helpful, Mr. Speaker. While there were some political shafts exchanged which I do not intend to indulge in, I did think that the discussion of this bill was helpful.

I did have some little difficulty in—perhaps not in following the member for Riverdale in his discussion—but I am going to take the time between now and the time this bill goes to the committee on legal bills to look at his remarks when I can perhaps, with a little more leisure and a little more time, interpret them and also refer to some of the reports that he has mentioned which I looked at some time ago.

Mr. Singer: Having done that, co-ordinate them with the remarks of the member for Oshawa.

Hon. Mr. Wishart: I think I might have difficulty in my approach to those remarks, somewhat like those of the member for Sarnia. The member for Riverdale did not go so far as to say what the remedy was for the difficulty which he found and I do not know that we should reach for that in this bill or not. Perhaps it is something we should devote our thinking to in the matter of further law with respect to injunctions. But it seemed to me that merely to say, "well, he is not dealing and does not ever intend to deal with a matter of substance and that the parties know." I do not see that as a great objection on the application for the ex-parte injunction and the lack of notice to deal with issues which may be involved in the action—the matter of substance is never going to be dealt with—well then that is of no moment.

If the matters of substance are going to be, as in some cases they might be, dealt with later on, then there will be ample time to prepare and deal with them in the course of the action. I am going to look at the remarks of the hon. member and I appreciate the point he raises. I do not think it is for us to deal with here.

As I am sure all members are aware, we have followed in this legislation very closely —in fact, almost in their entirety—the recommendations of the late Mr. Justice Rand in his report, after he studied the matter of labour and labour relations generally. We have tried to translate into law those recommendations.

I would like to go to the remarks of the hon. member for Oshawa immediately because there are one or two things there that I think he said, I do want to comment upon.

First of all, he said that the courts will always come down on the side of management and industry. I do not think he should say that. I think that is a reflection on the impartiality, the honesty and the approach to matters which come before the courts and our judiciary. I repudiate that.

Mr. R. Gisborn (Hamilton East): He did not mean that exactly. He meant that the results—

Hon. Mr. Wishart: I hope he did not mean that. I think what he meant, and I would like to help him out if I can—

Mr. Singer: You will have a hard job explaining away that member for Oshawa.

Hon. Mr. Wishart: I think what he meant was—and this is the very situation we have moved to—that, in the rules which we had heretofore existing, on the ex-parte injunction we made it so easy—the rules provided such an easy method—to get the injunction that the court perhaps had little area for judgement. The applicant came in with an affidavit. It was not for the judge to cross-examine or investigate the substance of the material, and he granted the injunction. That was the error, not the error of the court. That is what this legislation moves to correct—the notice, the calling of witnesses if requested, the *viva voce* giving of evidence, the opportunity for cross-examinaion. These are the things which change those methods by which ex-parte injunctions could be obtained.

I would hope that the hon. member for Oshawa meant that it had been too easy for the courts to grant them, not that there was a bias on the bench of this province. I hope he will have an opportunity to clarify that, perhaps at some other occasion. I think it is a fact that ex-parte injunctions were too easily obtained in many instances. That is what this legislation, that is what Mr. Justice Rand, that is what the cry has been through the years, to change that. That is what this legislation moves to do.

Mr. Justice Rand did say in his report, after he made his recommendations, and I quote from page 81 of his reports. He has it in brackets for some reason or other.

> It would be desirable to place the issue of injunctions in labour disputes wholly within the jurisdiction of the tribunal.

That is to say the tribunal he recommended. The hon. member for Oshawa will be quick to say that he does not want that tribunal. He does not want that tribunal except for this one purpose.

Mr. Pilkey: No, no, I do not want—

Hon. Mr. Wishart: Perhaps it is a good point. Mr. Justice Rand went on to say:

> However, a constitutional question may be involved on both the provincial jurisdiction to clothe such an administrative tribunal with strictly injunctive power in this instance—

He found a difficulty there, a constitutional question, which he did not resolve and which in his mind was still there. I think that is still a very serious and open question. So he said, failing the resolving of that, give it by way of an amendment to The Judicature Act. So that is the way we have moved to do it. I would

think, Mr. Speaker, that we will take this bill to the committee on legal and municipal bills and perhaps there discuss at length some of the matters which have been raised here today.

Motion agreed to; second reading of the bill.

Mr. Bullbrook: Before you make the motion, would it be inappropriate for me to ask the Attorney General to comment on my comments relative to contempt?

Hon. Mr. Wishart: I thought of it, Mr. Speaker, and then I thought, no, I will leave it.

Mr. Bullbrook: Well, if you prefer to leave it—

Mr. J. Renwick: We can deal with it in committee.

Hon. Mr. Wishart: Yes, I think we can do it well in committee.

Mr. Speaker: Actually, the motion has been put and carried, but if the minister wishes—

Mr. Bullbrook: Well, of course I will withdraw my remarks. I did not realize that the motion had been carried.

Mr. Speaker: The minister indicated he could answer your comments in commitee. I understand that the bill has to be directed to the standing committee on legal and municipal bills.

Mr. Singer: Provided the motion has been carried.

Mr. Speaker: It is so directed.

Mr. Singer: The member for Oshawa just wants to divide the House on this bill.

An hon. member: No, he has just divided himself.

Mr. J. Renwick: He does not want to embarrass the government.

Mr. Singer: Or is your colleague from Riverdale?

JUDICATURE ACT (2)

Hon. Mr. Wishart moves second reading of Bill 178, An Act to amend The Judicature Act.

Mr. J. Renwick: Mr. Speaker—

Mr. Singer: I have not found it yet.

Mr. J. Renwick: You have not found it yet?

Mr. Singer: No, I have not—not yet. In this book it comes before 176.

Mr. J. Renwick: Each year we appear to have a bill coming before us increasing the number of judges of the high court. And each year the Minister of Justice and Attorney General assures us that there are ample judges in the court to deal with the business of the province that comes before it. Perhaps he could explain to us why it is necessary for him to deal with such an important matter in a piecemeal precedent or whether he should not face up to the fact that until he changes the hours of sittings of the court, the length of time during which they sit in the year, he is going to be faced with this problem because the judges are behind in their work; the judges have got a case load that is quite heavy.

In my view, the only way it is going to be solved is by taking two steps: one is to increase the number of judges in the court, and the other one is to alter the times during which the court sits so that they will sit throughout the year with whatever period of relief from their duties the particular judges require on some mutually worked out rotation system. But until those two things are done, I think each year in this Legislature we will find 31 in 1970 and, I would guess, 41 by 1980. Perhaps the Minister of Justice would comment, because I think it is a real problem to which he has not yet faced up.

Mr. Speaker: The member for Sarnia.

Mr. Bullbrook: Yes, Mr. Speaker. We in this party of course will support the bill in principle; we want also to make comment, perhaps unusual as it is, in support of the comments of the hon. member for Riverdale. We have discussed this question of the hours of the court, and the question of the long vacation, many times, and we would take this opportunity of asking for a positive response from the Minister of Justice in connection with the studies he has done relative to hours of work.

It becomes more and more apparent that the long vacation is an anachronism. We want a long vacation for individual members of the court but we do not want a long vacation for the court, and I think the time has come when we have to come to grips with this particular problem. It is completely anachronistic that for some reason, which I

take it arose in about the eighteenth century, that during July and August we do not have a normal availability to justice. I think the Attorney General on balance probably would agree with this concept and I think the time really has come, concurrent with this type of legislation, that we might have some indication of general policy in this respect.

Mr. Speaker: Do any other members wish to speak before the minister replies? The hon. minister.

Hon. Mr. Wishart: Mr. Speaker, I can be fairly brief with this. It would seem perhaps a little unusual to ask for an increase of one judge in the bill at this time, but I am anxious to get this forward because it takes some time. This request has to be by way of legislation here and then it goes forward to the Minister of Justice at Ottawa and he has to do some budgeting and he takes some time to get that appointment.

I did ask earlier in the session, Mr. Speaker, for four judges of this court. This would be actually five, and there is a special reason for the additional one now. There is, of course, the usual wear and tear or depreciation of all individuals in age and abilities, retirement, and deaths and so on, but there is a special reason for this appointment. There will be a vacancy of which we are aware through the directing of one judge, or the requesting of one judge, to take on a very special duty which will relieve him from being available to the court at least for a time. He will not be resigning, but I understand he will have these special duties to perform. It was in anticipation of that that we want to be ready to have that appointment made.

Mr. J. Renwick: Could you tell us what these duties are?

Hon. Mr. Wishart: I could tell the hon. member, perhaps, if he would not mind. It is not a great secret, but I understand that there will be duties in connection with law reform in the federal area of law, which—

Mr. Bullbrook: I am glad you did not tell us.

Hon. Mr. Wishart: —would perhaps require the help of one of our senior judges. I am concerned, too, and I think perhaps I should tell the House that I very recently referred to the Ontario Law Reform Commission a matter of a study on the business of the administration of justice during vacation—in broader terms than that, actually—and particularly the work load of the judges, how we could make our courts function through what are now known as the vacation periods and the hours during which court should sit.

I can tell the House also that as a result of a study we made in the past year, we know the workload of all our judges, the hours they spent in court in the past year, the average hours they spent on a case. We know which judges are spending long hours in their duties and those which seem to be very lightly concerned. We have all that and we shall make this material available to the Law Reform Commission, and they will do a study, similar I think, to a study which was done in Britain. I have asked the commission to move on it, and they have assured me they will, and we should have the answers I think in that area.

I would like just to say this to the House, because I do not think this is perhaps appreciated. I think all members are aware that our provincial judges' courts—now this has nothing to do with the bill Mr. Speaker—formerly magistrates' courts, sit every day of the week, with the exception of Saturday and Sunday, and every month of the year—

Mr. J. Renwick: That judge down in L'Orignal—

Hon. Mr. Wishart:—and they sit long hours—

Mr. Singer: Yes, sometimes to 1 o'clock in the afternoon.

Hon. Mr. Wishart: —and then sometimes to 1 o'clock at night.

Mr. Bullbrook: A very dedicated group.

Hon. Mr. Wishart: County court judges are always available through the summer months, particularly for criminal matters, and I think the hon. members know, particularly the law members, that they will take cases and are fairly good about this.

Mr. Singer: Have you ever taken up my invitation to visit city hall after 1 o'clock in the afternoon and see how many magistrates from the provincial—

Hon. Mr. Wishart: Well, the hon. member perhaps has only that narrow experience of Metro Toronto.

Mr. Singer: Very narrow, I am sorry.

Hon. Mr. Wishart: He should go outside Toronto to the province. However, this will all be part of the study which is going forward.

Mr. Speaker, this bill does not need to go anywhere except to the Committee of the Whole House.

Motion agreed to; second reading of the bill.

STATUTES REVISION ACT, 1968-1969

Hon. Mr. Wishart moves second reading of Bill 179, An Act to amend The Statutes Revision Act, 1968-1969.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick: Mr. Speaker, we agree with the technical amendment and the explanation given by the minister.

Mr. Speaker: Any other comments?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be directed for third reading?

Agreed.

INTERPRETATION ACT

Hon. Mr. Wishart moves second reading of Bill 186, An Act to amend The Interpretation Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be directed for third reading?

Agreed.

REGULATIONS REVISION ACT, 1968-1969

Hon. Mr. Wishart moves second reading of Bill 180, An Act to amend The Regulations Revision Act, 1968-1969.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be directed for third reading?

Agreed.

JUDICATURE ACT (3)

Clerk of the House: The twentieth order, second reading of Bill 183, An Act to amend The Judicature Act.

Mr. J. Renwick: Mr. Speaker, I would ask that this bill, which deals with the restructuring of the courts, which has just appeared in printed form in the books today, be stood down.

Mr. Speaker: It is agreed that this Bill 183 shall be stood down.

Mr. J. Renwick: Similarly with the rest of the bills on the order paper, if we may.

Hon. R. S. Welch (Provincial Secretary): In other words, you are not prepared to go on with any of the others that are marked in the name of the Attorney General?

Mr. J. Renwick: No, we are not prepared to proceed with any of the other bills, since we have not had an opportunity to consider the matters.

Hon. Mr. Welch: That is fair enough.

Mr. Singer: That makes sense, Mr. Speaker. They are part of a bundle.

Hon. Mr. Welch: Okay.

Mr. Singer: For once I agree with the member for Riverdale.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 173, An Act to amend The Vital Statistics Act.

Bill 174, An Act to amend The Day Nurseries Act, 1966.

Bill 178, An Act to amend The Judicature Act.

Bill 179, An Act to amend The Statutes Revision Act, 1968-1969.

Bill 180, An Act to amend The Regulations Revision Act, 1968-1969.

Bill 186, An Act to amend The Interpretation Act.

Clerk of the House: The twenty-eighth order, resuming the adjourned debate on the motion for concurrence of supply for The Department of Justice.

CONCURRENCE IN SUPPLY,
DEPARTMENT OF JUSTICE
(continued)

Mr. Speaker: Shall the resolution be concurred in?

Mr. V. M. Singer (Downsview): Mr. Speaker, we had a two-and-a-half hour allocation for that matter. I spoke at some length on it; the hon. member for High Park (Mr. Shulman) spoke at some length. I would be interested at this point, if the Attorney General (Mr. Wishart) wants to answer; if not, since there is still time remaining I have some additional points I could touch on. It is up to the Attorney General.

Mr. Speaker: Would the hon. Attorney General wish to comment at this point? The hon. member for High Park was not finished with his remarks, I believe. There are 40 minutes remaining. However, he is not in the House. The order has been called and those 40 minutes may be consumed by hon. members who wish to speak further to the debate.

Mr. J. Renwick (Riverdale): Mr. Speaker, if I may, just on a point of order, I am not quite certain of the procedure. Is it sort of anybody's ball game at the moment?

Clerk of the House: Anyone who has not already spoken.

Mr. J. Renwick: Who has not already spoken?

Mr. Speaker: I think that the provisions are that any member may speak once in the concurrent debate. The reason the hon. member for High Park, if he were here, could continue would be because he had not finished his comments; he moved adjournment of the debate. But I believe the proper procedure would be for any other member who has not spoken to now engage in the debate if he so wishes.

Mr. Singer: Then if we still have time when it is over, other members could come back again?

Mr. Speaker: I do not believe so.

Mr. J. Renwick: This is the point I was concerned about. If the Attorney General speaks now, that is the end of the debate, is that correct?

Mr. Speaker: That is right.

Mr. J. Renwick: I would like to speak unless my friend, the member for Downsview, would like to speak.

Mr. Singer: I would like to, but apparently I am forbidden.

Mr. Speaker: Apparently the member for Downsview has completed his remarks.

Mr. J. Renwick: You have spoken? I am sorry I missed your remarks.

Hon. G. E. Gomme (Minister of Highways): You did not read *Hansard*?

Mr. Speaker: I would point out that the standing orders provide for not more than one sitting, but it may be less.

Mr. R. Gisborn (Hamilton East): Could you not read about the mixture of bets and liquor?

Mr. J. Renwick: Mr. Speaker, there are two matters which I am concerned about, on both of which I believe the minister is aware of my concern; but I want to raise them. One is the question of the delays in the procedures in the juvenile and family court in connection with the procedures under The Deserted Wives' and Children's Maintenance Act.

The Attorney General may not be aware, although I hope that he is, that there is a very substantial area of delay from the time a person first gets in touch with the court until the day a hearing is held on the original application. Then, should there be default in complying with any order of the court, very substantial delays following upon the original order of the court, in implementing the order of the court through any show-cause proceeding. Then there are very substantial delays between the time a decision is made on a show-cause motion and the implementation of the enforcement of it from the court through the police, if that is necessary, or in any of the other procedures.

I had correspondence with the clerk of the juvenile and family court in Metropolitan Toronto—the clerk, as he then was, Mr. Felstener—in one particular case where in fact we were talking about a period in excess of two or three years, during which the person who had made the application to the court had received no conclusive satisfaction of any kind but had gone through the procedures of approaching the court, having the original hearing, then any number of show-cause hearings subsequent to that, and not one single cent had been collected during the course of

that proceeding. When the particular person finally got in touch with me about it, it was a question of finding out what had happened to the warrant that had been issued for the arrest of the person who had defied the order of the court and taken no steps to implement it.

I do not know about other areas of the province but there is no doubt whatsoever that this is a fundamental problem in the administration of that court which is now the responsibility of this minister. It seems to me that the conclusion must follow, from any study of the incidence of delays in that court, that there have to be at least two things done.

The first one is a decentralization of the activities of that court on a much broader basis than it is presently decentralized. I know that there have been some steps taken in Metro to decentralize some portions of the functions of that court to other areas in Metropolitan Toronto, but there is no question whatsoever that that court and the facilities which are available—although the building itself is quite an attractive building—are vastly overladen and that it will be essential, in my mind, that in the city of Toronto proper the activities of that court be dispersed into some kind of a regional basis within the city itself.

I do not have any specific figure on the extent of the load from the various boroughs included in Metropolitan Toronto, but certainly the caseload in the city of Toronto would warrant a geographical dispersal of that court: one in the east end, one in the north end, one in the west end and the one remaining in the central part of the city. I think this is an essential ingredient to improving the administration of that court.

I think it is also time—and I am quite sure as part of the study on family law that this will be done—that Act has to be looked at very carefully from the point of view of the substance of it and some of its provisions. I would just ask the Attorney General whether it would not be possible to get the report of the Law Reform Commission on that particular aspect of the problem and implement it now, because there are very serious procedural and other substantive amendments which are required in the proper administration of that Act and in the functioning of those courts, certainly in Metropolitan Toronto and in the city of Toronto.

I had hoped that I would have had time to obtain the statistics, but I am satisfied that the statistics will bear out the basic tenor of the remarks which I make. And if the Attorney General wishes, I will find a particular letter from the clerk of the court, as he then was, Mr. Felstener, which was sent to me in this particular case. I believe it to be not a unique case but in fact an example of the kind of delays to which I refer.

The second basic area is one that is a constant and continuous concern to us in this House as a whole. This is the whole question of the constant pressure between the police and the needs of law enforcement, colloquially known as "the law and order kick", on the one hand, and the individual rights of citizens on the other hand. I was very concerned during the latter part of the summer months and on into September to find various meetings of police officers and police chiefs, both within Canada, in the Province of Ontario, and elsewhere, in which there were participating officers from Ontario police forces. These constantly raised questions which I think strike at the root of a very basic problem of law enforcement.

I am referring, of course, to the Police Association itself, of which Mr. Sidney Brown is the president or chairman; I am referring to the meetings of police chiefs; I am referring to the international meeting which was held in Montreal and of which some of the Canadian police forces were participants; I am referring to—I do not know if it was the police officers—one of the police groupings or police associations which met in Chicago at the time when there appeared to have been the murder on the streets of Philadelphia, I believe, of two police officers. The tenor of all of those meetings was toward something called "a repressive atmosphere".

I recognize the extreme problem which this creates, but I want to put to the Attorney General the proposition that it would be well, in my judgement, if we isolated the Ontario police forces from contact with the American police forces at the present time. I am not talking now in the field of the interchange of police intelligence information. I am talking about the membership by police chiefs and police officers and members of police forces in bodies which appear to have something called "an international flavour" that are part and parcel of almost a continentalization of the police forces in Canada and the United States.

It would appear to me that the conditions and the circumstances, despite the events in the Province of Quebec in the last week or two, are such that in the Province of Ontario we should not allow ourselves to be placed in the position where there is pressure to adopt in the Province of Ontario, the kind of

techniques, the kind of educational background, the kind of instructional methods that are being used in the jurisdictions in the United States which are under serious pressure.

This kind of problem seems to me to be one which the Minister of Justice and Attorney General of the province eminently can and should deal with; I think it is one that the Ontario Police Commission eminently should be very concerned about; and I think it is one on which, if it were necessary, you could assemble your own conference of the police chiefs of this province, or perhaps your own conference of police chiefs and representatives of the Police Association itself, but a representative conference to discuss the full gambit of (a) police training methods, (b) police educational methods, (c) levels of pay and matters which are sometimes dealt with through a collective bargaining process, and (d) the whole question of the pressure from the United States and the corruption, in my view, of some of the traditional police methods in this province; a whole reconsideration to restore a proper balance between the necessary interest that we all have in the general security on the one hand and the rights and position of individuals who come into conflict with the police forces on the other hand.

There are just too many instances in the Province of Ontario, particularly in Toronto, where I get the sensation that there has been an overwhelming pressure from the United States on the way in which our traditional police actively is carried on.

I do not want anybody to misunderstand me. I am perfectly aware that the police have got to be modern; they have to be up to date; they have to have the best equipment to carry out their purposes and the needs of the society. I am not talking about maintaining the police in some kind of a horse-and-buggy stage. I want them to be a very effective and efficient force for their purposes. I think that particularly in the field of education—we have discussed this in the estimates and on other occasions—we have to make use of the community colleges, for example, and make use in certain instances of the universities, where police officers, many of whom would respond to that kind of an atmosphere, would be not isolated from the general run of persons who are taking post-secondary and other higher forms of education.

I think we have got to get to the point where the electronic equipment which is available can do something to put the policeman back on the beat in the city of Toronto. I do not think that there is any doubt whatsoever that the overwhelming pressure on the police forces because of traffic has given an unnecessary and undue emphasis to traffic control. Not that it is not important, but it becomes almost the be-all and end-all of some aspects of police work, to the point where the greatest civil liberty which is upheld in many cases by the police force is the right of a person to get from point A to point B in his automobile and not the traditional rights of freedom of assembly, freedom of speech, freedom of association and the things which we have been traditionally brought up to believe in.

It seems to me that it would be quite possible—and it is one of the criticisms which I have heard police officers make when they have been faced with incidents within their own police forces which they did not approve of, one of the principal things older police officers will say—that we have somehow or other separated the police officer from the community he serves in by putting him in a vehicle or on a motorcycle, or in some way detached him from the community.

With the kind of electronic radio devices that are available now it would seem to me that a police officer could very well be on the beat in a particular area in the city of Toronto with a patrol car readily available to him if he got into trouble, which he could call to come to his assistance. But he would be—

Mr. E. W. Martel (Sudbury East): A small radio.

Mr. J. Renwick: A small radio, yes; radio communication, so that he would be visibly present in sufficient numbers that he would be a part of the community. I think, if I am not too old-fashioned to say it, that when I was a boy I guess the cop on the beat—it is pretty trite to say this—was a well-known neighbourhood person; you saw him day in and day out, and he had rapport with the community which must have been of tremendous advantage in police work itself, let alone in the public relations aspect of the police in the neighbourhood.

It seems to me that you can—that we should be able to, if I may say so—put the policeman back on the beat with that kind of equipment so the people get to know who he is and the kids, when they grow up, get to know who he is and they have some rapport with him. I am not saying for a moment that there are not some steps being taken by some of the police forces to overcome this lack of communication, but I think if we put

our minds to it, as a collective group, that this is one area where we could make very real progress. I know there has been. I expressed by letter to the Attorney General and to a number of other people my great concern about the lack of concern or question in the press and in the media generally when the two suspected bank robbers were shot down on—was it Lawrence Avenue?

Mr. Singer: Wilson Avenue and Dufferin.

Mr. J. Renwick: On Wilson Avenue at Dufferin.

Mr. Singer: In an antique shop.

Mr. J. Renwick: What concerned me about that—and I await the report with interest; I believe it is in the public interest that when the report has come through to the Attorney General it be made public—was that our law has not got to the point where if you are suspected of being a bank robber, the penalty you pay is being killed. Our law requires the police in circumstances such as that, if they stake out a place and they were not in hot pursuit, if my understanding of the facts were right, when they staked out that place they could have staked it out and waited almost indefinitely or used other techniques to have brought out the persons who were in hiding —or I believe they were in a hideaway—on to the street without shooting them.

Mr. Singer: They were not even in hiding. They went in; the police saw them go in the door.

Mr. J. Renwick: And this was some time afterward. As I say, it was not a question of hot pursuit, but what concerned me was that there was no concern at all about the police action expressed, that I know of, in the media or among the public. I am not criticizing the media or the public. I am simply saying that we have that kind of deterioration in our law enforcement techniques that could easily and often get quite out of hand, if I can use that as an example. If it is thought—

Mr. Singer: There was at least one person who expressed concern. Me.

Mr. J. Renwick: I am glad. We often see eye to eye on that kind of problem, but I use that just as an example of the kind of deterioration in the public concern about law enforcement, which a constant and continuous day-out and day-in pressure from the United States will create ultimately in this city. I think they are very real problems related to this kind of question, to which I would ask the Minister of Justice and Attorney General to direct his attention.

There are other cases. I cannot go ahead and make the allegations because I cannot prove them, but I know that there are sufficient instances in the city of Toronto, where people believe that people are beaten up somewhere in the course of the arrest procedure, to create a very real sense of concern amongst people who are not normally carried away by extraneous matters. There is not a lawyer in downtown Toronto who does not have some sensation that people in fact are beaten up within the police system within the city of Toronto.

It is very difficult to prove. It is one of the most difficult cases to prove in a court that there can possibly be. But there are a sufficient number of instances, even though any given one of them may be disproved, to raise a real question-mark of concern in people's minds about the basic police-public relationship, and the basic police sense that they have certain obligations—that it imposes certain restrictions upon them, and that they have certain limited functions to carry out and to carry out properly.

I am not going to go on at any much greater length because we went into many of the aspects of this at the time when the amendment to The Police Act came through. We did the philosophizing about the difference between the police tradition here and the police tradition in the United States; about the inheritance of the police tradition from the United Kingdom through to the Province of Ontario; about the values which are inherent in the traditional system of police administration and law enforcement.

It would appear to me that it would make a very useful contribution to this problem if he Attorney General would give consideration to convening, or having the police commission convene, a public conference of law enforcement officers. And I am speaking in this sense of the police, I am not talking about adding all of the other people who are involved in the administration of justice. The police persons—the members of the police commissions, serving police officers, the police chiefs—would come together into some kind of framework where these basic problems can be discussed, where an interchange of ideas can take place and where we can take the position that we want to create the kind of traditional police administration and police enforcement here which will protect the kind of traditions that we pay our lip service to and which many of us believe are still inherent in the system.

I think it would do a great deal to provide—if I may repeat again the relatively simple phrase—"a protection and a shield" for the Province of Ontario against the Americanization of the police forces of the province, and particularly the training methods and all that goes with them, of law enforcement in the Metropolitan Toronto area.

None of my remarks are by way of criticism but we live in times when this is the major civil problem of government. That is the question of the relative importance of law and order on the one hand, and the respect for the rights of the individual, the freedoms, the protection of this freedom, on the other hand. I would certainly appreciate it if the Miniser of Justice in his remarks would make some comment about that aspect of my concern.

Mr. Speaker: I must point out that there are approximately 13 minutes remaining, and as is usual and intended in this sort of debate, the Minister should be provided with an opportunity for a brief reply. I would suggest—

Mr. Singer: Are there not 20 minutes?

Mr. Speaker: Thirteen minutes. We started at 4.54, the time I have marked, so approximately 13 minutes remain.

Mr. J. E. Bullbrook (Sarnia): I hesitate to take any time from the Minister of Justice in recognition of the fact that he has much to respond to. Let me then very quickly just enunciate again on behalf of this party what we feel is a—

Mr. J. Renwick: Mr. Speaker, could I just raise a quick point of order without intruding on the time? Would it be possible, within the rules of the House, with unanimous consent to continue this debate until 6 of the clock?

Mr. Speaker: I must point out that the standing orders provide for a period of not more than one sitting and we had completed one sitting minus 40 minutes.

Mr. Martel: What are we going to do for the last 20 minutes?

Mr. Speaker: I am simply pointing out to the hon. members what the provisions of the House are. Now the suggestion has been made that we continue and if I am to abide by the standing orders, it would not be in order. If the House concurs completely—

Mr. Singer: We agree.

Mr. Speaker: I must put the question to the House then. Do I have unanimous consent to continue with the debate beyond the prescribed sitting?

I hear dissenting voices; therefore I do not have the permission.

Mr. Bullbrook: Mr. Speaker, then—

Mr. Martel: The Minister of Public Works (Mr. Simonett) is opposed to anything.

Mr. Bullbrook: Our time will now begin; our 13 minutes will begin now and I recognize that you are going to be approximate in your evaluation.

The concern expressed by the hon. member for Riverdale is a concern that has been expressed by those people who have had the honour to criticize the department of the Minister of Justice over the past several years of this Parliament. That is the need for some cohesion between the polarized position of requirements for law and order and the maintenance of adequate respect for police officers.

The problem is that when a person rises in this House to take issue with an individual response of an individual policeman to an individual set of circumstances, there is a tendency — as a result of the media, I would think, though not to blame them — but as a result of the media reporting that particular confrontation of ideas and ideals, to propagate and propel a further feeling adverse to the police themselves. We do not want to do that and I want to say again, if I might, that we feel that a step in the right direction, a melding force, would be a consideration on the part of this government to elect police commissions.

Let us recognize again that perhaps the Minister of Justice for Canada was outside his sphere and his realm when he spoke in support of this principle. I invite the consideration of the Minister of Justice for Ontario of what we have done in the district of Muskoka, in the regional municipality of Muskoka. What we have done is take away their police force; no longer do we have that rapport. I recognize, Mr. Speaker, this has been said before and it will be said again; you do not have that rapport of which the member for Riverdale spoke, but more importantly than that, you do not have the liaison between the electorate and the police itself.

We, as a party, recognize this to be a matter of absolute and fundamental principle. We feel that at all times, no matter what the occasion, general or specific, involving the member of any police force or the police force itself, the public must always have a right to control through the ballot box. We have to clarify this because, I frankly, have had letters that misconstrued the position we have taken in this respect.

Mr. Speaker: There are now eight minutes remaining.

Mr. Bullbrook: That had to be the fastest five minutes, sir.

Therefore, the position we take in this party is that we do not, for one moment, suggest that those incumbents appointed to police commissions are not capable of doing the job. We think that they are. The essential ingredient is that they are appointed officials with no termination of their appointment and really to reflect the public impulse upon the police force and, more importantly, the reciprocal in that equation and that is the force's resultant impulse on the public. The easiest way of handling that is to elect the police commission which is directly responsible.

You say, in effect, that years ago the reply might well be that the system that we advocate was tried and found wanting, but I invite you to again consider what has been said here today. The system was not found wanting in the particular exercise between the public and the individual policeman. We all recognize in the small communities where we grew up we knew the local policeman, and if there was anything untoward in the police force, we brought it to the attention of the members of our particular committee or council responsible for protection of persons and property. I wish I could go further but I do request the vital consideration of the Attorney General in this respect.

I want to say this if I might; my colleague, the member for Downsview, has brought up this whole question of the police investigating the police. This has to stop. The public will not tolerate it any longer. We cannot afford the luxury any more of having the police investigating the police. This is why we must have on a local level an elective police commission which can use the instrument of investigation if they wish. More importantly, this minister of the Crown, the Minister of Justice, must be responsible entirely, he or some other member of his cabinet, in connection with direction and investigation of police forces.

I could, if I had time, read to you a letter which was directed to my deputy leader in connection with the comments he made last Thursday relative to the investigation of the ticket fixing. This is from a former police officer and he says in effect — he spends two pages in most articulate language, and is far from being a crank; he is a school teacher now—and points out that this type of investigation can only lead to the effective whitewash that my colleague said it was.

Mr. Speaker: The hon. Attorney General. I would point out that there are five minutes under normal circumstances for the completion of the debate.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, it is obviously impossible to deal thoroughly or effectively, through lack of time, with the comments that have been made by various speakers in the consideration of the estimates of The Department of Justice. I shall have to not waste words, and I hope I shall not. I am afraid that *Hansard* will be difficult to read because my remarks are going to be pointed and abrupt, and I shall move from one subject to another.

Mr. Speaker: As the hon. member for Sarnia expressed confidence that I would be lenient, I will give full consideration to that leniency.

Hon. Mr. Wishart: Thank you, Mr. Speaker. I would like to deal with the remarks of the member for Riverdale first since they are recent in mind and he raised two important points. Briefly on the first one, the implementation of the orders of the Family Court; we are aware of the problem. With my colleagues, we have considered it; particularly we have considered the possibility of establishing some body which would be a follow up with power to enforce particularly the collection side of the orders of that court.

I consulted with my colleague, the Minister of Social and Family Services (Mr. Yaremko), and a good deal is now done in that department. We are seeking to correlate our efforts and to find some body that will be a permanent, active, well-empowered body to follow up and assist in the implementation of the orders of that court. I think we shall achieve it; we are certainly moving to it seriously now. That is all I have time to say on that subject.

I agree entirely with the hon. member for Riverdale with his comments about the necessity of our own approach in police matters to our citizens and that it should not be tainted

or brought to agreement, particularly, with that of some of the large metropolitan police forces in some of the United States. I think I might say that is my own attitude. I have sought to make it known.

One example might be in the use of Mace, when we indicated that we did not accept that type of chemical and the way in which it was used. We passed regulations to definitely make that firm when our expression of views were not entirely accepted by some of the police forces. In my meetings with police chiefs, I stressed this.

Speaking just Friday of last week to a women police officers' association convention in Ontario, I took occasion to stress, for the benefit of all of them across the continent, as well as our own people who were there, that we had a different approach to these matters and that we felt it was good and we wanted to preserve it.

In our regulations with the use of guns, I think we have gone very firmly and definitely to an indication of an attitude which is particularly our own and the report which we demand, or which we require. These things come up from our police commissions to the Ontario Police Commission and to the Attorney General. Again, I do not have time to develop that whole subject, but I heartily agree with the member for Riverdale.

In the matter of police brutality too, of course, one does not need to say that one is concerned about that. It occasionally comes to light and I do believe that within our police commissions we have the means of dealing with that. If it is not dealt with there, then it is in the reports that come up to the Attorney General, so that we may be aware of what is going on and the disciplinary procedures that may be applied.

I am very briefly going to say to the member for Sarnia that I disagree with him.

I disagree entirely with the idea of the member for Downsview that our police commissions—our locally administrated bodies of police forces—should be elected. I do think you have to read history to realize that totally elected boards in the past were subject to pressures and they gave in to them and the police forces were rife with the influence of important citizens and that it was most unsatisfactory. All municipalities, almost without exception, in this province have realized this and have gone to the type of administration we now have.

With great respect to the federal Minister of Justice, I do not mind so much his going outside what might be his strict jurisdiction to express his opinion, but I would suggest to him that if he had the administration of police forces, which he does not have, which his colleague the Solicitor General does have —and of course they do not have municipal forces at all—he would not be, I am sure, so certain in the way he expressed himself about the value of elected police administration. It is all very well to say the democratic idea is great, but the elected citizen is not always the most capable, he is not always the most experienced, he is not always the most free to act.

Mr. Bullbrook: But he is the most representative.

Mr. Singer: And you can get at him through the ballot box.

Hon. Mr. Wishart: And he is not always the most free from influence. If you want to pursue that argument, why not say, "Let us elect all our judges." That is what our friends in the United States do with some of their judges.

Mr. Bullbrook: You have opened a very good subject here for another debate.

Hon. Mr. Wishart: I think perhaps to be fair, the Minister of Justice at Ottawa said, "appoint elected persons," but the fact that we do not elect our judges is significant.

On our police commission again, we have the elected head of a municipality, we have a citizen selected from the community and we have a judge, who is an independent judicially trained person.

Mr. Bullbrook: The judicial function is entirely distinct from the—

Hon. Mr. Wishart: I will leave it at that for the moment, Mr. Speaker.

Dealing with the member for Downsview, he started his remarks on the subject of off-track betting and went from there to say that the province should be doing something about it—he said that by not doing something the Attorney General was doing absolutely nothing, and I quote him. He said the Attorney General was actually not interested in the infiltration of organized crime into the province of Ontario, by reason of the fact that he was not doing anything about off-track betting.

Mr. Singer: Is it too much to suggest that you take a position?

Hon. Mr. Wishart: Of course, I have to point out to the member for Downsview and other members of this House that the law relating to betting on-track where it is allowed is a federal law. Until my opposite number at Ottawa brings about a law which says you can legally bet off the track and then gives that jurisdiction to the province, there is nothing that the Attorney General for Ontario or Quebec or Manitoba, or Saskatchewan, or Alberta, or British Columbia, or Nova Scotia, or New Brunswick, or Newfoundland, or Prince Edward Island, can do about it. We are all in the same boat, all 10 of us—

Mr. Singer: At least have a position.

Hon. Mr. Wishart: —all 10 of us and the Province of Ontario is not alone. To answer the hon. member for Downsview, at our meeting of Attorneys General in Halifax we did present to the Minister of Justice our views and I made our views known in very strong terms—

Mr. Singer: What are the Attorney General's views? He has not told us.

Mr. Speaker: Order.

Hon. Mr. Wishart: —and he undertook to look at the matter further and I—

Mr. Singer: Oh, oh, the best thing the Attorney General can do is to look at the matter further.

Hon. Mr. Wishart: That is what he is doing.

Mr. Singer: The Attorney General has no position. It is a disgrace.

Hon. Mr. Wishart: Until he does something, there is nothing the Province of Ontario can do.

Mr. Singer: The Attorney General could have a position. He could have an idea and put forward his position.

Mr. Speaker: Order. The period of time has now gone over the prescribed hour.

Hon. Mr. Wishart: The hon. member for Downsview then dealt next with the Metropolitan Toronto Board of Police Commissioners, particularly their investigation into the charges respecting senior police officers. He got carried away in his remarks. He discussed the members of the commission—

Mr. Singer: I did not get carried away.

Hon. Mr. Wishart: —Judge Bick, Campbell, Crothers and Bruce. Then he said—and the member for Sarnia echoed him today—that they are investigating themselves.

Mr. Singer: That is exactly right.

Hon. Mr. Wishart: Nonsense. No such thing. They were investigating—

Mr. Singer: There is none so blind as those who cannot see, and the Attorney General leads the pack.

Hon. Mr. Wishart: —investigating, Mr. Speaker, the conduct of the members of the force that they are appointed and elected to administrate. They were not investigating themselves, they were investigating the conduct of their officers, their men, and they are doing it in a public inquiry with public opinion gazing upon them, with the newspapers and the media present, the whole focus of public opinion directed on that inquiry. What more healthy situation could one have?

Mr. Singer: Not that one. If that was healthy, I would hate to see one who is sick.

Mr. Speaker: Order.

Hon. Mr. Wishart: On that commission, I would point out, is Mr. Campbell, an elected official, the head of the municipality; Mr. Bruce, an alderman; an appointed citizen, Mr. Crothers. I think this is a fairly democratic, representative type of administration.

Mr. Bullbrook: It is not exemplary of other police commissions throughout the province.

Mr. Singer: Nor is it a competent body to inquire into—

Hon. Mr. Wishart: Not—again, I say—not investigating its own acts, but the acts of the people, the members of the force, which it is its duty to administer.

Mr. Speaker: The debate has now proceeded seven minutes beyond the allotted time.

Mr. Singer: Do you think if he goes on, he can get better?

Hon. Mr. Wishart: Mr. Speaker, just one final word. The member for Downsview had much to say about poor assistant Crown attorneys who are underpaid, but I took occasion to get all their salaries and have them all here as of October 1 this year, 1970, and every one of them is here.

They start out at $24,380—these are all assistant Crown attorneys in Metro Toronto; I have the names—$21,315, $20,102, and then in the $18,000 range, the $17,000 range, the $15,000 range, the $14,000 range, the $13,000 range. They come down to $12,000, and the last three are $10,240, and those are very recent appointments. So I think they are well paid in comparison to the young lawyers who are engaged in other offices.

Mr. Singer: Has the Attorney General the turnover figures, how quickly they leave and how long they stay?

Hon. Mr. Wishart: Mr. Speaker, due to the time having run out upon me, I cannot answer as I would like to do.

Mr. Speaker: This concludes the time allotment for debate on this particular motion. The motion for concurrence in supply for The Department of Justice is now completed.

Resolution concurred in.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and the House resolve itself into the committee on ways and means.

ON THE BUDGET

Mr. J. Renwick (Riverdale): Mr. Speaker, I have not had an opportunity this afternoon to participate in the proceedings of the House to any great extent, so I—

Mr. J. E. Bullbrook (Sarnia): That is true, the member has not made much of a contribution.

Mr. V. M. Singer (Downsview): He has that fellow called "Pilkey" with him now, he will help him.

Mr. J. Renwick: This is the first opportunity since coming back from the summer recess of the House to enter again into the budget debate and I want to deal with a number of topics during the course of my budget remarks.

But in the time that remains until the adjournment at 6 o'clock I want to revert again to the problem which is posed in this province by the regulations which are published under The Public Hospitals Act, which require a distinction to be made between a person who is chronically ill, has reached the apparent limit of his recovery, does not require any further special medical or nursing care on the one hand—being a person who then ceases to be covered under the Ontario Hospital Services Commission plan—and a person who is chronically ill, has reached the apparent limit of his recovery but still requires continued medical treatment or special nursing care and in that case continues to be covered under the Ontario Hospital Services plan.

I want to put to the government as positively again as I possibly can what I reiterated two years ago, what other members of this House have dealt with on many other occasions—particularly the member for Huron-Bruce (Mr. Gaunt) and the member for Quinte (Mr. Potter) and other members of the House who have this same problem—that there is no justification whatsoever for distinguishing between those types of chronically ill people. They are both chronically ill; in the technical words of the regulation they have reached the apparent limit of their recovery.

Under what conceivable system can it be said that you distinguish the one group of persons who are chronically ill, have reached the apparent limit of their recovery, and the other group of people who are equally chronically ill and have reached the apparent limit of their recovery, to provide in one case that the Ontario Hospital Services Commission and the premiums which are paid cover the care of the one person and do not cover the care of the other person, when the cost today of maintaining a chronically ill person in a nursing home or other setting is prohibitive for the ordinary citizen of this province, and is extremely expensive regardless of the personal circumstances of the people who are concerned?

I raised at some length on three occasions in this House, as have other members, the case of Mr. Boulter and his wife, and that case still remains. Every day the mortgage on that house, the lien on that house that the municipality of Metropolitan Toronto holds, increases day by day to cover the care. I am not going to repeat the details of the Boulter case; they are on the record, they have been in the press, they have been in the media. But I am going to put before the House a recent case which I have had, again a case which is clear cut, again a case where there is absolutely no justification for this distinction and where the people are being penalized.

This is a case which came to my attention through Mr. Alwyn Nash. It is a matter which I dealt with specifically with the Toronto *Daily Star* and there was an editorial some weeks ago dealing with this case. The situation has not gone any further than at

that time. Mr. Alwyn Nash came to see me on July 22 of this year. He is aged 73. He lives at 392 Jones Avenue in my riding. His wife Margaret Nash is aged 72. She was admitted on July 10, after having a series of relatively minor strokes at home, to one of the nursing homes, Woodclyffe Nursing Home at 3015 Lawrence Avenue East, near the Scarborough hospital.

She remains in that nursing home setting. He is unable to pay for her care other than through the general welfare systems, who are prepared to take and will take a mortgage on his property. Now let me give you the full situation. I wrote to the Minister of Health, (Mr. Wells), I sent copies to the chairman of the Ontario Hospital Services Commission and to the commissioner of welfare of Metropolitan Toronto, the commissioner of social services as he now is, and distributed it just as widely as possible. I am going to quote that letter because it says concisely and succinctly the problem which this government refuses for some reason to deal with. This is my letter of August 10:

> Dear Mr. Minister:
>
> I am writing to you about another case of extreme hardship resulting from the failure of the government to provide for certain chronic care patients under the Ontario Hospital Services Commission. You are no doubt well aware of the distinction between a person who has reached the apparent limit of his recovery and requires medical or special nursing care, and a person who has reached the apparent limit of recovery but does not require such care.
>
> The case that I am writing to you about is as a result of a visit to me by Mr. Alwyn Nash of 392 Jones Avenue, Toronto. Mr. Nash is 73 years of age. His wife, Margaret, aged 72, who has been incapacitated for some time, suffered a further stroke about July 10, and was finally admitted to the Woodclyffe Nursing Home at 3015 Lawrence Avenue. It was necessary for Mr. Nash to pay $480 on the admission to that nursing home for, as I understand it, her care for a one-month period. The total income of Mr. and Mrs. Nash is made up as follows: Old age security for each of them of $102.11, a total of $204.22; a pension which Mr. Nash receives as a result of his employment at Donlands Dairy of $30.10 per month, making a total income per month of $242.32.
>
> Mr. Nash came to this country as a young man, along with his parents and 13 other children in 1911. He served in the 58th battalion in the First World War. He worked for some 30 years with Nasmith Bakeries, which was subsequently absorbed by the Ideal Bread Company, and for some further 22 years with Donlands Dairy. Mr. and Mrs. Nash own their own home, having lived at their present address for some 49 years. They have nine children, 27 grandchildren, and five great-grandchildren.
>
> It seems to me regrettable and unnecessarily cruel that Mr. Nash now finds himself in the position that in all likelihood he will have to place a mortgage on his home (as was the case in Mr. Boulter's situation) in favour of the municipality of Metropolitan Toronto, in order that Mrs. Nash's care in the nursing home will be looked after through premiums paid under the Ontario Hospital Services plan.
>
> As you know, this has been a matter of much concern to me and to many other members of the Legislature for a long time and we would seem to be making no progress in persuading the government that coverage should be extended to such cases as that of Mrs. Nash and Mrs. Boulter. I would appreciate your comments about this. I am sending a copy of this letter to Mr. Martin, the chairman of the Ontario Hospital Services Commission.

I have had acknowledgement, of course. I have had acknowledgements from each of the persons to whom I have sent the letter. The fact of the matter is that there has been absolutely no change, either in the policy of the government or in the situation in which Mr. Nash finds himself.

I simply say, Mr. Speaker, to the House again and to the government in particular, how, in the circumstances or the facts of that particular case, it could possibly be justified that a man who served in the First World War, who worked for a total of 52 years, for which he receives the monthly pension of $36.10 for the work he performed; who owns his own home; who has never been beholden to anybody, should find himself at his age required, in order to care for his wife who is incapacitated, to place a mortgage on his home in order that the funds will be advanced by the municipality of Metropolitan Toronto.

I simply say if there is going to be one single issue which, if we could get the full significance of it outside this House and to

the members of the public, would cause the downfall of this government, it is that issue. There is absolutely no excuse whatsoever in a society which claims to be the province of opportunity, that a man should have spent his life doing what Mr. and Mrs. Nash have done for this country, and end up in the situation where we find that it costs him $400 or $500 a month.

Do you know where he got the first $480 the day that his wife was admitted? They had just passed one of their wedding anniversaries and their children had got together and they had produced for him $500 in cash, so that they would have a little bit of money in the bank. That bit of money was given him by his children, who have their obligations—they were getting along, but just getting along. No one of them is making great progress. No one of them could say that it was his obligation; they have their own responsibilities.

He put that $500 in the bank thinking, "Well, this will provide a little bit for us." In a few days he had to write his own cheque for $480 in order that his wife, having suffered that final stroke which has totally incapacitated her, could be admitted to a nursing home.

It is wrong, under any conception of the responsibilities of this government. Under any circumstances, I say to the government you are not going to be in office a year from now unless you at least make some change in that law. It is incomprehensible to me. I am certain it is incomprehensible to members sitting on your side of the House. I know it is incomprehensible for the members of the Liberal Party, that this can continue to exist.

We stand up here and we talk about the cases. We plead with the government, we think we have made some communication with them and nothing happens. Absolutely nothing happens. I say to the Tory government, if you persist in this attitude, if you have nothing but a concern for your own self-preservation, you will change that and change it in this session, otherwise there will be the disappearance—as my leader said earlier today—of the last Progressive Conservative government in Canada.

Mr. J. Renwick moves adjournment of the debate.

Motion agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, before moving the adjournment of the House, may I indicate that tomorrow the House, in committee of supply, will consider the estimates of The Department of Education in the afternoon, that is up to the 6 o'clock supper hour. Tomorrow evening, we will, in the House, consider the estimates of The Department of Energy and Resources Management. If by any chance the remaining votes in The Department of Energy and Resources Management do not occupy the entire evening we might finish off with some budget debate at that time.

In standing committee tomorrow, Mr. Speaker, we will resume a consideration of the health estimates tomorrow afternoon.

Hon. Mr. Welch moves adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

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No. 124



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

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Thursday, October 15, 1970

Afternoon Session

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 15, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: In the east gallery today we have visitors who are students from the R. S. McLaughlin Collegiate Institute of Oshawa. In the west gallery, students from the Jarvis Collegiate Institute of Toronto and in both galleries students from the Royal York Collegiate Institute, Toronto.

Also, in Mr. Speaker's gallery, we have an MP from the British House of Commons, Mr. Hamling, who is the British Labour Party opposition whip from Woolwich West.

Statements by the ministry.

Oral questions.

OPP ASSISTANCE TO FEDERAL AUTHORITIES

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would like to ask the Premier if he has offered the services and facilities of the OPP to the government of Canada or any other agency in assisting in the special guarding and patrolling responsibilities that seem to be thrust on, at least, the Ottawa section of the province in recent days?

Hon. J. P. Robarts (Prime Minister): I believe there has been some contact with the OPP in regard to the Ottawa situation. They are aware that we stand by to offer whatever assistance they may require and ask for.

Mr. Nixon: A supplementary: Has there been any movement of men in that direction so that they would be available in larger numbers if called upon?

Hon. Mr. Robarts: No. The situation at the moment is that there does not seem to be any necessity or any requirement for assistance from us.

ANTI-POLLUTION REGULATIONS AND PROGRAMME

Mr. Nixon: Mr. Speaker, a question of the hon. Minister of Energy and Resources Management:

Can the minister explain why a spokesman for Wellesley Hospital was surprised when that institution was on the minister's list of major air polluters released to the Legislature yesterday, in view of the fact that they had installed $250,000 worth of new equipment at the request of the minister in order to cut down this pollution?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I am sure I am getting the information from the same place as the hon. Leader of the Opposition. The situation is that the equipment is not entirely installed—

Mr. Nixon: It is not?

Hon. Mr. Kerr: It is not entirely installed and is not entirely operative. Because of the nature of the hospital and the incineration there, it was included in this blanket programme of issuing orders against all known and possible polluters.

Mr. Nixon: A question, either supplementary or a new question of the same minister on a similar topic: Can the minister justify to the House the information he gave his colleague, the Minister of Trade and Development (Mr. Randall), that Ontario has the toughest anti-pollution measures in North America, in view of the fact that our maximum fines are still $1,000 per conviction?

Hon. Mr. Kerr: Mr. Speaker, I did not specifically give such information to the hon. Minister of Trade and Development. However, I think that in the context that statement was given, it is correct. I think across the board, looking at our whole programme for air, water, waste management, and soil, that we do have the best programme in North America.

Now there may be areas where the amount of a fine for a particular offence, say dealing with water, may be greater than ours.

Mr. Nixon: What about that?

Hon. Mr. Kerr: There are other jurisdictions, of course, where they do not even have legislation whereby prosecutions can be laid.

Mr. Nixon: I think we are better than Mississippi!

Hon. Mr. Kerr: I think that, across the board, that statement is correct.

Mr. Nixon: A supplementary question: When the minister refers to context, does he mean public relations and advertising context, which is certainly the context in which it was used?

Hon. Mr. Kerr: I am saying that in the intent and meaning of the information to which the hon. Leader of the Opposition refers, that when he uses the phrase "the toughest pollution laws" this includes the whole area, the whole realm of pollution, which as the hon. member knows—is quite broad, is quite complex—and includes many ingredients and ramifications in our environment.

On that basis, as I say Mr. Speaker, I think the statement is correct.

Mr. Nixon: I do not suppose the minister would agree with my view of those statements in that they are simply political whitewash, misleading to the citizens of this province and everybody else—

Mr. Speaker: Order, the hon. member will ask a question.

Mr. Nixon: —but would he not agree that, even if in the view of the Minister of Trade and Development, who did not consult with the minister in this matter, that in view of those statements we should have tougher laws and that in fact the minister himself has given every indication, over a long period of time, that he is going to introduce tougher amendments? We are still waiting for these.

Hon. Mr. Kerr: I do not know, Mr. Speaker, if that is a question or not.

Mr. Speaker: I could not detect one.

Mr. Nixon: Answer yes or no.

Hon. Mr. Kerr: Mr. Speaker, all I want to say is that I am sure the Minister of Trade and Development got his information from people within my department as far as the particular details and information are concerned—

Mr. Nixon: They made it up out of whole cloth!

Hon. Mr. Kerr: —regarding our programmes.

Hon. A. Grossman (Minister of Correctional Services): I am a member of the government and know what is going on.

Hon. Mr. Kerr: As the hon. Leader of the Opposition has indicated, there will be changes, there will be amendments to some of our legislation; and then there will be no question about the fact that the statement is correct.

Mr. Nixon: A change in government will accomplish that.

Mr. Speaker: The hon. member for Sandwich-Riverside was on his feet.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, in view of the fact that auto air pollution is about 50 per cent of our trouble, would the minister compare Ontario's regulations with those of California?

Hon. Mr. Kerr: Yes, Mr. Speaker, we are following California's regulations. Ours are similar.

Interjections by hon. members.

Hon. Mr. Kerr: The state of California, Mr. Speaker, has pretty well the same regulations and requirements as the US federal government as far as the manufacture of automobiles is concerned.

Mr. S. Lewis (Scarborough West): Branch out on your own.

Hon. Mr. Kerr: The federal regulations are being followed by California and are being followed by the Province of Ontario.

Mr. Speaker: The hon. member for Humber with a supplementary.

Mr. G. Ben (Humber): Would the minister please give us the citation for those regulations which he claims are similar to those in California? And would he please give us the citation for the anti-noise legislation which we must have, since we have the finest pollution control legislation in North America? Would he please tell us when The Air Pollution Act, which was passed in 1967, came into effect in Ontario?

Hon. Mr. Kerr: Mr. Speaker, these are questions that will require some research. Certainly as far as motor vehicle regulations are concerned for autombile emissions, those are available to the hon. member. If he is doing his homework he knows that those are Ontario regulations that were approved by this Legislature during his term of office.

The anti-noise legislation to which he refers is in effect in many municipalities in this province; it is mainly on a municipal basis. And The Air Pollution Control Act and its amendments have been in effect since 1969.

Mr. Ben: A further supplementary question: Under the California regulations a person other than a manufacturer can be penalized for operating a motor vehicle which emits too much pollutant. Would the minister please tell us how many prosecutions there have been, under the so-called regulations that he is speaking of, of automobile owners or operators for polluting the air?

Hon. Mr. Kerr: I will get that information, Mr. Speaker.

Mr. Ben: There are not any.

Hon. Mr. Kerr: There have been some.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. Nixon: Not at this time.

Mr. Speaker: The hon. member for Scarborough West.

GOVERNMENT VIEW OF KIDNAPPINGS IN QUEBEC

Mr. Lewis: A question of the Premier, Mr. Speaker:

In view of his recent statements, would the Premier express in a more measured and balanced way the government's view of the situation in Quebec rather than resorting to extremes of language, like "total war"?

Hon. Mr. Robarts: Mr. Speaker, I consider that question quite irrelevant. I stand by the remarks that I made. That is my answer to the hon. member's question.

Mr. Lewis: By way of supplementary, Mr. Speaker, does the Premier think that it is supportive of Premier Bourassa's obviously legitimate position in Quebec for him to make the kinds of statements that he has been making and to use the language which he has been using?

Hon. Mr. Robarts: I would like to know, Mr. Speaker, if this hon. member disagrees with what I said. That is what I would like to know.

Interjections by hon. members.

Mr. Lewis: Am I permitted to answer, Mr. Speaker?

Interjections by hon. members.

Mr. Lewis: No, I will not quote Claude Ryan. Claude Ryan spoke for himself and others in Quebec who object to the Premier's attitude.

I am asking the Premier whether, in the delicacy of the negotiations that are involved, in the implications for the country as a whole and in the need to understand that the institutions must protect the lives of the men who are hostages, does he think that the use of phrases like "total war", and the way in which he has been putting it, is helpful to the situation in Quebec?

Hon. Mr. Robarts: Mr. Speaker, I can only say this, that I believe it is completely national problem. I do not believe it is a problem limited to the province of Quebec.

The criticism of my statement that has come out of Quebec, which I have read, is that I should keep out of the problem entirely. I do not agree with that position. That is the first thing. I said I thought we would have to use all the means at our command to ensure that we were not blackmailed and that we were not governed and influenced by terrorist activities. I still stand by.

Mr. Speaker: Does the hon. member have further questions?

Mr. Lewis: I would like to ask the Premier whether he has been consulted by the government of Canada at any point prior to their apparently pending decision to institute emergency measures or martial law?

Hon. Mr. Robarts: No, I have not.

Mr. Speaker: Does the hon. member for Scarborough West have any other questions?

Mr. Lewis: Just one supplementary to that: Does the Premier feel—or perhaps he has not been sufficiently consulted by other governments—but does he feel that the implementation of those emergency measures will, in fact, give to the police the powers they do not now have to do the job which is required? Will it be helpful?

Hon. Mr. Robarts: I think I will wait and see what these emergency measures are before I comment on them.

DONATIONS TO POLITICAL PARTIES BY UNDERWRITERS ASSOCIATON

Mr. Lewis: Might I ask a question of the Minister of Financial and Commercial Affairs?

Mr. Speaker: Yes. I understood the hon. member to say that he had one other questions.

Mr. Lewis: Did I? I may have two.

The Minister will know that this morning the Canadian Underwriters Association met to have its members make donations to two of the political parties in Ontario which do not support the New Democratic Party. Would he consider making public the size of those donations and their sources once they have been made?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): I do not know that they have done this, Mr. Speaker. If they have done it, it is their business. It is a free society and they can do with their money what they will.

Mr. J. Renwick (Riverdale): Make sure it is not deductible for taxes.

REACTION FROM TOURISM DEPARTMENT TO PUBLICATION

Mr. Lewis: I have no doubt it is a free society. I thought we believed in financial electoral disclosure and wondered—

Mr. Speaker, one last question of the Minister of Information and Tourism.

An hon. member: Tourism and Information.

Mr. Lewis: I will get them right in time.

Is the minister familiar with the Toronto *Citizen*, a journal dedicated to problems of municipal life in the city of Toronto?

Hon. J. A. C. Auld (Minister of Tourism and Information): Yes and no, Mr. Speaker. I received in the mail yesterday a clipping from that paper; to be honest, I had never heard of it before, which is perhaps unfortunate. I am looking into finding out why we replied as we did.

Mr. Lewis: Right. The minister will know then that when the paper came to his department there were illustrious ads in it from The Department of Labour, which puts a stamp of approval on it. His department replied:

> Would you kindly take this department off your mailing list for distribution of your Toronto *Citizen*. I have enclosed an address label. It really is not worth the effort of throwing your paper in the garbage and—

Mr. Speaker: With respect to the hon. member, this is the question period.

Mr. Lewis: The question is, Mr. Speaker—I was getting to it irresistibly—does the minister normally reply to citizen efforts in this fashion?

Hon. Mr. Auld: Mr. Speaker, as far as I am concerned, the reply did not come from the department. I understand that it went out on department letterhead, unsigned, and I am trying to find out who replied.

Mr. Lewis: By way of supplementary, I understand that it was from the personnel office; it was, perhaps, inappropriate to send it there. But the minister will surely give the House assurance that this is not the normal pattern of behaviour of his office?

Hon. Mr. Robarts: Did the member write the letter?

Mr. Lewis: No, I will write future letters.

Mr. Speaker: The hon. member for Windsor-Walkerville.

REQUEST FOR SOURCES OF AIR POLLUTION IN WINDSOR

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Will the minister make public the major sources of air pollution in the Windsor area, and will he also make public those corporations that are under ministerial order to correct their sources of pollution?

Hon. Mr. Kerr: Mr. Speaker, I have no objection to making public those industries or those sources that have been served with a ministerial order. I question the value, however, of just naming a number of industries as being the major sources of pollution in a particular community.

Mr. B. Newman: A supplementary question: Will the minister provide me with a list of the corporations and the ministerial orders submitted to those corporations?

Hon. Mr. Kerr: I would be quite willing, Mr. Speaker, to give that information to the hon. member.

Mr. D. A. Paterson (Essex South): A supplementary to the minister: Has the minister's monitoring system gone into effect in the Windsor area so that he can determine which industries are, in effect, being injurious to our air system?

Hon. Mr. Kerr: Yes, Mr. Speaker, we have monitoring systems all over the province, in all the major urban centres, and certainly this includes Windsor. This is the way we enforce the provisions of our legislation and our regulations. However, we do not have the air pollution index system set up as yet in Windsor, but we hope that this will be done around the end of the year.

Mr. H. Peacock (Windsor West): The minister told us he would have it after the summer.

Mr. Speaker: The hon. member for York South.

ENVIRONMENTAL CONTROL FOR LIVESTOCK AND POULTRY

Mr. D. C. MacDonald (York South): I have a question of the Minister of Energy and Resources Management.

What exactly is the nature of the conference which is being held next Monday and Tuesday in the Constellation Hotel to examine "the principles of environmental control for livestock and poultry," involving the provincial government, the federal government and Ontario Hydro?

Secondly, is it accurate that this conference is being attended by people who are there on invitation only? If so, is it possible that an invitation might be extended to a representative from each of the opposition parties?

Hon. Mr. Kerr: Mr. Speaker, I do not really know too much about this conference. As the hon. member says, there are a number of jurisdictions involved in setting up this conference and arranging for invitations. I believe The Department of Agriculture and Food really is more involved than my department in the arrangements regarding this conference, although I understand that there will be somebody there from our air management branch. But I will be happy to get the information for the hon. member.

Mr. MacDonald: What explanation is there for Ontario Hydro being involved in the conference to look into the principles of environmental control of livestock and poultry? Would the minister respond to the second part of my question, namely, will an invitation be extended to representatives of each of the opposition parties to participate in this closed conference?

Mr. Lewis: What does the minister intend to electrocute?

Hon. Mr. Kerr: The only thing is that this is just another continuing operation, I suppose, where Hydro feels, in some areas, that they are in the agricultural business.

To the second part of the hon. member's question, I see no reason he cannot be invited, particularly in view of his agricultural background.

Mr. MacDonald: Mr. Speaker, I have not yet had any reply from the minister to the question of whether or not an invitation might be extended to each of the opposition parties.

Hon. Mr. Robarts: Because of the member's agricultural background, we would be delighted to have him.

Hon. C. S. MacNaughton (Treasurer): Old MacDonald had a farm!

Mr. MacDonald: We cover the waterfront!

Mr. Speaker: Order; The hon. member for Parkdale has the floor.

DISPOSAL OF MERCER REFORMATORY PROPERTY

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I have a question of the Minister of Public Works.

I was wondering if the minister could tell the House what disposal is being made of the lands that were known as the Mercer Reformatory property on King Street West in Toronto? Has he sold the lands or what are you going to do with them?

Hon. J. R. Simonett (Minister of Public Works): No, Mr. Speaker, the lands are still in the title of the Crown and there is negotiation that is going on now with other departments to see if they have any use for them. If it is found that they will have no use, then they will be sold to the public.

Mr. Trotter: Mr. Speaker, by way of a supplementary question, have any attempts been made by the Minister of Trade and Development to use that land for housing, either for senior citizens or for low-rental housing?

Hon. Mr. Simonett: Mr. Speaker, before we sell any land in the title of the Crown, we circulate all departments to see what use they might have for it. I cannot answer that question specifically, whether they are interested in it for housing or not but, nevertheless, we are waiting to get replies from all the departments of government.

Mr. Trotter: Is there any time limit to how long you will wait in getting replies from the various departments?

Hon. Mr. Simonett: I would not say that we will wait forever, but the land has just been declared surplus this year, so we will wait to give them time to make whatever plans they might want to make in their department.

Mr. Speaker: The hon. member for High Park.

JAILING OF NICHOLAS MAKER

Mr. M. Shulman (High Park): I have a question of the Attorney General, Mr. Speaker.

In view of the fact that Mr. Nicholas Maker was held in jail for the past four months but was released this week without trial, since it was discovered that he had been held in error, does the Attorney General or the government intend to give some compensation to this man for this Crown error?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I do not know all the details of this matter. I will be looking into it further and I will take the question as notice.

Mr. Speaker: The hon. member for Essex-Kent.

QUALITY OF TIRES ON SCHOOL BUSES

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question of the Minister of Transport.

Does the department have any regulations as to the quality of tires that are used for school buses?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, the tires used on vehicles in Ontario are controlled under regulations promulgated under The Highway Traffic Act. I think there is no difference between those required for school buses and for other uses. They must meet the standard markings.

Mr. Speaker: The hon. member for Humber, a supplementary.

Mr. Ben: The Act to which the minister refers controls the manufacture and the initial sale of these tires. Is the TTC still using tires that are bald but have had an artificial tread put on them with a knife—that have been retouched?

Hon. Mr. Haskett: Mr. Speaker, I think that buses are still entitled to use retreaded or recut tires if the basic tire meets the remaining standards.

Mr. Ben: A supplementary, if I may: Does the minister intend to introduce legislation which would prohibit that dangerous practice and safeguard the lives of the citizens of this province?

Hon. Mr. Haskett: Mr. Speaker, the matter of tire standards is still being considered by the various provinces and we have made representation, as I understand it now, to the federal government to include the examination and testing of tires and the setting of new tire standards at the national level. I would like to check that further and ascertain if there has actually been a move to deal with resale tires. I do not want to give a firm answer on that point at this time.

Mr. Speaker: The hon. member for Oshawa.

CONDITION OF WINDOWS IN ONTARIO HOSPITAL, ORILLIA

Mr. C. G. Pilkey (Oshawa): A question, Mr. Speaker, of the Minister of Public Works:

Is the minister aware of the fact that innumerable windows are in need of repair in the Ontario Hospital at Orillia, and that the windows are now plugged with paper or covered with blankets? This, obviously, has acted as a detriment to the health of the children committed to the hospital. Further, is the minister aware of the fact that requisitions have been made for window repairs as early as July of this year?

Hon. Mr. Simonett: Mr. Speaker, the answer is no.

Mr. Speaker: The hon. member for—

Mr. Lewis: When will he become aware?

Mr. Pilkey: A supplementary, Mr. Speaker: Will the minister make the necessary repairs immediately?

Hon. Mr. Kerr: Himself?

Mr. W. G. Pitman (Peterborough): That is not a bad idea.

Hon. Mr. Simonett: Well, Mr. Speaker, I suppose if I was a member of the NDP I would go down and make the necessary repairs, but we in this party delegate authority to people who are working for us, and no doubt if it is the Public Works' responsibility someone is looking after it at the present time.

Interjections by hon. members.

Mr. Pilkey: Yes, since July, while children are sick and cold.

Mr. Lewis: It is not that funny, as a matter of fact.

Mr. Speaker: The hon. member for Wellington South.

ALLOCATION OF FUNDS FOR GRAND RIVER CONSERVATION

Mr. H. Worton (Wellington South): Mr. Speaker, I have a question of the minister of Energy and Resources Management: Is he in a position to state when the Grand River Conservation Authority will get its allocation of funds for the projects that it wishes to undertake?

Hon. Mr. Kerr: Mr. Speaker, I am hoping that an answer and a decision will be made by the end of this month. This matter is to be discussed further with officials of the government and I am hoping that I will be in a position to notify the chairman of that authority by the end of October.

Mr. Speaker: The hon. member for Hamilton East.

VOTE FOR ROOMERS ON MONEY BYLAWS

Mr. R. Gisborn (Hamilton East): Mr. Speaker, my question is of the Minister of Municipal Affairs:

Inasmuch as the government has now recognized tenants and roomers as taxpayers —for example, the tax rebate payments—will the minister amend the appropriate section of The Municipal Act to allow tenants and roomers a vote in a money bylaw plebiscite?

Hon. W. D. McKeough (Minister of Municipal Affairs): That is a matter which is under consideration from time to time and I can tell the hon. member, Mr. Speaker, that it is under more active consideration at the present time than it is sometimes.

Mr. Pitman: This minister is getting worse than the Minister of Education (Mr. Davis).

Mr. Speaker: The hon. member for—

Mr. Lewis: When is it likely to lapse again?

Mr. Gisborn: A supplementary question, Mr. Speaker: Inasmuch as there is an important plebiscite to take place in Hamilton at the December election, will the minister move with haste to give these tenants a right to vote?

Hon. Mr. McKeough: Oh, I think it would be a physical impossibility, Mr. Speaker, and I am sure the member would agree with me upon reflection, for that number of names to be added to a list where The Municipal Franchise Extension Act was not in force, for example.

I do not say that we always will be, but we are presently tied in terms of the preparation of the voters' lists to the preparation of the assessors' roll. This really means that the voters' lists were completed some 15 days ago in most municipalities, and I think it would be—even though it may be thought to be desirable by the members, and others, and perhaps ultimately by the government—I think it would be a physical impossibility for this year.

But I hear rumours, of course, of certain people who may be offering themselves for office in the great city of Hamilton and no doubt that will stimulate a heavy turnout of people in any case.

Mr. Gisborn: A further supplementary, Mr. Speaker: Would the minister check with the clerk of the city of Hamilton to ascertain whether or not he can get those names on the list?

Hon. Mr. McKeough: No. I am quite sure that if the clerk of the city of Hamilton needs information from The Department of Municipal Affairs he would receive it in the course of picking up the phone and asking for the information, and I do not make a practice of checking with him.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, a question of the Minister of Highways.

Mr. Speaker: Order, please. Did the hon. member have a supplementary?

Mr. I. Deans (Wentworth): Yes sir. I wanted to ask the minister a supplementary question: Just what is intended by "active consideration from time to time?"

Hon. Mr. McKeough: I do not think that needs explanation, Mr. Speaker. There are matters concerned with the whole electoral process which are being considered by the select committee on election laws.

Mr. Deans: Is this one of them?

Hon. Mr. McKeough: I am not aware whether this is one of the deliberations of that committee; it was one of the deliberations of a committee, which I appointed, of both elected and appointed municipal officials whose report was made available to the House some months ago and is now under study within the department. Frankly, what we are waiting for now is the opinion of the select committee and then I would hope that, with our own views, we would proceed to legislation perhaps next year.

Mr. Speaker: The hon. member for York Centre.

FEAR OF CONTAMINATION OF WATER BY ROAD WIDENING

Mr. Deacon: A question of the Minister of Highways:

Has the minister agreed to change plans for the widening of Yonge Street at Bond Lake to those suggested by Ontario Water Resources Commission officials to avoid the dumping of storm waters from the highways into the spring-fed lake, Bond Lake, which now feeds aquifers and supplies wells for a radius for several miles? The people there are very concerned about the contamination of these wells.

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I have not agreed to this, but I must admit to the member that I do not know all the ramifications of it. I will look into it and let him know.

Mr. Deacon: A further supplementary: In view of the fact that frost is rapidly approaching, would the minister be sure to deal with this quickly?

Hon. Mr. Gomme: I always do that, Mr. Speaker.

Mr. Speaker: The hon. member for Sudbury East.

DISASTER FUND SUGGESTED TO REPLACE PUBLIC DONATION

Mr. E. W. Martel (Sudbury East): A question of the Minister of Municipal Affairs:

Would the minister consider the establishment of a disaster fund by the provincial government to offset the types of damage that occurred in Sudbury this year and not have to resort to public donation, because of the fear that if inadequate funds are returned many people would be left in the cold?

Hon. Mr. McKeough: No, I would not consider such a suggestion.

Mr. Lewis: Yes, but not on a tit-for-tat.

Hon. Mr. McKeough: It seems to me that I recall a few months ago an aspirant for the leadership of a certain political party making some rather telling remarks, he thought—I would not think so—about our disaster fund procedures.

Mr. Lewis: That was in Chatham, I think. Maybe that is why they were telling.

Hon. Mr. McKeough: The simple fact of the matter is that we have adopted a certain—

Mr. M. Makarchuk (Brantford): The insurance agents are running the disaster fund now.

Hon. Mr. McKeough: And they are faced with a real disaster because they have got one in Manitoba and they do not want one here.

Interjections by hon. members.

Hon. Mr. McKeough: Well, Mr. Speaker, I would just say that what happened in Sudbury was a gentle breeze compared to what happened in Manitoba. You do not believe that?

Interjections by hon. members.

Hon. Mr. McKeough: But I think it is interesting to review, Mr. Speaker, just what happened in the Sudbury area and I know the members opposite will be interested. The local people responded throughout the Sudbury area. They appointed, as is quite usual, two committees—

Mr. Lewis: Right.

Hon. Mr. McKeough: —one to raise funds, the other to assess damages—

Mr. Lewis: Right.

Hon. Mr. McKeough: —and to look at individual claims. The second committee set a target of something in the neighbourhood of $600,000 as being the amount of the claims which they expected to receive—and I believe that those claims have been closed off now—the amount of claims which they would receive after deducting insurance claims and perhaps any frivolous claims which might come in. They set a target of about $600,000.

The people of Sudbury, and indeed of the province—and I pay tribute to the municipalities in the province, many of whom have contributed—have raised something in the neighbourhood of $250,000. The province of Ontario will match whatever is raised, something in the neighbourhood of $250,000. I would say to my friend from Sudbury who is not here, that despite the brave words of the federal minister and the federal member for that area two days after the disaster, or the day after, we have not had one word from Ottawa as to whether they will contribute or not.

Mr. Lewis: Predictable.

Hon. Mr. McKeough: We have been through this before and not one penny and not one commitment has come from Ottawa, from the federal government, toward helping in that very serious situation in Sudbury other than a bunch of platitudes on the night of the disaster.

Mr. Nixon: Have you requested it?

Hon. Mr. McKeough: We certainly have. We requested it, we requested it.

Interjections by hon. members.

Hon. Mr. McKeough: The Leader of the Opposition has asked me a question, Mr. Speaker, and he should know that I wrote to the Acting Prime Minister of Canada at that time, Mr. Sharp, two days after the disaster because he had been on the air saying that they would help. We have not had a reply to that letter. Just typical. Just typical.

Interjections by hon. members.

Hon. Mr. McKeough: Now we would expect—

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. McKeough: I thought you would enjoy that. The fight is between thee and me but we should never forget to get our digs in over there too.

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. McKeough: Mr. Speaker, the people of the region and the province having raised some $250,000, the province will ultimately match this amount. We understand or are hopeful of a contribution from the Canadian Disaster Relief Fund. This will probably raise the total contributions to somewhere in the neighbourhood of $550,000. And we have advanced money to the town of Field, which was perhaps the hardest hit, within a few days of the disaster. This was advanced by the fund with guarantees from us and we understand that when the claims are all in and the payments are made the claims will be paid off somewhere in the neighbourhood of 90 or 95 cents on the dollar. And we think that is pretty good.

Mr. Martel: As a supplementary, the minister has already indicated that it would be something like $50,000 short because of the failure of the federal government to participate and this is precisely why we have to establish such a fund in Ontario, because—

Mr. Speaker: Would the hon. member direct his question now?

Mr. Martel: What do we do to assist these people who will fall into that $50,000 group that were short?

Hon. Mr. McKeough: They will not be short; no one will be short. They will all presumably receive 90 or 95 cents of their claim; it will be prorated among them all. I would hope, after this interesting discussion that we have had here today, that perhaps Bobby might talk to Pierre and he would make up the difference.

Mr. Nixon: Well, $1.25 on the dollar would be about right.

Mr. Lewis: By way of a supplementary—an additional or initial supplementary—why does the government of Ontario not match the contribution from the Canadian Disaster Relief Fund, since the minister said this government would match all contributions received?

Hon. Mr. McKeough: Good question. We might take that into consideration.

Mr. Lewis: By way of supplementary, the minister knows arithmetically that would give the $600,000 required and pay off 100 cents on the dollar for a natural disaster.

Hon. Mr. McKeough: Yes. I do not think this has occurred before, but we will take that into account. The Canadian Disaster Relief Fund, for the information of the members of the House, is the leftover money from the Winnipeg flood of 15 or so years ago and we tend perhaps to look at it, in the absence of any federal contribution, as the federal contribution. It is not really; it is the money of the people of Canada which was left over from the purpose. But perhaps in my mind I confuse it with the absence of any support from the federal Liberal government.

Mr. Lewis: The minister must sort out his politics from the disasters.

Hon. Mr. McKeough: Right.

Mr. Speaker: The hon. member for Windsor-Walkerville. A supplementary? The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Speaker, would the minister clarify his statement that the provincial government sent funds into Field a few days after the disaster? I do not recall the provincial government sending any funds into Field at all other than through the Sudbury committee.

Hon. Mr. McKeough: The Sudbury committee sent in the funds at our suggestion and we indicated to them at that time that we would make our contribution.

Mr. Nixon: And has the government done it?

Hon. Mr. McKeough: No. We normally will not make the contribution until all the claims are in and until we are finally presented with the final bill.

Mr. Nixon: You have not sent them a red cent?

Hon. Mr. McKeough: No, and we are paying interest on the money which has been advanced.

Mr. Nixon: Although you are prepared to say that you sent money to Field the next day!

Interjections by hon. members.

Hon. Mr. McKeough: Talk to Pierre.

Mr. Speaker: The hon. member for Windsor-Walkerville.

REDUCED COSTS FOR FARM TRUCKS

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Transport.

May I ask the minister what disposition he made of the brief submitted to him by the Ontario Federation of Agriculture, in which they request reduced licence fees for farm trucks as compared to commercial and truck fees, and, secondly, the removal of provincial taxes from fuel used in farm trucks and tractors when used for farm purposes?

Hon. Mr. Haskett: Mr. Speaker, both these matters have financial connotations and they are being discussed with Treasury.

Mr. Speaker: The hon. member for Sandwich-Riverside.

DISPOSAL OF CADMIUM WASTE BY BATTERY COMPANIES

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy and Resources Management.

Has the minister investigated the possibility that battery companies in Ontario may be dumping cadmium waste directly or indirectly into waterways?

Hon. Mr. Kerr: Mr. Speaker, I have no information that that is taking place. I would assume that a spent battery would be considered solid waste and would be disposed of like any other type of solid waste. I would see no advantage of disposing of liquid, as implied by the hon. member. However, I will look into that.

Mr. Burr: Is the minister not aware that this has already happened in the United States and that the federal government has brought suit against the Marathon Battery Company of Cold Spring in New York state for dumping cadmium into one of the inlets of the Hudson River and, therefore, as it has happened there, it could be happening here?

Hon. Mr. Kerr: I was not aware of that, Mr. Speaker.

Mr. Speaker: The hon. member for Windsor West.

CERTIFICATION OF PAYMENT FOR TRADE DEPARTMENT ADVERTISING

Mr. Peacock: Mr. Speaker, I have a question of the Treasurer.

Has the Provincial Auditor refused to certify a cheque in payment for the advertising now being carried on by The Department of Trade and Development and, if so, how has the Treasury Board settled the auditors' refusal to issue the cheque?

Hon. Mr. MacNaughton: Mr. Speaker, the answer to the first part of the question is I do not know, and I think that provides the answer to the second part of the question.

Mr. Peacock: A supplementary, Mr. Speaker: Will the provincial Treasurer tell the House at a later date whether or not the auditor has, in fact, refused to certify a cheque?

Hon. Mr. MacNaughton: Mr. Speaker, I shall certainly find out what the actions of the Provincial Auditor were in this situation.

Mr. Peacock: Will the provincial Treasurer assure the House that no special warrant will be issued for this kind of expenditure for the Minister of Trade and Development?

Hon. Mr. MacNaughton: Mr. Speaker, I regard that as slightly hypothetical. I will not presume to make any answer to that question until I have found out what the actual circumstances are.

Mr. Speaker: The hon. member for Nipissing.

NAMING OF COMPANIES MISSING FROM PARCOST INDEX

Mr. R. S. Smith: A question of the Minister of Financial and Commercial Affairs:

In light of the Minister of Health's (Mr. Wells), refusal to make public the names of the 60 drugs which he claims do not meet the standards required to be included in the Parcost drug index, will the minister inquire into whether these drugs are being promoted improperly to the physicians and the public in the province?

Hon. A. B. R. Lawrence: Yes, I will inquire, Mr. Speaker.

Mr. Speaker: The hon. member for Yorkview.

NIAGARA FALLS MONORAIL

Mr. F. Young (Yorkview): A question of the hon. Minister of Transport, Mr. Speaker.

Would the minister tell us if the Goodell Monorail Industries Limited have overcome their financial difficulties and will they be proceeding with the construction of a monrail in Niagara Falls?

Hon. Mr. Haskett: Mr. Speaker, this is a matter of which I have no knowledge.

Mr. Young: As a supplementary, Mr. Speaker, will the minister get the information for us? This was a subject of special legislation last year in the House. Evidently there is some financial difficulty here and we would like to know what is happening.

Hon. Mr. Haskett: Mr. Speaker, I would be willing to make inquiries.

LAURENTIAN UNIVERSITY DISPUTE

Mr. Martel: A question of the Minister of Education:

As a result of the meeting with the board of governors yesterday, has the minister anything to report with respect to the situation in Sudbury?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, we met with members of the board of governors of Laurentian University yesterday and discussed the situation as it existed at Laurentian. I made one or two specific proposals to the members of the board of governors, which proposals I will be discussing with members of the Senate very shortly.

Mr. Martel: May I ask the minister a supplementary question? Is it true that The Department of University Affairs has cut off the grants as of last Thursday to the tune of well over a quarter of a million dollars for purchasing purposes until such time as the problem is resolved?

Hon. Mr. Davis: Mr. Speaker, The Department of University Affairs has not cut off grants. We do not pay grants on a daily or weekly basis. They are paid, I would think, once a month or twice a month. There has been no cutting off of grants, no threat of non-payment.

There are always situations where universities—nothing to do with Laurentian—may not have substantiated some of their documentation, which can lead to the grant not

being paid until that is completed. But there has been no indication to Laurentian whatsoever, because classes did not operate for a day or so, that the grants would not be payable.

Mr. Martel: Well, would the minister check it out because it has come to my knowledge that they have lost well over $250,000 until this dispute is resolved.

Hon. Mr. Davis: Mr. Speaker, I will be delighted to check it out, but I tell the hon. member, without checking it out that, despite the dispute, there has been no cancellation or cutting off of grants. As I said to him, with some respect, a few days ago, once again one should be dealing, I think, in factual situations. I think this was rather evident in the debate that we had on that particular occasion, and in this way perhaps we can more constructively resolve the problem.

Mr. Lewis: By way of supplementary, Mr. Speaker: Perhaps the minister would be willing to indicate to the House the dates on which payments are regularly made for purchasing purposes to Laurentian and whether or not that date was adhered to in the month of October?

Hon. Mr. Davis: Mr. Chairman, I would be delighted to get for the leader of the New Democratic Party the schedule of payments of grants to Laurentian University. This will take a day or so to obtain.

Mr. Speaker: The question period has now expired.

Petitions.

Presenting reports.

Mr. Evans from the standing estimates committee reported the following resolution:

RESOLVED:

That, supply in the following amounts and to defray the expenses of The Department of Treasury and Economics be granted to Her Majesty for the fiscal year ending March 31, 1971:

Department of Treasury and Economics

Departmental administration—general expenditure	$ 281,000
Policy planning—general expenditure	2,365,000
Economic and statistical services—general expenditure	1,465,000
Finance—general expenditure	208,000
Government accounting—general expenditure	1,100,000
Government benefit plans—general expenditure	34,476,000
Computer services—general expenditure	250,000
Supervision of employers' pension plans—general expenditure	195,000
Regulation of horse racing—general expenditure	2,197,000

Mr. Speaker: Motions.

Introduction of bills.

HIGHWAY IMPROVEMENT ACT

Hon. Mr. Gomme moves first reading of bill intituled, An Act to amend The Highway Improvement Act.

Motion agreed to; first reading of the bill.

LOCAL ROADS BOARDS ACT, 1964

Hon. Mr. Gomme moves first reading of bill intituled, An Act to amend The Local Roads Boards Act, 1964.

Motion agreed to; first reading of the bill.

DEPARTMENT OF HIGHWAYS ACT

Hon. Mr. Gomme moves first reading of bill intituled, An Act to amend The Department of Highways Act.

Motion agreed to; first reading of the bill.

COMMUTER SERVICES ACT, 1965

Hon. Mr. Gomme moves first reading of bill intituled, An Act to amend The Commuter Services Act, 1965.

Motion agreed to; first reading of the bill.

Mr. Speaker: Does the hon. Minister of Highways wish to provide any explanation for the bill he just introduced?

Hon. Mr. Gomme: In regard to the last bill, Mr. Speaker, it is to give the government the power to operate a commuter system, and this is only by reason of the mini-bus system which we operate on our own in place of the system which is operated by others for us.

PUBLIC WORKS ACT

Hon. Mr. Simonett moves first reading of bill intituled, An Act to amend The Public Works Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Simonett: Mr. Speaker, the provision for the appointment of staff is brought up to date and in line with The Public Service Act and specific provision is made for the office of Queen's Printer and Publisher. We are also repealing that part that was in The Public Works Act having to do with expropriation.

REAL ESTATE AND BUSINESS BROKERS ACT

Mr. Shulman moves first reading of bill intituled, An Act to amend The Real Estate and Business Brokers Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: Mr. Speaker, these amendments extend the prospectus requirements which used to apply only to subdivision lots or units outside Ontario, so they now apply to subdivision lots or units in the province as well.

Mr. Speaker: Orders of the day.

Clerk of the House: The eighteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF EDUCATION
(continued)

On vote 401:

Mr. Chairman: We were discussing the teachers' superannuation item.

The member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Chairman, we were on the vote having to do with the Teachers' Superannuation Commission, item 9 in vote 401. The member for Windsor-Walkerville (Mr. B. Newman) asked the minister a number of very good questions. I would also like to put those questions to him, in addition to those which I will not repeat.

I would like to ask the minister if he agrees with resolution 5 on the notice paper standing in my name, which reads as follows—it has been on the notice paper for many months:

> That in the opinion of this House the government of Ontario should immediately grant adjustments to present superannuated teachers on the basis of 2.5 per cent per year that each teacher has been receiving his or her pension and should accept the offer of the Ontario Teachers' Federation to undertake an increase in contributions of non-retired contributors up to one-half of one per cent and should amend The Teachers' Superannuation Act to include provision for the escalation of pensions as they relate to increases in the cost of living and increases in practising teachers' median salaries.

I would like to ask the minister if he would vote in favour of such a resolution if, in fact, it were debated in the Legislature, or, if not, would he himself implement the import of that resolution very soon? And, if not, why not?

Hon. W. G. Davis (Minister of Education): Mr. Chairman, just to set the record straight, I believe the questions that were asked on Tuesday relating to the pension situation were, in fact, asked by the member for Windsor West (Mr. Peacock), not the member for Windsor-Walkerville, so the member for Windsor-Walkerville will not feel he should have asked or maybe should not have asked the questions.

The reply to both the questions asked by the member for Scarborough East and the member for Windsor West is very simple, Mr. Chairman: The question of the teachers' superannuation fund and the benefits under that fund are presently under review by the government. I indicated, I think last May, if memory serves me correctly, that in the study that was going on, there was a committee on which there were representatives from the Teachers' Federation.

The government also stated—I believe it was the provincial Treasurer (Mr. MacNaughton)—that a similar type of analysis was going on with respect to the public service, which analysis, I understand, is very close to completion, at which time the committee that was constituted with members of the federation on it will be reconvened to discuss the implications as related to their fund with some understanding or some idea as to what the government's position may be with respect to the public service fund as well.

With respect to the second part of the question from the member for Scarborough East, the matter of escalation, it is just one of the items being discussed in the whole

consideration of the pension situation and, Mr. Chairman, whatever policy is determined at the conclusion of the studies, of course, will be announced in this House.

Mr. T. Reid: If I may follow up with a few questions, Mr. Chairman, could the Minister inform the House when the committee he talks of, which had representatives on it from the superannuated teachers, was first formed? To put it this way, I have three questions: First, when did the minister announce or decide there would be such a committee—the approximate month and year when he made that decision; secondly, when did the minister appoint his people to it—people from the Treasury; thirdly, when did that committee first meet?

Hon. Mr. Davis: Mr. Chairman, I do not have the specific dates here. But we did discuss this matter in the House, because this committee was involved in the decision and policy that was announced here, during the last session with respect to the minimum amount of pension. This was the same group that was working on that. They continued their investigations and their studies related to the other matters that had been brought to the attention of the commission and the government by the Ontario Teachers' Federation. It is the same group.

Mr. T. Reid: Could I ask the minister how many superannuated teachers have died since this committee has been set up?

Hon. Mr. Davis: Mr. Chairman, quite obviously, I could not give the hon. member the answer to that question. But I would say to him only that the studies that are going on and the considerations that are being given are quite important as far as the government is concerned and, at the same time, recognition of the changes in the pension fund involves the government and the profession itself—and they are the first to admit this—in some significant economic considerations.

Mr. T. Reid: Mr. Chairman, I am aware that the Ontario Teachers' Federation is willing to share in any increased costs so that it will not be a burden on the government's budget totally; that we have active teachers saying to this government that they are willing to increase their contributions in order to help finance increased pensions for teachers who have retired. Is the minister aware of that?

Hon. Mr. Davis: I am aware of some of the thoughts expressed by the Teachers' Federation, but I think it is fair to state that some of the thoughts they expressed related to the four, five or even six areas under discussion. I think the member for Scarborough East perhaps is confining his—not concern, but his questions—to the matter of perhaps increases and minimums. The matter of escalation is one but there are four or five matters that are being studied and the federation has expressed its views on these as well.

The member for Windsor West—and I have to make this clear—indicated that if the actuarial deficit were made up by the government, whether it is $250 million or $300 million, all of these things could be done. This came as news to me because I do not think the question of the actuarial deficit in some way being financed—in other words, the government's finding $250 million to $300 million—would resolve the question of what benefits should be payable under the fund, because all the payment of the actuarial deficit would do, as I understand it, would be, in a technical way, to make the fund viable.

I think it is also fair to state that the government has in the past four or five years contributed somewhere in the neighbourhood of between $14 million and $15 million yearly to maintain the stability of the fund itself. So I just do not want the impression to be left that, through the simple mechanism of a government finding $250 million to $300 million, this would provide the answer as to what the benefits should be under the teachers' superannuation fund.

Mr. T. Reid: Mr. Chairman, would the minister let us know whether, in his view, the number of active full-time teachers over the next 20 years in the elementary and secondary school systems of the province is likely to decline absolutely? Does the minister feel that over the next 20 years the number of full-time teachers is likely to decline absolutely? If not, what does he anticipate the growth rate to be?

Hon. Mr. Davis: Mr. Chairman, it is very hard to make this sort of prediction. I would think that the absolute numbers of elementary school teachers may start to decline in the future. But this, once again, is predicated upon the birthrate reacting the way it has in the past two years and there is a recent indication that the level over the last two years may not be maintained. I mean, I cannot assume responsibility for this.

Mr. B. Newman (Windsor-Walkerville): There is a teacher-student ratio there that will drop too.

Hon. Mr. Davis: Well, the hon. member for Windsor-Walkerville suggested that the student-teacher ratio will alter significantly. I think that is a matter for some other discussion.

So I would say that it would appear as though the numbers of elementary school teachers, in absolute terms, will tend to level off, or even diminish. But this, as I say, is predicated upon the birthrate remaining as it is and, perhaps, immigration policy being as it is. If there is a sufficient influx of people into this country then, of course, the figures are out of whack again. So, I cannot really give, shall we say, a 10-year projection to the hon. member as to what the figures may be.

Mr. T. Reid: Mr. Chairman, the point is a fairly simple one I think—of course, I could be completely wrong. As long as the number of contributors to the pension plan increases absolutely, or at least does not decline absolutely, the inflow of funds into the fund will always be greater than the outflow. Certainly with the backlog that has been built up over the last 20 years, even if the number of contributors to that pension fund flattened out and remained stable, the inflow of funds each year would continue to be vastly greater than the outflow of funds to superannuated teachers who have not already died of old age waiting for their increased pension.

So the point is very simple. The member for Windsor West put it very well that, never since 1918, I believe, has the input of funds, matched by the government contributions in later years, exceeded the outflow of funds. So we are questioning the minister—not on putting in another $250 million to maintain a fund that does not need to be maintained in this respect—we are simply saying change your concept of the actuarial balance, it is an outdated concept. So long as there is this government guarantee of involvement in the funds, you can contribute to have an inflow of funds that vastly exceeds the outflow, so it is a basic policy decision according to the minister. You think it is time—and I gather both parties think it is time—that you get off that base in deciding whether or not the business mechanisms of the fund are good or bad.

We see no reason why the minister should delay in this any longer; we see no reason why retired teachers in this province, particularly those over the age of 73, should be receiving each year what virtually amounts to a declining standard of living because the minister will not increase their pensions.

Mr. Chairman, I have one question to put, too. I have one issue in particular I want to discuss in the estimates of the department. I would like to spend a bit more than just five minutes on it, and it has to do with the way, if you like, in which the education system discriminates against immigrant children in Ontario, and it has to do with the way it discriminates against the coloured children of Ontario, and the poor children of Ontario. I have about a half-hour statement.

Mr. E. W. Martel (Sudbury East): Mr. Chairman, could we finish superannuation first?

Mr. Chairman: It seems to me—

Mr. T. Reid: Would you do it under curriculum or would you do it under grants?

Mr. Chairman: The question should have been under main office, the general policy of the department, and this has already been carried.

After we finish superannuation then we go to the formal education, K to 13. It might conceivably come in under there.

Mr. T. Reid: We could do it under curriculum?

Mr. Chairman: I would think so.

The hon. member for Windsor-Walkerville.

Mr. B. Newman: Regardless of what type of scheme is eventually derived by the department, there is always going to be the request for the teachers who have retired years ago to have their pensions substantially increased so that they could keep up with the rising cost of living.

In previous years I have always made the suggestion that possibly there should be a new look at the method of arriving at a superannuation payment. There is a method I found in use in some of the jurisdictions to the south of us that has appealed to me, and that is where the superannuation has always hinged on prevailing salaries.

As it is today in education, superannuation is based on the best seven years of the teacher's earnings, whereas if that were based on the best seven years regardless of when that teacher retired—the best seven years of a corresponding teacher retiring in the present year at all times—there would never be the

need for any type of escalator clause. I would like to ask the minister if that type of a proposition has ever been presented, where the superannuation benefits are always based on prevailing salaries rather than salaries at the time of retirement?

In other words, a teacher retiring 10 years ago would have his superannuation decided on the last seven years as if he were retiring today. May I ask the minister was ever consideration given to that?

Hon. Mr. Davis: Mr. Chairman, a number of matters have been considered by the people who are dealing with this. I am not sure of the distinction really between what the member is proposing and what the member for Scarborough East has suggested in his resolution, that is the question of an escalation as it relates to cost of living. I am not an actuary to determine what the actuarial impact would be on any pension fund. If the pension benefits were to be made uniform at any given date for anyone who has retired I could not really indicate what the impact would be.

I would also suggest to the member for Scarborough East that perhaps I misunderstood the member for Windsor West, but I rather think he was suggesting that the actuarial deficit of the funds should, in fact, be made up and that this in itself would provide the method or the revenues whereby increased benefits could be made available. I can tell the hon. members that, as far as the federation itself is concerned, I do not believe, as suggested to us, that we just remove the problem of the actuarial deficit.

I think from a purely practical standpoint I guess the only time it could become significant would be if all the teachers in the province who were eligible were to retire at the same moment. This is why, in the debates over the year—and I find it rather interesting that the members opposite are now prepared to say, "forget about the actuarial deficit"—the request has been over the years from the members opposite to, shall we say, make up the funding so that they would not be—

Mr. R. F. Nixon (Leader of the Opposition): That is not true.

Hon. Mr. Davis: No, no. I was answering the member for Scarborough East (Mr. T. Reid) and I do believe the former member for Huron-Bruce suggested this at one point. It does not matter. All I am saying is that this—

Mr. Nixon: Oh stop taking your cues from what they are mumbling at you. You are wrong and you should say so.

Hon. Mr. Davis: Mr. Chairman, I do not intend to prolong this because there have been discussions about the actuarial deficit from the Liberal Party for the past six or seven years. As to how they specifically would apply to the making up of the deficit, a little research would indicate—

Mr. Nixon: No, with respect, you are wrong.

Hon. Mr. Davis: I will dig it out and then we will decide. However, all I am saying is that no matter what you do with the actuarial deficit the decision as to any improved benefits does not necessarily relate to the actuarial deficit.

Mr. H. Peacock (Windsor West): Not a whit.

Hon. Mr. Davis: Right, so we are in agreement on that.

Mr. Peacock: Right.

Hon. Mr. Davis: Right. I just want to make this very clear. No one has said, that I can recall, that because there is an actuarial deficit that benefits cannot be altered. It is very simply a question of whether benefits should be altered and how they should be altered.

Mr. Peacock; Now that is something you have been saying for years.

Hon. Mr. Davis: No, no.

Mr. Chairman: The member for Windsor West.

Mr. Peacock: Mr. Chairman, surely this is something the minister himself has been saying for years. Despite the actuarial deficit, benefits can be altered, benefits can be improved. The question is, if he insists on maintaining the actuarial deficit funding, when is he going to improve the benefits? That is the question, and he still has not answered it.

Hon. Mr. Davis: If you had been here you would know I answered your question.

Mr. Peacock: I am sorry I missed the first minutes of the minister's answer to my remarks last Tuesday evening.

Hon. Mr. Davis: Well, do you want me to repeat my answer or do you—

Mr. Peacock: No, I will look it up.

Mr. Nixon: Mr. Chairman, certainly I do not want anything left on the record on behalf of the minister that might be misleading, particularly to the many superannuated teachers who are going to look at the minister's words very carefully, looking for some clue to assistance which they so desperately need in many cases.

Long before this minister had anything to do with The Department of Education, I am sure that he attended the meetings of the standing committee on education when his predessor would come in and say, "What do you expect us to do? Do you expect us to find public funds to pay additional pensions when the actuarial deficit is as the auditor described it?"

Of course, we said, "That is exactly what you must do" and which eventually has been done by the department. We feel that this has not been carried out even to the point where there is a fair approach to the needs of the teachers who have been superannuated over the last many years after sometimes 40 or 50 years of service to the community. I, personally, must say that I resent the minister's increasing tendency to draw on what he feels are irrelevancies or inconsistencies in statements which have been made in this House over the years and which he, apparently, can draw up without any reference to the record.

If he wants to do that, in the future he has got to have reference to the record. If he wants to do that, in this case, so be it, but I would tell you that it is the government that has been worried about this deficit, which obviously is meaningless. It is simply a transference of government funds on paper. No money is transferred. The government undertakes to pay these pensions, no matter what that fund includes, and it is our position here that the payments must be improved and made fairer.

Hon. Mr. Davis: I do not want to get into an emotional discussion on this issue. Suffice it to say that from the standpoint of the federation—and I think I am right in interpreting their views this way—they have raised with the government over the years the question of the actuarial deficit. I say with respect, I do not recall personally making a statement in the House saying that we cannot improve the benefits because of the actuarial deficit.

I recall very specifically, and I have said this to the federation—I take a very pragmatic approach to it because I am not an actuary—that I really do not see the actuarial deficits or a need to alter this situation, related to the question of how benefits should be altered.

Mr. Nixon: That is agreed all around.

Hon. Mr. Davis: All right, so then I think we all understand one another. I want to point out that the discussions that are presently going on are the considerations relating to teachers other than those who have retired. The principle of escalation and what the benefits should be and so on will also have application to those who are presently in the profession. And I did not want to have all our discussion focus on those teachers who have already retired and who have the significant problem of the pensions at the moment. It also applies to the future benefits in the plan itself.

Mr. Peacock: In that respect, Mr. Chairman, has the minister yet agreed with his colleague, the Treasurer, on the rate of interest which is to be paid on the 40-year bonds held by the superannuation fund?

Hon. Mr. Davis: Mr. Chairman, once again there are some differences of opinion, I am sure, that I sometimes fail to grasp in that the government really is, shall we say, the guarantor of the fund, whether the rate of interest per se is that relevant. I think it is not too dissimilar to the question that the actuarial deficit is relevant as it relates to balance.

Mr. Peacock: Yet it seems that year after year we get the same answer, that the rate has not yet been worked out, that it is four, four and a half, five per cent for those bonds issued to the fund in the past. And when we discussed this with the provincial Treasurer, he told us as long ago as November 4, 1969, the negotiations which were supposed to have commenced in January had not been concluded on the rate to be paid on new issues to the superannuation fund.

I am glad the minister says that is again not germane to the question of adjusting funds, but it is still something that is constantly dangled in front of the teachers as a critical factor.

I think if we can nail down both these items—the questions of the deficit and of the rate of interest—as not being such critical factors, it then remains to be settled by the

minister as to whether he will accept these two principles that the Ontario Teachers' Federation has been proposing—the principle of relating pension benefits to current salaries as though the retired teacher had just retired at the beginning of each year or whatever longer period of adjustment is settled upon, and the principle of cost of living.

Now I did not hear the minister reply directly to the other point I raised with him Tuesday evening as to the matter of a man-and-wife teacher team receiving only one benefit.

Hon. Mr. Davis: Well, Mr. Chairman. In my reply earlier I indicated that there were five or six items, that being one of them as I recall, that were being considered by the committee; the committee is awaiting the results of the survey or the analysis of the public service. But I think there is still some misunderstanding, because the Teachers' Federation has indicated that perhaps one way to increase benefits would be if the province were to increase the interest. All I am saying—and I think the member for Windsor West was really construing it the other way, because we have never said as a government the reason we cannot increase the benefits—is that because the interest is as it is, I do not really think that is the basic issue—and whether or not the interest rate were to be, shall we say, extended or increased, might have some impact as to the funds available.

But I do not think for the four or five items that are under consideration that an increase by the province in the rate of interest we are paying to the fund would be sufficient to resolve the economic impact. But the question of interest is also one of those matters being discussed. And maybe there is something to that. But I think it goes beyond that.

Mr. Peacock: If you insist on retaining the actuarial deficit funding, then surely the minister will admit that an increase in the interest rate payable on the bonds will have some influence on reducing the size of the deficit?

Hon. Mr. Davis: I think this is perhaps true, Mr. Chairman. As I say, I keep emphasizing, I am not that expert as an actuary. I do not think that the government is objecting as a matter of principle to the increase of interest. I do not think that this will be a major problem, but as I say I think any benefits, as I understand them, that are presently being considered, would go beyond whatever increase in interest might be involved.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: Yes, the OTF was presented with a series of resolutions, but I do not know if they have presented these to the government's ears. It was a series of resolutions on April 10, 1970. They deal with requests my colleague from Windsor West has dealt with, but they also deal with a number of other specific areas. I would like to try to get a straight answer from the minister for a change, and not with all the foofaraw surrounding it; you do not do your homework. You know, Mr. Minister, on that question today, I did not get it from senate; I did not get it from staff; I did not get it from students. That means that where I got it from is very close to the root of this situation. You can just throw that in in passing.

Hon. Mr. Davis: A point of order, Mr. Chairman. I have checked once more and there has been no indication of a cutoff in payment of grants to Laurentian. There has been no cutoff at all. This has nothing to do with it; I said this 10 minutes ago.

Mr. Martel: Right, and a little while later you got careless with the member for Brant.

Hon. Mr. Davis: No, I never got careless at all. I just like to hear the facts.

Mr. Martel: Trying to get a straight answer from you is, as I said last year, Mr. Minister, like trying to nail a large butterfly to the wall.

Hon. Mr. Davis: Those with nets sometimes have those problems.

Mr. Martel: One of the problems with the superannuation is this—and I will just read the resolution and try to find out what the government's intention with this would be.

> Whereas The Superannuation Act presently specifies that a female pensioner's dependent, or widower of a female teacher who dies in service, must have been married 10 years prior to the death of the teacher in order to receive benefits as a dependent—

The resolution is:

> Be it resolved that OTF petitioned a superannuation commission to delete the 10-year specification as it discriminates unfairly against female teachers.

I asked the minister this spring this same question. I am now asking him again. What is the government's intention with respect to this discriminatory item in The Teachers' Superannuation Act, as it now stands?

Hon. Mr. Davis: Mr. Chairman, I will try to give an answer in a way that will be understood by the hon. member, because sometimes one's answers to questions relate to the kind of questions that are being asked. My answer really is the one I gave the member for Scarborough East and I gave your colleague from Windsor West just a few minutes ago—that there are a number of items—I cannot specify exactly the number, but the question raised by the member for Sudbury is one of them—under consideration by the committee that was established to consider the whole question of pension benefits. I think I indicated this to the hon. member, I do not know when it was, in April or May, and this is the situation.

Now can I say it any more simply or any more clearly, because if so, I would be delighted to try?

Mr. Martel: You know, Mr. Minister—

Hon. Mr. Davis: I know what is bothering the hon. member. The hon. member wants me to say, "Yes, we are going to do it." He gets disappointed and a little frustrated when I do not say what he wants me to say. You know, Mr. Chairman, I cannot really do that.

Mr. Martel: Mr. Chairman, I did not know the minister was a mind-reader among other qualities he posesses. You see—

Hon. Mr. Davis: I could say something but I will not!

Mr. Martel: —Mr. Minister, the question my colleague from Windsor West brought up on the husband-wife thing was brought to you at least five years ago. The reason I know it was brought to you five years ago, Mr. Minister, is that I moved it on the floor of this Legislature. That was five years ago when I first started to question this business of the husband-wife teacher team; and five years later we still do not have an answer. How long does it go on? This is the frustration that we get over here, Mr. Minister, that you can keep putting off and putting off.

I have listened for three years to your answers on the actuarial thing, and you use both ends against the middle all the time. You know, we contribute so much—we went through it all last year; we are going through it again this year, and you tell us to be patient. How long do you be patient? There are people, Mr. Minister, out there, who are having difficulties. I am wondering if you have those same difficulties. You can tell us to be patient but, by God, when people are hungry they get a little tired. I have had letters that I have sent to the minister with these problems, not only this year, last year, and the year before, and we keep getting that same answer "be patient; give us time; there is a study."

We could study from now until hell freezes over at the rate we are going. We would just like a few positive answers with some knowledge of where we are going. Of course, we get, as I said over and over aagin, the same thing we got last year and the year before—it takes time. As I say, some of these were brought to you, Mr. Minister, five years ago and we are still waiting for answers.

Hon. Mr. Davis: One or two were brought up six years ago.

Mr. Martel: Well, now why—

Hon. Mr. Davis: In fairness, since that time there have been two increases as they relate to the minimum. We resolved the problem to a certain degree last—when was it—March or April? At the same time—

Mr. Peacock: They are not to be paid until the end of this year.

Hon. Mr. Davis: At the same time, Mr. Chairman, as I indicated, several matters were under study by this time by a committee with representation from the federation. In fairness to the federation, I think they recognize there are a number of items that everybody would like to see included in a plan but the economic factors, I think, will preclude all of them. The federation itself recognizes the need to establish certain priorities as to what recommended changes will take place. I cannot tell the hon. member whether the item he raised is in the minds of the federation—their number one priority, number two, number three. I am somewhat of the opinion, as far as the federation is concerned, that probably the principle of escalation may emerge to be their first priority. I am just guessing at this.

Mr. Martel: The ones I am talking about now, Mr. Minister, are not the main two that the federation is concerned with.

Hon. Mr. Davis: There is your main one to the total number of—

Mr. Martel: The peripheral—

Hon. Mr. Davis: —dollars involved.

Mr. Martel: Right. Certainly. And it is just—

Mr. Chairman: Anything further under this programme? If not, this programme is carried. Vote 401 carried.

On vote 402:

Mr. Chairman: Vote 402; there are about 10 different programmes under this. I believe the member for Scarborough East was going to bring up a matter under the general administration supervision.

Mr. T. Reid: Yes, Mr. Chairman, I would like to try to keep my remarks brief and very much to the point. Therefore some of my remarks might be quite sharp. I would like to talk—

Mr. S. Lewis (Scarborough West): There is a warning.

Mr. T. Reid: —in reference to a press release that has come out of the minister's department, albeit it is The Department of University Affairs, Mr. Chairman. It is a research report from that department that talks about the following type of thing. It is very much related to The Department of Education. It is entitled "Study Paper—Accessibility, 1970", and it says:

> Early in the 1960s, as more information became available on the subject, it was recognized that children from lower-income families were seriously under-represented at the post-secondary level. The reasons for this were attributed to both financial and non-financial factors. The relationship between the two and the relative influence of one over the other has long been debated, and, as yet, has not been resolved.

The research document does not have any signatures on it except research branch, October 1, 1970. It says that it is going to assess the current situation. Then it goes on to say:

> As recently as 1970, articles dealing with the influence of parental and family income on attendance patterns of post-secondary students have based their conclusions on data that was five to 10 years out of date.

It goes on to say, Mr. Chairman, that there have been changes and that this so-called research paper would document the changes. Mr. Chairman, I had better relate why this is very much related to what is happening in our education system. The determinant on who participates in post-secondary education in the Province of Ontario is decided in the education system. Therefore, it is very relevant if one is concerned with who is benefiting in terms of, say, low-income families, middle-income families, high-income families. It is very relevant, Mr. Chairman, to talk about what is happening in the education system, or rather what is not happening, because that determines who is eligible for post-secondary education.

This paper that was put out by the research branch of The Department of University Affairs, implies, Mr. Chairman, that what happens in the education system in this province at the elementary and secondary school level results in the poor having an adequate number of places in the post-secondary school institutions of the province. That is to say, if there are 18 per cent of the teenage children in the Province of Ontario born into poor families, therefore the education system has done its job. It has provided equality of educational opportunity; it might even have provided special education for culturally deprived children, so-called, so that they would have their chance to get into university and take their places in the higher income group in the economy.

Having said that, I would like to state that this so-called study paper by a research branch under the minister's jurisdiction is a fraudulent attempt to mislead the people of the Province of Ontario. There is a book, you know, Mr. Chairman, by a guy called Hough and it is entitled "How to Lie with Statistics". The minister has press-released a document here which is practising some of the things that Mr. Hough has in his book on how to lie with statistics.

The conclusion of this paper, Mr. Chairman, is a very simple one; that during the 1960s because of the effort of the Conservative government and particularly this Minister of Education and his predecessor, now the Prime Minister (Mr. Robarts), the education system at the elementary and secondary school levels has enabled the children of the poor—including the immigrant children, whose first language is not English—including the Indian children on our reserves, including perhaps even some of the black people in the city, because of the efforts of this political party or the Conservative government under these two ministers, to have wonderful opportunities to have equal access to the educational system and therefore a fair share, an equitable share of the post-secondary places at universities and other forms of post-secondary education. That is a lie.

This document should have come out by the Progressive Conservative Party of Ontario. It should never have come out of a so-called research branch of a government department. It discredits civil servants that it ever saw the light of day and completely discredits the minister for having released it publicly. I do not know where to start in trying to discredit this document rather than simply by assertion.

Let me take a couple of examples, Mr. Chairman. The first I quote directly.

"The first point to be made illustrates the changes that have occurred in the distribution of family income over the years." Table 1 shows then the income in Ontario for the years 1965, 1967 and 1969. During that period, the so-called research document goes on to say, the percentage of families in the over-$10,000 income range increased from 18 per cent to 32 per cent while those in the under $3,000 category decreased from 12.5 per cent to eight per cent."

The impression one gets from this, Mr. Chairman, is, "Is it not wonderful? Since 1965 in this province there are fewer poor people; not only that, there is a fantastically smaller number of poor people." It says in the under-$3,000 category there is a decrease from 12.5 per cent to eight per cent; and if you translate that into percentage terms, Mr. Chairman, that is a 35 per cent decrease in five years. Wonderful progress toward equality in the province of opportunity. The only problem with that is that in those five years, there is a rate of inflation of 16 per cent.

All I can say is that in that table at least the researchers were honest enough to put a little asterisk down at the bottom and say that it was not in current dollars. That is a misleading use of statistics because it should have said in real terms, in real dollars, there are not 35 per cent fewer families in the under-$3,000 category but 18 per cent less. I say that there is about a 50 per cent or 40 per cent—

Hon. Mr. Davis: Those are your own observations.

Mr. T. Reid: You will get your crack at it. Just sit down and listen for a while. You will get your crack. I have got the floor.

That is a misleading use of statistics and you should never have allowed that type of document to come out from a so-called research group that does not have a first class researcher in it and you know it. That is the first way that this report is misleading to the people in this province, Mr. Chairman. You know the other thing, it is very interesting, you know what the source is? The source is the Ontario Department of Social and Family Services. Is that not interesting? One minister using another minister's department.

Hon. J. R. Simonett (Minister of Public Works): What is wrong with that?

Hon. Mr. Davis: We always co-operate.

Mr. T. Reid: Let us turn over the page. By the way, Mr. Chairman, you should note the concept there for income is something called family income. Later on, the minister juggles the definition. Yes, and then he talks about table 2 and you know, Mr. Chairman, in table 2, he no longer talks about family income in Ontario; he has got a new concept called combined parental income. The first lesson in statistics is that you have got to use the same series if you are making comparisons so here he goes from table 1 to table 2. Instead of using comparable statistics, he switches.

Combined parental income—that is apples and oranges, Mr. Chairman; that is dishonest. That is how Hough says a minister like this minister can lie with statistics. Then he says, "when this is compared with the information in table 1"—he even takes one series which is not comparable, which has a different name and says—"I now want to compare it with table 1." He does not even tell people that he is comparing apples and oranges in a research document put out by a research branch.

That should be called a political propaganda branch and you should be paying their salaries out of the political party you belong to and not out of the taxpayers' funds. It is in about the same category, Mr. Chairman, as that report that the Minister of Trade and Development (Mr. Randall) did, using government money to do a survey to use for political propaganda. This is a paper for political propaganda, hiding under a letterhead paper of The Department of University Affairs, hiding under no one's name of course. He probably could not get a decent researcher to put his name on it; something called "the research branch" of that department.

To continue, Mr. Chairman, he has table 2 which has something called combined parental income. He says when this is compared with the information from table 1 which is called family income, he gives certain conclusions. A basic way on how to lie with statistics.

The other thing—and I cannot really blame the minister for this one—he uses data in here which comes through a Dominion Bureau of Statistics post-secondary student population survey for 1968-1969, catalogue number 81-543. I do not fault the minister on this; I am faulting DBS. I was intrigued by this survey, after talking to Mr. Peebles of the minister's department who had access to it—even though I could not get access to it—for Mr. Peebles was very helpful.

He said—this was last January, I think, somewhere then—he said, "When the DBS post-secondary student population survey, 1960 to 1969, comes out, you will no longer have things you can say about the poor being discriminated against in the education system; they will be proved to be incorrect." He even wrote a letter to the *Star* to say so.

That survey came out so I went up to Ottawa and I talked to the people who took that survey. I even talked to the head of the education division at DBS and I also talked to people who knew about that survey. I will not fault the minister; I will put blame where blame is due. There are many statisticians in Ottawa, particularly outside of the Dominion Bureau of Statistics, who maintain that that was an improper survey.

They maintain that the statistical techniques used were bad techniques that lead to very questionable results because there is no way to estimate the error of estimates of the statistics. That is to say, Mr. Chairman, that when you do a sample survey of a population, in this case the post-secondary student population of Canada, there are certain rules you must follow. Otherwise, you do not know whether the people you have chosen to ask questions of are representative of the whole population. There are statisticians in Ottawa who maintain that that DBS survey should never have been released because the way in which that sample population was chosen did not conform with high statistical standards of sample survey techniques.

I wish I could get my hands on the original questionnaire, but understandably it is very difficult to get hold of it. In particular the question that had to do with parental income was a fuzzy question; that is to say, students did not know what was meant by the question. They did not know, for example, whether the question had to do—and I am guessing here—with total parental income or whether it had to do, for example, with the income of the head of the household.

Perhaps the minister has an answer for that; I would like to have that answer here. But there are people who have conducted that survey who said that there was sufficient evidence from the replies of students that they did not understand what was meant by the question concerning combined parental income. They did not know what that meant. I will leave the minister to answer that one later.

So the question of the reliability, if you like, of the sampling that was used by DBS is very much open to question.

Then in table 2, Mr. Chairman, the minister has two tables. He has got another column in there beside the column on post-secondary students; he has got 1969 Ontario families—and that was taken from table 1. So you have right beside each other in table 2, two columns of figures which the minister compares but which are not comparable because one is one definition of income and another one is another definition of income. That is dishonest.

Hon. Mr. Davis: We did all this in the students' situation. This is what this paper is indicating—

Mr. T. Reid: You will get your chance to refute what I am saying. Just wait. Just hold your horses.

Mr. Lewis: The minister should stop being so rude.

Mr. T. Reid: Then we get to table 2, Mr. Chairman. There is not one academic publication, not even a near-academic publication, that would accept this as a piece of statistical research. I bet it could not even get published in the newspaper.

Table 3, Mr. Chairman, is "Number and Percentage of Awards to Dependent Students—OSAP (Ontario Students Awards Programme) 1968-1969." And then you have what is in my opinion—and we can have a difference of opinion on this one—clear evidence in that one table of the unreliability of the DBS data survey. There are three columns: one is student awards 1968-1969, and they are listed by income range—under $3,000, $3,000, $4,000 and so forth—and the percentage of the students who received Ontario student awards who were in those categories. Point number one.

There is a litle footnote in that table. It says, "Students who did not report parental income were excluded from the percentage calculations for post-secondary student population surveyed."

Hon. Mr. Davis: I can read the next sentence for you.

Mr. T. Reid: No, I will read it. "Thus the final column could overestimate the percentage of students being assisted, although the relative distribution is not likely to change."

Hon. Mr. Davis: I just thought you had lost your point.

Mr. T. Reid: Thank you for drawing my mind back to the essential point.

The point is that the relative distribution of students who did not report parental income is not necessarily the same as the distribution of these who did. It is a very simple fact. Perhaps the error goes the other way. That is one point.

Then we come to the central point in this table. On one column it has got percentage of students receiving awards in each range. Now listen to this: It says that 77 per cent of the students who reported parental income under $3,000 received an award—77 per cent. The question there is, why did not all students who reported incomes of their parents under $3,000 receive an award? Why is it not 100 per cent?

Let us slip down to the $3,000 to $4,000 category. I do not even know what the income range refers too. Is that combined parental income or is that family income? I suppose it is combined parental income. I do not know; it does not tell us. It just says income range. We get to students in the $3,000 to $4,000 category—

Hon. Mr. Davis: On a point of order. I listened rather tepidly and my first thought was that I might read this whole paper. But I referred to this paper during the estimates of The Department of University Affairs. The release—and it is not even a release; it is a study paper relating to accessibility—makes no reference to government, to ministers, to parties or anything else. And, with respect, I would suggest this and the whole question of accessibility should have been discussed during the estimates of The Department of University Affairs, at which time the member for Scarborough East had ample opportunity to do so.

I made some reference to what I thought were changes taking place as to the kinds of representation; there are references, because we used family income or total family income in the assessment of need, which is determined on the basis of what the Canada Student Loan Plan prescribes.

I say with respect, Mr. Chairman, I am quite delighted to debate this with the hon. member any time, but if we are going to sort of adhere to the rules I suggest really this is a matter that should have been discussed under The Department of University Affairs.

If the hon. member for Scarborough East wants to make a speech about certain other aspects, the question of underprivileged or culturally deprived children, under this vote, I think that is all well and good. But here we are talking about a matter that should have been discussed a week ago on that Wednesday afternoon when we were dealing with this, when the student aid programme was there and subject to the scrutiny of everyone in this House, at which time the member for Scarborough East passed over that vote of some $30 million in a rather cursory way, perhaps because we were short of time. But that was the time to have done it, Mr. Chairman. I do not think it is appropriate in this vote at all.

Mr. T. Reid: Briefly, on a point of order.

Mr. Chairman: Order, please.

Mr. T. Reid: Speaking on the point of order.

Mr. Chairman: Yes.

Mr. T. Reid: I want to speak on the point of order, and I will state it very briefly.

I could switch all my remarks into a discussion of the income background of students in grade 13, students in grade 12, students in grade 11. I could even go right back and discuss this whole thing in terms of who is benefiting from grade 13, because that is the feeder year into the university system, and grade 12 which is the feeder year into both.

My point, Mr. Chairman—and I will conclude briefly on this and go by your ruling—is a very simple one. It is very interesting that the day before we get into a discussion of who benefits from the education system in this province by income class, the minister releases this and has it in the *Globe and Mail* this morning. I find that very interesting.

Finally, Mr. Chairman, I find it very interesting that when I was getting into the most telling point in a pack of lies in this research report the minister tried to cut me off on a point of order. That is just fine, just fine.

Mr. Chairman: Order, please. It was my understanding that the member was going to speak on the matter of the opportunity for education or at least the education which is offered to underprivileged classes; in his words, the certain disparities which he wanted to comment on. But the minister is quite right. We had discussed this matter of student awards under University Affairs. If you wish to continue under what you indicated you were going to speak on, you may do so.

Mr. T. Reid: Thank you, Mr. Chairman.

I would like to start my remarks by quoting some sources that might have more credibility than others. I would like to refer to the Canadian Teachers' Federation, to the special Senate committee on poverty of the federal government. Our federation submission to the senate committee on poverty was this year, Mr. Chairman, so we are not talking about a statement five years ago by the Canadian Teachers' Federation. I quote:

> The failure today of education to help adequately children of the poor can be traced not only to unequal substandard facilities and lack of parental involvement but also to the very nature of the programme which they have been offered.
>
> These programmes may be quite inappropriate for many, perhaps most, poor children. The child who is poor will not, for example, likely recognize the kind of normal home life which is portrayed in many reading texts—

Including Circular 14, I might add.

> —when children have plenty to eat, good clothes, rooms of their own, pets, grass to play on and a father who comes home from work every night.

A much deeper aspect—

And remember that this is the Canadian Teachers' Federation speaking, Mr. Chairman—of the communication alienation between these children and the schools they go to—

Hon. Mr. Davis: It might be more relevant.

Mr. T. Reid: —in terms of what they expect to happen to them was put this way by a YMCA youth worker in Toronto's Cabbagetown. He says this—and I quote directly, and the source is in *This Magazine Is About Schools:*

> You see these kids at 13 and you know what might happen. There is nothing you can do about it. Anything they can do is really only putting a band-aid on. People say these kids just live on a day-to-day basis and do not plan ahead but they have got nothing to plan for. There is no talk about having careers.

In the eyes of the poor in this city and across this province, Mr. Chairman, most skilled programmes under the jurisdiction of this Minister of Education are extended to them upside down, serving an affluent society which offers the programmes rather than being sensitively related to their needs.

I documented these statistics. The minister knows where they are. They are in the *Hansard* of the standing committee on supply for last year, the year before that and, I believe, even the year before that. I will not repeat them again.

But basically, my point is a simple one. Those with power in our society, political power, such as the power this minister has, Mr. Chairman, have not yet decided that the children of the poor in this province are going to be educated. It is as simple as that. Let me put it this way, Mr. Chairman. If, at the beginning of the 1960s under the present Premier of this province, there had been a commitment that the children of the poor in this province were going to be educated, there would now be a fundamentally different education system in this province. A much larger proportion of the educational expenditure pie would now be spent on preprimary and primary education.

For one thing, almost every three- and four-year-old, especially from the inner city, the urban and the rural poverty areas, would now be in school or receiving some sort of home tutorial for at least a few hours a day. The best and the highest paid teachers at any level of education would be teaching the four-year-olds who happened to have been born into poverty. The best teachers would be teaching the children of the poor. They would have the smallest classes.

They would have the largest budgets for out-of-school educational programmes. They would have first call on any educational research funds that were made available. They would only teach the children five hours a day, thereby giving them plenty of time to work with the parents, both in the school setting and at home, to teach the parents to be parent-teachers. These teachers would have undergone a kind of teacher-training programme that does not exist in this province, a programme that would develop in them the sensitivity and skill to work with

young children who are already, at the age of three and four, beginning to destroy themselves, in short, receiving the kind of training that develops a person into a first-rate street walker in Toronto's Cabbagetown.

If there would have been an educational programme for three- and four-year-olds, it would have had the backing of the parents because their parents would have been consulted and would have been active participants as teaching assistants in the classrooms themselves. But this is simply not the education picture in this province today, Mr. Chairman. Today, virtually everything, including detailed decisions that come out of The Department of Education, such as decisions about what gets on Circular 14, conspire against, if you like, the children of the poor.

Mr. Chairman: I think the hon. member is getting away from the fact that the general policy of the operation of The Department of Education was vote 401. Kindly relate it to 402, please.

Mr. T. Reid: I will relate it exactly to 402, Mr. Chairman. I would like to relate this specifically, if you like, to the curriculum vote, that is to say, curriculum development.

Mr. Chairman: We are not quite that far yet. We are dealing with administration and supervision.

Mr. T. Reid: I will try to relate that to administration and supervision. I would like to talk about the administration of programmes for children and young people in the Province of Ontario, whose first language is neither English nor French. I would like to talk about the children of the immigrants, the non-English-speaking immigrants who come to this province. I would like to talk about, if you like, formal education for them, K to 13, Mr. Chairman, and I quote from the estimates:

> This programme is supposed to provide for the development of the pattern of academic education to be recommended for implementation in publicly supported school systems in the province.

I would like to talk about what the minister's department does in this regard, that is to say, the pattern of academic and vocational education in the publicly supported schools as that relates to children in this province whose first language is neither English nor French.

Now, Mr. Chairman, many native children in Ontario, in Indian families in particular, have neither English nor French as their first language. This is particularly true in northern Ontario. When we look at those children whose first language is neither English nor French, we see that their problems are compounded, not only by language, but also by the problems of racial discrimination, geographical dispersion and insular communities. In addition to the native Canadian children of Indian extraction, there are tens of thousands of children in this province whose first language is neither English nor French.

These are the children, Mr. Chairman, of immigrants to Canada, to this province, whose first language is a language other than English. Some idea of the number of additional children each year who need first-rate language training programmes in English as a second language can be seen from the following statistics—I will just give some brief statistics here. I will have to give the Canadian statistics; then we have to divide them to get the Ontario ratio.

Hon. Mr. Davis: Is that a very accurate way?

Mr. T. Reid: It is the only way available because of the way the Dominion Bureau of Statistics sets it. I will do it, plus and minus five per cent of error, if you like.

Hon. Mr. Davis: I am just wondering if you knew—

Mr. T. Reid: At least I tell you my methods of calculation, which is more than your research branch tells you.

Mr. Chairman, in the year 1966, 95,000 people came to Canada whose first language was English; 9,000 people came to Canada whose first language was French and 91,000 people came to Canada whose first language was neither English nor French. That is to say, 47 per cent of all the immigrants to Canada in that year did not have English or French as their first language. Of the 91,000 non-English, non-French-speaking immigrants, who came to Canada, in this single year, 1966, about 30 per cent, or 27,000, were under 18 years of age. I submit sir, that 50 per cent of these 27,000 came to Ontario. It is the only way that I can relate it back.

So we are talking, if you like, Mr. Chairman, of something like 13,000 to 14,000 children who came to this province in 1966. This has reached somewhere over 10,000 each year since 1965, who arrive in this province not being able to speak English.

Furthermore, about half of the 91,000 immigrants who came to Canada were women. Seventy-five per cent of them were in the child-bearing age range of 15 to 35. As likely as not many children born to these women, half of whom would have come to Ontario, would not experience English as a normal home language.

Now, Mr. Chairman, these single-year statistics for 1966 only, concerning new or additional immigrants to this province, indicate the magnitude of the 25-year accumulative education problem of teaching English as a second language in this province, especially to children under the age of 16, many of whom are born in this province. So the problem is a vast problem, and the response and leadership of this government has been meagre.

For example, the Ontario Economic Council—not the Economic Council of Canada—said in July of this year, not five years ago, not 10 years ago, that:

> Children's language training is at present receiving no direction from The Department of Education of Ontario with respect to the planning of curriculum, training of teachers of immigrant children, placement of newly arrived students or equation of school records from other countries with the Ontario curriculum.

Is it any wonder, Mr. Chairman, with that condemnation of this minister's policy and of the Prime Minister's policy before him, is it any wonder that a disproportionately large number of children from immigrant families, particularly in Metropolitan Toronto and Hamilton, are being transferred to classes for under-achievers, to vocational classes and to truncated two- and four-year streams from which they cannot proceed to university and many other forms of post-secondary education? In Scarborough, for example, this spring, five elementary schools in areas described as heavily new-Canadian or low-income failed more than 20 per cent of the grade 8 students, and almost all those failed students were streamed into specialized vocational schools. The borough-wide failure average was only eight per cent and in some schools, particularly in the higher-income level areas in Scarborough, there was no one failed.

This should not have come as a surprise to anyone, either the minister or the members of the Scarborough Board of Education, since in 1967 a study entitled "Attitudes and Perceptions of Grade 9 Secondary Students," a joint study, actually, by the Ontario Institute for Studies in Education and one staff member of the Scarborough Board of Education, showed that a vastly disproportionate number of children, in which Italian was the language usually spoken at home, were in the truncated, dead-end, two-year stream in Scarborough schools.

Mr. J. E. Stokes (Thunder Bay): Wind him up, eh?

Mr. T. Reid: Yes. Mr. Chairman, I think I would like to cement my condemnation of the minister's policy with regard to the teaching of English as a second language in this province, both to many Indian pupils and to the thousands and thousands of children under the age of 16, but particularly those under the age of 7. I would like to cement that condemnation of his policies, his lack of leadership and absolute failure to move on this issue, by quoting a few more things from this document entitled, "Immigrant Integration: A Report of the Ontario Economic Council," which I quoted briefly a moment ago. I just want to put this right on the record.

> Over the past 25 years more than 1.7 million people have come to Ontario from virtually every nation of the world. Foreign-born residents of Ontario now represent one-quarter of our total population. In Metropolitan Toronto this ratio is closer to one in three; almost one-half our population increase since 1945 is accounted for by immigration.

How much blunter can the point be made? There are not just a few immigrants who have come to Ontario. "Foreign-born residents of Ontario now represent one-quarter of our total population. In Metropolitan Toronto this ratio is closer to one in three." We are talking about thousands of people who have come to this province, many of whom have had English as their first language; but an equal number, 45 per cent roughly, have not had English as their first language, and they have had children when they have come here.

The report continues:

> Generally speaking, the attitudes of both federal and provincial governments and of the people of Ontario toward social integration have been one of indifference. There has been no conscious effort on a scale commensurate with the size of the immigrant flow since 1946 to engage both native-born and new arrivals in co-operative action to build a cohesive society.

The report goes on:

> We lack a commitment to a policy of ethnic integration in Canada in the provinces and in our communities. Though programmes have been introduced to assist in the economic adjustment of individuals, primarily through manpower and language training, the related social adjustment of the immigrant to his adopted society has been virtually ignored. It is our belief that the Province of Ontario should now move to provide a comprehensive programme designed to promote intergration among all Ontario residents. Education, social welfare, labour and human rights, civil liberties, economic development and all the other services of the government should be utilized in a total commitment to build bridges of understanding and involvement.

And then for the Ontario Department of Education there are the following recommendations and, Mr. Chairman, these recommendations would not have been made if they had not felt the department had utterly failed in its obligations. Here are the recommendations from the Ontario Economic Council to The Department of Education:

> 1. To continue and expand experimental courses in English or French, trades, terminology and skill adjustment for immigrant trademen;
>
> 2. Encourage and support the expansion of in-plant language training courses;
>
> 3. To assume the responsibility for language training in elementary, secondary, post-secondary institutions and adult classes under the jurisdictions of boards of education, with particular respect to curriculum planning, maintenance of standard and teacher training;
>
> 4. Include in teacher training courses, as a recognized option, the teaching of English or French as a second language;
>
> 5. Evaluate the effectiveness of various language programmes now being conducted and carry out a study of the effect on student progress of such factors as class frequency, timing and location.

Well, Mr. Chairman, I would just like to reiterate, if you like, the statement by the Ontario Economic Council, that as of July, 1970, in this province:

> Children's language training is at present receiving no direction from The Department of Education in Ontario with respect to the planning of curriculum, training of teachers of immigrant children, placement of newly arrived students or equation of school records from other countries with the Ontario curriculum.

And I say to the minister that, in my opinion, he has failed in this area to meet the needs of the children who come to this country whose first language is not English or French, whose language at home is not English, and of children who were born in this country, many of whom do not have English as the language of the home.

I am saying to the minister that he stands condemned in the eyes of the Ontario Economic Council, and I think it reflects the whole attitude—if I am not to impute motives here, Mr. Chairman, it reflects the fact, if you like, that the policies of his department are not touching, I would say, probably one-quarter of the students in the elementary and secondary school system.

I have not talked about the problems that are much more difficult, if you like, to articulate, and those are the problems of the children whose first language at home is English, but it happens to be a home that is in a state of material poverty, and so forth.

I will not repeat the remarks I have made over the last three years in this House, but I simply say that I am chagrined that the minister has not identified the area of pre-school education for the culturally deprived child, for the children in poverty homes, as a top area of concern.

I am particularly concerned that in his whole area of what he calls special education, which we will get to later, he defines the handicap strictly in a non-cultural sense, as I understand it. He has got cultural programmes there; I would like to hear about them.

But the basic point is that particularly in the curriculum, and the teaching of English as a second language, this minister stands condemned by about one-quarter or about one-third, if you like; I will not exaggerate by one-quarter or even 20 per cent of the families in this city whose first language is Italian or Portuguese, in particular, because he does not understand their problems and he has failed them.

Hon. Mr. Davis: Mr. Chairman, just to reply very briefly. This speech has been made in different ways on other occasions here, and I just do not accept the thoughts of the member for Scarborough East as to the lack of interest or direction from the department or the government as it relates to the education of new Canadians in this province.

Mr. T. Reid: I was quoting the Ontario Economic Council.

Hon. Mr. Davis: Mr. Chairman, I recognize the quotes from the report of the Ontario Economic Council, and I will not get into any personal discussion with the hon. member as to his own research capacities, the way he himself uses figures, in that he related this to me in the document that he was referring to before. We will leave that pleasant exchange for some future occasion. I would only observe this, Mr. Chairman, that the member for Scarborough East has a very great capacity to use statistics in a way that are relevant to him, and I guess he takes exception to the facts when other people use statistics.—

Mr. D. M. Deacon (York Centre): Are you ever any different?

Hon. Mr. Davis: —in a way that perhaps has some meaning, that might be of interest to the total province. However, Mr. Chairman, as I say, we will leave that dialogue.

Mr. T. Reid: I do not intend to be a civil servant.

Hon. Mr. Davis: Well, Mr. Chairman, the hon. member for Scarborough East made references in his lead-off remarks to certain statistical information as it related to maintenance grants, gave no recognition of the increase in cost of living that he referred to in the document that he—what was it? The research paper or what have you—and he just cannot have it both ways.

Interjections by hon. members.

Hon. Mr. Davis: He cannot have it both ways, and let us understand one another. Let us understand one another. So, now leaving—

Mr. Martel: He is trying to be like the minister now.

Hon. Mr. Davis: No. Listen, he has told Lloyd Dennis he is going to be the minister. There is no way the member for Scarborough East wants any part of it. And I would only make this observation—he will never get the chance to be any part of it, thank goodness.

It was a great mistake when you were up there in Guelph and introduced Lloyd Dennis to the assembled multitude saying, "How would you like to see this man as Minister of Education?" I guess you expected they would say, "No, we want you, Tim." Well, I am awfully sorry, Mr. Chairman, before you rule me out of order, I will admit I am out of order. I am out of order. However—

Mr. W. G. Pitman (Peterborough): Lloyd Dennis is not going to run.

Interjections by hon. members.

Hon. Mr. Davis: Really? No, I do not think he will; I do not think he will. However, Mr. Chairman, getting back to this very important issue, and one should not minimize it, if the member for Scarborough East—and I am sending some of this documentation to the Ontario Economic Council too, because I think it might be helpful from their standpoint—if one reads the policy of the curriculum guidelines carefully, there is a whole area of language teaching from K to 6, there is a very fundamental statement there in respect of teaching of a second language. It is there; it is clearcut; it is identified, and while there is still much to be learned, and while there is progress yet to be made, heaven knows I would not want to stand here and say that the boards in the Province of Ontario have not responded to this challenge.

Mr. T. Reid: I am talking about you—

Hon. Mr. Davis: Mr. Chairman, here we go again—the same old contradiction. The member for Scarborough East, when it serves his political purposes, wants the minister in the department to run the school system when it serves his political purposes, then, my heaven, he wants to safeguard the autonomy, the responsibility, the creative initiative of the local school jurisdictions. I happen to fall on the side of the latter, and I would say to the member for Scarborough East, for heaven's sake, be consistent, and let us not be contradictory as it serves the political issues that you may express.

Hon. A. Grossman (Minister of Correctional Services): Which side do you want to fall on?

Hon. Mr. Davis: You know, let us try to be logical about it. So dealing with the issue, Mr. Chairman—

Mr. T. Reid: I have.

Hon. Mr. Davis: —I want to make it abundantly clear that the school boards and the Scarborough board—and I am sure the member for Scarborough East would recognize this—have made a very genuine effort, and I think have made progress with respect to the teaching of a second language to new Canadians.

The city of Toronto board, the Hamilton board, the other boroughs, many boards of this province have made significant progress in the past number of years, and I think it should be so publicly stated on this occasion and nothing the member for Scarborough East says is going to convince me otherwise.

And I would say to him, if he really feels that the Scarborough board has accomplished so little, why does he not go to the Scarborough Board of Education and say, "Fellows, you do not know what you are doing, you have been negligent, you have fallen down on the job."

Mr. T. Reid: I have gone.

Hon. Mr. Davis: Oh, yes, sure, sure. Mr. Chairman, I know that sort of communication.

Mr. T. Reid: The chairman is a very good friend of mine.

Hon. Mr. Davis: I know. Well, then, speak to the chairman who is a very good friend of yours because I happen to have a little more respect for his capacity as chairman than perhaps the member for Scarborough East. You know, I think they have made an effort, a very genuine effort. Take in the field of summer courses alone this past year—200 or 276, 286 in the second-language summer courses for new Canadians, some in Toronto, some in the city of Hamilton. We had a dialogue with the member for Peterborough —a very legitimate, I think, criticism—a year ago, as to having no teachers' summer courses relating to the teaching of Indian children. This past year, what did we have—57, 58 teachers, I think it was at Trent University, for some reason or other—

Mr. Pitman: That is right.

Hon. Mr. Davis: It was at Trent University where we had this course for these teachers. And I would say to the member for Scarborough East, Mr. Chairman, I am quite prepared to accept any constructive criticism as it relates to the needs to improve and to better programmes for the education of new Canadians in this province within the school system. But I say that it has to be done in a constructive, meaningful way with some recognition.

Even the Ontario Economic Council, I think, is prepared to admit that we have, in fact, made very significant progress here. It is not an easy area, and I am not saying there is not a lot yet to be done, but for the member for Scarborough East to get up and indicate nothing has been done, no accomplishments whatsoever, is just not factually correct.

Mr. T. Reid: They say you have not done anything. You are calling them a bunch of liars.

Hon. Mr. Davis: I am just saying that they do not have all the total factual information available to them.

Interjections by hon. members.

Mr. Chairman: Vote 402 carried

Hon. Mr. Davis: Well, never mind.

Mr. Chairman: Have we been taking this in total any place in the vote?

Mr. Pitman: No, no, we are taking it one at a time and we are dealing with, I think, more or less the overall look at this area of jurisdiction. At least that is my understanding of it, Mr. Chairman.

Mr. Chairman: Well, of course, we took the first vote by programmes of activity, which seemed to keep it fairly well sorted out. Now, perhaps we could go through these programmes and see if there is—

Mr. Pitman: Well, may I say, sir, I am talking on the same vote which the minister and the member for Scarborough East have been talking about for the last five minutes.

Mr. Chairman: In other words, the whole vote? You are speaking of the total vote?

Mr. Pitman: No, I am talking about the first item—salaries.

Mr. Chairman: What is fair for one is fair for the other. Proceed.

Mr. Pitman: Salaries, $19 million. May I continue, Mr. Chairman?

Mr. Chairman: Yes, you may.

Mr. Pitman: Thank you very much. I would like to say a few words on this vote, and I would like to take as given that The Department of Education does have some role to play in determining the direction of education in this province. Because I think if we take the logical extension of the minister's last remarks, there will not be much point in discussing anything in this Legislature. I think what we will simply say is we should go to each board of education across the province and give our speeches there.

And I really feel that we have to assume that there is $19 million which is being paid to a number of people, in the minister's bureaucracy, and that they have a responsibility. I want to read from this document here that the activities comprised from this programme provide for the development of the pattern of academic and vocational education to be recommended for implementation in publicly supported school systems of the province.

Now I think if we are going to carry on any kind of realistic dialogue in this House, we have to be able to assume that when the minister decides to take a certain direction the boards of education across this province can be made to recognize that direction, that the grant system has some influence upon them, that the directives that come out from the minister's office are indeed read, and may very well even be followed by those who are in the publicity supported school systems across the province. I want to take that as given because anything I say from then on becomes pointless unless we can take that as given.

I want to say just a word or two about what the member for Scarborough East has talked about over the last number of minutes. He has again brought up a matter which is very close to his heart and which he has spoken of on a number of occasions in this House and in other parts of the province, and I want to say that I recognize the very real concern here for the poor, for the culturally deprived, for those who need extra resources from our society.

I think I have said as well, that most of our resources should be giving some kind of support, some kind of help to those who are in the primary education field, the preprimary education field, and that I have also said of course in the continuing education field as well.

I want to say here though, that I think the solution which the member for Scarborough East has turned to, as well as the solution of the minister, is simply erroneous. I do not think that either is going in the right direction. I think that what has happened is that we are not seeing much happening in the existing school systems, although I must say that what the minister has indicated about the teaching of Indian students, the teaching of different language groups, does have some veracity indeed. I want to point out with the problem that early education programmes, inner-city programmes, can have only a minimal effect, and I suggest that what we really must do is look outside the school as the means of solving these problems. I think that our escalation of what could be called the obsession for institutional answers is simply hopeless in our society, and I think that what we had better turn to is some degree of de-schooling rather than increased schooling of the young people of this province.

Now I am not going to be repetitive, I am going to try not to be repetitive of anything I have said before, but what bothers me about the $19 million that is being paid out to the salaries of those who are involved in this area of formal education of K to 13 is that there do not seem to be enough—I do not know what to call them—pilot projects. There does not seem to be enough experimentation. There is not even enough imagination and I think that the minister's department is so tied in to an existing structure, so tied in to a formalized institutional response, that it is impossible for some really exciting, different, unique kind of educational expression to take place in various parts of this province.

Now what I would hope to see is the minister begin to recognize that across the world there is a very real questioning of the whole direction which has taken place, both in this jurisdiction and every other province in Canada and in every jurisdiction in North America and virtually in every part of the western world. I think it is true to say that we are caught in our own structure.

Hon. Mr. Davis: Is it not great that we can still question it in the western world? They cannot in some other places.

Mr. Pitman: I am sorry?

Hon. Mr. Davis: I said, is it not great that we can still question these things in our society?

Mr. Pitman: Yes, the great frustration for us here in this chamber is that we can question and we can talk, but so little happens. If we could only see something taking place in the classroom which goes in the direction of really changing the educational system.

I ask the minister, take a look at various other aspects of our society—communications, transportation, travels; take a look at the changes in our morals; take a look at the changes in dress, and you see a tremendous variety. In fact, one man has written a book which I suggest the minister might read. It is by Peter Drucker, called "The Age of Discontinuity", to contrast—

Hon. Mr. Davis: Is that a Canadian or an American text?

Mr. Pitman: It is not a textbook at all, Mr. Minister. It is simply a book which I suggest the minister might take up in his after hours, before he goes to bed some night because it—

Hon. Mr. Davis: I have read it.

Mr. Pitman: I am pleased to hear that. I am sure the minister was very much impressed by the fact that there has been a tremendous speedup in every area of our activity and yet when you take a look at the school system, there is not the degree of change and response which I think is necessary.

This, I think, is an age of criticizing institutions. We criticize our constitution but so little happens, we cannot keep up. If I might be allowed, Mr. Chairman, just to make an extraneous remark on the whole question of what we see happening in Quebec right now. You know, we all, in a sense, share some responsibility for what is going on there because if we could have recognized the need for some very real changes in the constitution, if we could gird ourselves for action in this country, we would take the pressure off in that particular province. We would then perhaps have made the FLQ irrelevant rather than making it the central response of so many people in that province.

Hon. Mr. Davis: Do you really believe that a constitutional change could solve the problem that exists at this precise moment?

Mr. Pitman: I do believe that a response over the last three, four or five years, would have, indeed, made a difference in the response in Quebec right now.

Hon. Mr. Grossman: What kind of response?

Mr. Pitman: In fact, I would even go further than that and say that if in Quebec itself there was an effective democratic system which allowed for a democratic response in the Legislature of Quebec which was responsive to maybe 30 per cent of the French Canadian people who voted for some other method of securing separation, some other form of separation, we might very well not have the kind of problem that we are faced with today in the province of Quebec.

I think for the minister to disengage the whole development in Quebec and simply say it is a few people who are making—

Hon. Mr. Davis: I have not said anything. I am just asking you what you think—

Mr. Pitman: I think that was the implication of his question.

Hon. Mr. Davis: No, it was not.

Mr. Pitman: I am sorry then, but certainly he led me to believe—

Hon. Mr. Davis: I am intrigued by your statements; that is what I am trying to get—

Mr. Pitman: He led me to believe that he thought that this was something that had no relationship whatever to the constitution and I say to him I think he is dead wrong. I think it does have a great relationship to our inability to change institutions, and one of these inabilities to change institutions is in the schools.

I want to get back to that point to keep the chairman a little happier because I think he is wondering how this involves the formal education of K-13. I shall now go right back on the main track.

I want to come up to this point because I think the difficulty is that we tinker; we play about with the system. As I said on a previous occasion, too often we seem to add on; we never seem to be able to disengage ourselves from the structures which already exist. We are never able to tear down something; to get rid of some aspects of our whole governmental system. I realize that to talk about deschooling, taking the pressure off, the deescalation of this formalized institutional system—it is, I think, a very real problem.

I know, I have friends in the education bureaucracy across this province—the minister does — when we start talking about deemphasizing, cutting down the grants in this area and trying to have a complete spectrum of educational services across our entire society, all sorts of people get threatened and upset and nervous and unhappy. This is very understandable and I apologize to all those people under the gallery, you know, that I may be making very unhappy at this point in time.

Hon. Mr. Grossman: There is nobody up there.

Mr. Pitman: Under.

Hon. Mr. Davis: We have done this, you see. We are moving out of the area of incentive grants just so that we can do many of these things.

Mr. Pitman: You are moving out of the area of incentive grants?

Hon. Mr. Davis: You wanted incentive grants in some areas.

Mr. Pitman: Exactly, and I am suggesting that we—

Hon. Mr. Davis: You persist in contradicting what you said.

Mr. Pitman: —need incentives to begin a completely different system of education, to start on a new path. I am not suggesting, you know, that we abolish all the schools in Kitchener-Waterloo and use that as a pilot project to completely overturn the educational system. What I would like to see is, with the co-operation of the trustees and the teachers, a real dialogue take place—which might take place over two or three years—discussing what all the implications might be; bringing in the business community; bringing in the industrialists in that community; talking about what all of the educational centres, or opportunities for education are; bringing in people from the areas of the arts and the various levels of education within that community and seeing if we cannot do something really unique and different.

This is, I think, an opportunity; that the minister step out of a single structure, which I think ties him in. I know there are hundreds of thousands of teachers across this province who are going to get very uptight when we start talking about doing something to shake up the "one-teacher/30 kids room with the nice four walls" situation; that nice secure burrow in which many teachers find themselves.

They might have to step outside the school system; spend some of their time down at the local factory; spend some of their time in the recreation department and some of their time in the neighbourhood, in schools perhaps and in stores in various parts of the community. All of these things make them very unhappy.

I think that it is to the minister's advantage to see there are other ways of going about things. I do not see that kind of imagination and that kind of thrust in this particular of the minister's jurisdiction.

The minister, of course, would say, "Why us? Why me?" Of course, I suppose he would say "We are doing exactly what the United States is doing." In many ways we are. We are following other jurisdictions. That is, we are trying to increase the retention-rate of our schools. We are trying to keep up the number who are retained in the post-secondary institutions.

I suppose the community colleges might look to Florida or California. Of course, California is rather an unhappy situation because there you have the very real question in the United States today as to whether the multi-university, which is the American concept of post-secondary education, is really relevant to the people who are in that area.

There is a great deal of question in relation to the cost of the educational system. In fact, as the minister knows, there are some schools which are empty because the people in the community will not even pass the legislation or pass the appropriations—in view of the way in which it is done in that area—to fill those schools with teachers and kids.

I say to the minister that to feel that because all is going well, because we do not have the kind of exacerbating problems that you have in the inner cities and the slum areas of Chicago, Detroit and New York, and because you do not have the kind of social poverty of black versus white that you have in many parts of the United States, to say that we in Ontario are fine and we are doing the right thing, I think, is just not a logical progression.

What I would like is to see the effect which we might well have if we could only break out of the existing structures. As the minister, I am sure, realizes, there is a great deal of questioning going on in perhaps one of the most interesting places in the world today in educational circles, Cuernavaca, in Mexico.

I am sure the minister sees all the documents and reads them carefully; all that is being written by people like Everett Reimer and Ivan Illich and Paul Goodman and the whole crowd. I make no apologies for stealing, you might say, all kinds of ideas that I find in this area. In fact I would like to make a suggestion to the minister—that he spend two or three weeks in Cuernavaca next winter. I think all of us in this Legislature will be quite happy—

Hon. Mr. Grossman: I will carry his bag.

Hon. Mr. Davis: My colleagues are coming with me?

Mr. Pitman: The minister can smile. I am being very serious about this because I suggest that what the minister needs is a housecleaning of his mind. He is so tied up in all these little plots which are the sum total of his jurisdiction. There are many and they are difficult and they are complex, but what he needs to do is to go to Mexico for two or three weeks, take his wife and family—I understand it is a very pleasant place—and spend some time rethinking the whole role of schools.

Hon. Mr. Davis: Three weeks—

Mr. Pitman: I would be very pleased to be the first person to vote for the appropriation which would be necessary, considering, of course, that he lives on the usual frugal level which he is accustomed to in Ontario.

Hon. Mr. Davis: Quite.

Mr. Pitman: If I might just go on—

Mr. B. Newman: That was rehearsed!

Mr. Pitman: —to the whole problem. This comes about, of course, as a result of what happened in Latin America when two chaps, Reimer and Illich found themselves with the job of trying to decide what to do about Puerto Rico. They discovered that really a very small percentage of the young people in Puerto Rico were getting very much benefit from the schools.

Of course, this ties in with what the member for Scarborough East said, that essentially there was a very small percentage at the top of the socio-economic structure that were really benefiting. They finally found themselves. I shall try to make this a short dissertation. They found, for example, that they were trying to increase the number of people who were retained in the system. They did cut down the number of dropouts, but when they took a look realistically they found that the retention rate was really done at the expense of the grade standard. They were not really retaining young people.

In other words, they were not really learning to read that much more. They were not really accomplishing that much more. They were simply being kept in some kind of custodial care. Finally, both of them happened to become involved with the Alliance for Progress and they began to look at the cost of education and they discovered that the cost of retaining any measurable number of young people in Latin America in the school system was so unbelievably high—it was so beyond the resources of the people of that whole area—that they just did not have them. It was impossible.

I know the minister might say, "Those are poor countries; those are disadvantaged countries. We do not have that problem in Ontario. We have lots of money here. We have got all the funds we need for various kinds of education."

I ask the minister whether this is really totally true. I realize it is not a matter of a great many people not receiving any education, and a very few, three, four, or five per cent, receiving all education. That is the problem that they finally found when they turned to Latin America. But what they found out about the school system in looking at it in this way, I think, was that the money which was being spent on education was so tied up in schooling that they were unable to provide all these other forms of education experience. It was so tied up in keeping young people in schools, in institutions, in keeping them off the streets as the minister put it the other day, that there was no money to do many other exciting things from which young people might learn.

They came to the conclusion there were really four reasons, why we have schools and one was that we need them for custodial care. We have to keep young people in some kind of a setting. It is so nice and obvious and reasonable that they should be in a school where we can count them and see them and put our fingers on them every day, because if they are not there, they will be out taking drugs or hurling rocks at you and all sorts of things.

It seems strange in an age when we have educational television. And we have all kinds of other learning experiences in our society that we still have to make sure that they get to school at 9 o'clock in the morning to be sure they are going to learn anything all day. These are the problems I think that were just raised.

They found that a second reason kids were being kept in school was for a kind of social role selection, for instance, the paper chase. You know we have got to keep kids in schools so we can teach them what to do when they get out and, of course, we are finding out more and more that the school system is just not really the most effective way of doing this, because by the time they get out, the things they were trained for are no longer there. We are building in obsolescence all the way.

They found, for example, that the third reason was indoctrination. I do not use the word "indoctrination" in its least acceptable sense, indoctrination being trying to get young people to recognize what are the established and accepted rules of behaviour and ideas in our society and, of course, when you take a look at it, we have failed terribly in this area.

We suddenly find we are practically destroying our planet. Pollution suddenly surges out of the woodwork as a problem which many people find virtually insoluble. Take a look at the world population explosion. Take

a look at war and peace. We find our education system does not really indoctrinate young people in a way which makes it possible for them to deal with new problems rather than restructure the old ones.

We come to the fourth reason for schools, the development of skills and knowledge. To put it broadly, the conclusion both men came to was that the combination of all four things in the school setting makes the schooling terribly expensive because you are continually trying to keep up with skills. I received a letter from a teacher at a college of arts and technology and he made a very interesting point. He said all our Colleges of Applied Arts and Technology are giving these young people many skills but the powers of the skills are changing out there in the world and we cannot move quickly enough within the educational structure.

On top of that, most of these young people move into society and into the economic system at a level where they cannot use those skills. In many cases, they are skills which rarely enable them to carry out middle-management operations within various areas of our technological system.

By the time they get into that area, of course, they need a whole new set of skills, and so one wonders what is the purpose. Illich points out that the conflicts of these four sets of purposes really makes your school system inefficient because you are trying to do too many things. I think in one essay it was discovered that every teacher in every class was trying to do 180 different things—180 different goals with all the subjects, with all the various activities which are going on in that school—

Mr. Nixon: You mean they counted this up?

Mr. Pitman: Let us not get into statistics. We have had enough of statistics; at least the difference is over statistics.

What I would like to see the minister do is to tear himself out of the stultifying experience of being at the top of a structure, of a pyramid, and to try to get outside and see that there are things outside the school system.

This brings up the whole question of philosophy. I will try not to get into that, but can we not redistribute some of these functions that are going on in schools?

I think that the business world—the men I talk to—would be delighted to see their role increased in the educational system but they never have an opportunity. They never feel they have an opportunity.

The minister may say, "My philosophy is that every person who wants to go to secondary school and have post-secondary education can go", but the point is that we have already programmed them that way. To say that this is the end of education is simply to say that they are going to do what we told them they must do, because we tell them they must stay in school.

If we programme the whole society in such a way that they have to have a piece of paper in order to get a job then there is something very wrong. This brings up the puzzled minister, who sits beside you, Mr. Minister, the Minister of Correctional Services, who last year lowered the academic levels necessary for some of those in his department. The problem there, of course, is that these people will find themselves in the "paper chase" for qualification certificates and must raise themselves up bit by bit. I suggest that because there are so few opportunities for adults as compared to adolescents that his median employees are having very great difficulty in securing the kind of support and the kind of help they need to be good, effective, semi-psychologists, semi-psychiatrists, semi-social workers which you need in the custodial institutions across the province.

The point I come back to is that because there are so few alternatives, so few other ways of developing oneself—and yet this should not be necessary—we make it impossible for people to develop in our society. So that really is what I want to suggest to the minister.

I will just read one or two paragraphs to him that were from the 1970 Beecher lectures which were given by Ivan Illich: "School is near the breaking point. It costs too much, it damages too many children."

Now, I want to say at this point, I do not think that there is a great deal of psychological damage done by the schools of Ontario. I am horrified when I see young people being paddled who are emotionally disturbed or who are retarded children. I am horrified to there has to be 700 or 800 strappings in the city of Toronto. I will come back to it. The reason for it is that you are trying to do too many things. Many of these young people should not be there or there should be some kind of situation. But they are being kept there. The custodial care aspect of it demands that they be kept and that they be forced to act in a certain kind of way in which they do not feel comfortable and where they cannot be accepted.

It restricts too many talented teachers, and these are the problems. To this you might

say, "Well there is no cost, we can do all these things." Well we cannot. And one of the things that has come up this year, if I might say to the minister, has been a real wingding among the teachers of Ontario because there is a real feeling that the teacher-pupil ratio has risen, in some cases if not dramatically, at least substantially. They find their school classrooms are more filled with young people than they were before. They find that they are less able to cope with all of the necessities of dealing with individual children. You know the Hall-Dennis report—this talks about the individual, and individual education experience and then turns and says, "We are going to have more kids in the classroom because we cannot afford a 1:20 or 1:18 or 1:16 ratio."

You see there is a cost. Now I use the words "making your school system less effective" in the fullest sense of that word simply because you have to school and you have to continue to school at the post secondary level. And I really feel for the minister when I think of what he faces in trying to build community colleges across this province. I tell you, there is going to be one less of them as a result of what is going on at the Lakehead, but nonetheless he has still got 19 more he is going to have to try and fund and keep going. If I may continue the quotation: "It restricts too many talented teachers. It leaves out most of the world's people."

I might also say in passing, you see, you do not have enough money for teacher education, or for really effective teacher education, because you are so caught up in funding one aspect of your system, and that is the area where you should be spending far more. We will talk of that when we get to that particular item.

Hon. Mr. Grossman: You want us to give him more money?

Mr. Pitman: No. I have lost the Minister of Correctional Services, again. I did not suggest we give him more money. What I am suggesting is that we diversify the whole operation. Some of it might well be done in the Minister of Correctional Services' institutions.

Hon. Mr. Davis: You are saying he should have more customers?

Mr. Pitman: I am not suggesting that at all. I think he should have more help. And some of the sympathetic young people in this province could provide the kind of help he needs. I will not extend that too much farther.

It leaves out most of the world's people because that is one of the horrifying things that was discovered—that really if you talk about school as the solution to education and two-thirds of the young people of the world are left out of that kind of solution. "The time has come to unburden the taxpayer, save the children, untie the teachers and give the poor access to education." The majority of education's critics are still thinking of improving the school. I give the minister full marks for all the improvements that have taken place over the last—

How many years has he been minister? Eight?

Hon. Mr. Davis: Eight years and two weeks or something.

Mr. Pitman: Well, my goodness. I am exhausted even thinking about it. I give him full marks. But the point is that too much of it has been tinkering and adding and—

Mr. Nixon: And spending.

Mr. Pitman: —and spending, naturally. But the point is they have never made an effort to look at the basis of what is really going on in education.

Hon. Mr. Grossman: You want us to spend more, always.

Mr. Nixon: Spend less and do it more effectively.

Hon. Mr. Grossman: We are all in favour of motherhood.

Mr. Nixon: Some of us are more interested than others.

Mr. Pitman: If I may be able to continue. "The majority of educational critics are still thinking of improving the school, of adding new lanes for the mad race to more degrees." How perceptive of what I think we are doing too much of it at this time.

> The true reformer suggests that we can replace the present school system with a new one, which would offer a completely new kind of schooling. The energies now directed at radical reform of schools or at replacing them with something new and better must be converted to a movement for the fundamental deschooling of society.
>
> Yet it should not be so hard to imagine a society where education is not monopolized by a single institution. Such was the only society known to most past decades, and it is the only society which will allow man to survive the future.

The great civilizations of the past knew classrooms, teachers and texts. It is the universal, obligatory school system that is new.

Now I suggest to the minister—and I say this quite seriously—that he somehow get out of this ratrace that he is in, somehow walk away from it, take a new look at it, go to Mexico for three weeks. After he comes back—

Mr. D. C. MacDonald (York South): Yes, send him to Mexico.

Mr. Pitman: Yes, I might have suggested retirement but I did not want to be unkind. I am trying to be non-partisan in this. I would like very much to see him be able to break into new paths and discover that there are alternatives to schooling that he has not thought of in his department. I suggest that he not try to shuffle us off to the boards of education. I think he has a responsibility here to provide leadership. They are looking for leadership. I suggest there are ways by which certain jurisdictions in this province could really provide the kind of pilot project which would make his Department of Education unique in the whole North American jurisdiction.

He has the opportunity to solve problems not just for Ontario, but for the world. Just think of it—Minister of Education for the world. It boggles the imagination. It is almost like being head of a multi-national corporation. But nevertheless, and I say this quite seriously—and I know the minister is looking upon this quite lightly—

Hon. Mr. Davis: Oh I am not. The trip to Mexico has—

Mr. Pitman: Well, the Premier is here—you can check it out with him.

Hon. Mr. Davis: I just asked permission.

Mr. Martel: Be sure there are enough in the House for your next vote.

Mr. Pitman: Yes, it would be very hard to fly back in four hours from Mexico. But I suggest to the minister that he can do something really important in education if he can just step out of the structure that he is caught in, that he is tied into. I do think, and I think he will realize, that the kind of society we are moving into, a technological society in which skills change very quickly, the kind of society that demands a tremendously flexible person, the kind of society which demands an educational system which goes from the age of five to the age of 75, is just beyond the possibilities of response within the structure he is now operating. And I just hope beyond measure that he can see it possible to step outside that system.

Mr. Chairman: The hon. member for Middlesex South.

Mr. K. C. Bolton (Middlesex South): Mr. Chairman, I want to speak on vote 402, referring particularly to the introduction. The activities comprising the programme provide for the development of the patterns of academic and vocational education and so on.

I take it that this House, and the minister, supports the major recommendations of the Hall-Dennis report. It was a 3½ year study involving 24 educators, and I understand that we agree that many things which were said there are to be implemented. But I have a question to ask the minister about the problems of that implementation. I refer to a specific instance in the city of London. Earlier this afternoon the minister referred to his desire to give all the school boards as much autonomy as possible, we realize the value of this. But it does seem to me that here we have a case where there might be real conflict between the department and a local board.

Maybe I can make this clearer by reading some of the history of a teacher in London, Mr. Terence Fenn who taught for two years at Lorne Avenue School, and then one year at Hutton Road School. He was asked for his resignation this spring. He declined to resign and was dismissed on the grounds, it seems to suggest, that what he was doing which was offensive to the London School Board was that he was trying to implement the Hall-Dennis report in some particular—

Hon. Mr. Davis: Mr. Chairman, on a point of order. I do not mean to restrict the discussion in any way, but if it is the case that I think the hon. member is referring to, my understanding is that there are certain applications concerning the case now before the Supreme Court. This refers to the board of reference and so on. Whether it would be appropriate for us really to engage in discussion — I do not have my colleague the Attorney General (Mr. Wishart) here; I am just saying to the House—

Mr. Nixon: But you are a lawyer?

Mr. Pitman: And a QC.

Hon. Mr. Davis: —I have reservations whether or not it would be appropriate. This is why I am raising a—

Mr. Bolton: Mr. Chairman, I understand the minister's reservations, as I said. Before I brought this question up, I phoned Mr. Fenn's lawyer, Mr. Granger, to ask his advice, would I embarrass Mr. Fenn in any way, or embarrass the case before the court if it was referred to publicly. It was his opinion that this would not be the case. However, I am subject to the ruling of the Chair.

Mr. Chairman: Well I must say that regardless of the opinion of any outsider we do have rules by which we must operate and matters that are before any sort of inquiry or officially constituted body are sub judice and should not be discussed.

Mr. Bolton: May I clarify then the particular point that is at the moment sub judice, and that is whether or not the board of reference that has been set up by the minister is, in fact, effective. Was it ineffective because it was set up by an agent of the minister, rather than by the minister himself? This is the sole issue.

Mr. MacDonald: That is a technicality which surely has nothing to do with what has been discussed.

Hon. Mr. Davis: That has nothing to do with the merits of what has been discussed before the board of reference.

Mr. Bolton: May I just proceed with the problems faced by a teacher in—

Mr. Chairman: The case is before certain courts, therefore discussion of any facts relating to the case would be out of order.

Mr. Bolton: I must with great reluctance, then, accept the ruling of the Chairman, because this is something that would have been of real concern to the whole philosophy of education. I trust that when the matter is cleared up it may be referred to the House again, because it is very significant indeed.

Hon. Mr. Davis: Mr. Chairman, in reply to the member for Peterborough, because I assume the member for Middlesex South was going to get into this general philosophical discussion, I just want to make two or three points. Firstly, I appreciate his support in our—

Mr. Bolton: Might I interrupt the minister for just a moment?

Mr. Chairman: On a point of order?

Mr. Bolton: Just to say that this has already been published in the London *Free Press* of October 6—the item to which I was going to refer.

Hon. Mr. Davis: Mr. Chairman, may I tell the hon. member that I have that, so I am familiar with what was in the press?

Just to reply to the member for Peterborough, because it is a very interesting sort of discussion, I find it very intriguing to listen to him and I always enjoy listening to him and I say that very sincerely. But it is not a question of basically disagreeing with some of his thoughts, it is a question, I guess, of trying to cast them in the light of some reality to take these phrases, these thoughts, the philosophies that have been expressed, and apply them, with respect, to two million young people in some sort of approach that is realistic and makes sense.

Mr. Pitman: But do not try with too many. Just one small area.

Hon. Mr. Davis: As you know, I am intrigued by the thought of an experimental programme here, something that is unique there, something that is different over here. Mr. Chairman, I have to say to the member for Peterborough that if anything the criticism we get at the moment from the profession is, "Mr. Minister, we have had a lot of changes, we have had a lot of innovations." In fact, the requests are coming in for increases in the numbers of professional development days. What is the reason? Because we want to keep pace with the changes that have taken place, innovations that are coming into the system.

Mr. Pitman: But all within the structure.

Hon. Mr. Davis: In fact, I have heard from the member for Peterborough on one or two occasions indicating to me to slow down on some of these things—

Mr. Pitman: Oh no. No.

Mr. MacDonald: The Toronto board wanted to move ahead—

Hon. Mr. Davis: On some, he has. With respect, I do not want to get into that issue again because I raised one of the points that I do not think was carefully considered by the member for York South relating to that matter, but we will leave that aside for the moment.

Mr. MacDonald: Yes it was, and what the minister raised was a little ridiculous.

Hon. Mr. Davis: No. I do not really think it was.

Mr. MacDonald: Yes, it was.

Hon. Mr. Davis: So we get back to the desire on the part of the member for Peterborough to have something that is different, something that is unique. I think it is far more important, Mr. Chairman, to make changes that are right. To have something that is unique, something that is new, something that is different, as an end itself does not make a great deal of sense.

The minister of a department of government has a very real obligation when it introduces change—when it creates certain situations within the school system—that we are reasonably assured that they are relevant and that they are right for the students that are involved. You can research and you can experiment in some fields of human endeavour, I guess.

The hon. member said you can do this in business and industry. We can allocate $100,000 and you can spend it, you can research certain projects and if you are wrong, so you have lost some dough.

Mr. Chairman, no one likes to lose money. You introduce an innovated programme with 30, 40, 200, 300 or 500 young people. You experiment with them. But, you know, it is a lifetime, perhaps, before you can determine how successful that experiment has been. You tell me how you rectify any damage you have done at the end of that student's educational career, if, in fact, the experiment you introduced is not relevant for them.

Mr. MacDonald: It is a good Tory statement.

Hon. Mr. Davis: It has nothing to do with being a Tory. I have had some of your colleagues—not as members of the House—tell me that in educational matters, I am further left than the member for York South. I have had them say this to me, philosophically. I do not agree with them, of course.

Mr. MacDonald: They do not know the minister.

Hon. Mr. Davis: Of course they do not know me as well as he does. Of course they do not, but they accuse me of this.

Mr. Chairman, I was not hurt. I do not know if I was flattered. I do not know what I was, but it was a very interesting revelation to me.

So you know, you pursue the argument from the member for Peterborough, move away from institutions, move away from structures. I am not stalling with some exploration of this. Heaven knows, we have moved away to a very great extent in the past seven or eight years. The number of students now who are going on field trips, involved with the ROM on some of their days, involved with trips to Fort Ste. Marie, visits to the Legislature—

Mr. Peacock: That is educational?

Hon. Mr. Davis: You look at the numbers of young people who have come here in the past five or six years, compared to when some of us were first members.

Mr. Pitman: Do not mention that, please.

Hon. Mr. Davis: I think it is a good educational experience. There are some days I would doubt it. I think that basically—

Mr. Pitman: It does more to destroy the democracy than anything else.

Hon. Mr. Davis: I do not quite accept that.

A number of school systems have moved into the area of having conservation schools available to the students—actually going away for three or four days at a time in a completely different environment.

Mr. Chairman, we can talk about these things, some of them are desirable, but let us recognize one thing. Of the experience elsewhere, there is a minimum amount—you know, I could go to Mexico; I could spend two or three weeks comparing very different situations—let us not kid one another, you cannot have all these things.

There is no indication whatsoever that the economic resource involved would be anything less. In fact, history indicates and present experience indicates that, as you move away from the formal structured educational programme, you are in fact adding to the dollar investment. I am not saying it is unwise. Perhaps this is relevant. Perhaps it makes sense, but—

Mr. Pitman: Total investment.

Hon. Mr. Davis: —I think the member for Peterborough should recognize that you do not hold out any panacea of solutions to economic problems by moving away from the formal structured approach of all aspects of the educational programme. I think this needs to be stated from time to time, because it would be very erroneous to build the impression among the public, you know, "let us move out of the schools, let us have the kids in the community."

I support this, but you are still going to have a degree of supervision. No way are you going to have 30 kindergarteners wandering down the main street of Brampton without somebody in charge.

You are going to have roughly the same student-teacher ratio, but if I listened to the member for Peterborough, it would be substantially less than they are now and, if the student-teacher ratio were substantially less, there goes millions of dollars. Let us not kid one another on that score either.

Mr. Pitman: There would be fewer students there.

Hon. Mr. Pitman: You know, you could say, "Let us move out of the schools into the factories." Sure you save on bricks and mortar if you can spend a part of the day without the students using the classrooms. But you get back to the basic ingredient and the member for Peterborough saying, maybe we could do away with, you know, 25 or 30 per cent less personnel involved, like teachers.

Mr. Pitman: Yes.

Hon. Mr. Davis: I say with respect I do not see anything in the non-institutionalized approach for the grade levels, say kindergarten through grades 10, 11 or 12, where this might have realistic applications. I think one must recognize that there are some practical realities we must face.

I say to the member for Peterborough there is no reluctance on the part of the department or on the part of the minister of the government to be innovative, to be creative. But let us recognize that the pendulum swings in all of these situations. You can go too far and it is not always in the best interests of the students themselves.

I have had material quoted to me by the member for Peterborough and by the new leader of the New Democratic Party. In particular, he used to quote at length from American documents, American authors, which is a great change now of course. There is one by the name of Goodman and if you read some of his more recent material and some of his more recent thinking, you will find perhaps that even he is questioning some of the positions taken just four or five years ago—some that were related to me here in this very Legislature—a recognition that a totally permissive situation is not always in the best interests of either the society or, more particularly, the kids. The children still react to the degree of leadership, discipline and that there has to be something on which they can hang their hats.

An hon. member: Where is the formal structure? They do not wear hats.

Hon. Mr. Davis: All right, so they do not wear any hats. But, you know, some do wear hats—something they can identify with. Maybe I am expressing this in a rather clumsy fashion but you do not do it on a totally permissive, unstructured basis. I think we are kidding ourselves—and certainly I can see this in the mind of the member for Peterborough and some of his philosophical supporters—that there is some merit in a total move into the community, with a total lack of structures. I can see—

Mr. Pitman: I did not say total lack of structures, I said de-emphasis—

Hon. Mr. Davis: Well, sure, I can see it. There has been a de-emphasis on structure, there is no question about it. I am sure the member for Peterborough has been in a lot of classrooms in the last couple of years and there is a de-emphasis on structure on a comparative basis, no doubt about it whatsoever.

It is a question of how far you logically go in the process, with the recognition that we are dealing still with relatively young people. Certainly they are more sophisticated, I would say, with respect, better educated in a factual way, but not necessarily with any different emotional needs—without different, shall we say, needs of maturity, the relevance of parents and, shall we say, the adult community, that was any different to, you know, our generation. I think we should be very careful, Mr. Chairman—

Mr. T. Reid: A long time ago.

Hon. Mr. Davis: —very careful. Oh no, you can say that I am a little right wing, or a little reactionary, but I feel this rather personally that one has to be very careful before you give away the store and one's development of programming in the educational system. You can go too far, Mr. Chairman, there is this possibility, and one has to try to develop a balance, which I think—

Mr. MacDonald: Therefore, you argue let us not go at all:

Hon. Mr. Davis: —we have done, or are in the process of doing, in this province.

I do not often brag about the province of Ontario, Mr. Chairman, as it relates to the educational system, but I would say this much: I have yet to find, on balance, a more relevant or more logical approach to education than is presently being enjoyed in the province of Ontario. I say that as objectively and with as non-partisan a flavour as I can—and I like to think I have some slight knowledge of what is happening in other jurisdictions, including Mexico.

Mr. Chairman, just to add one small item as it relates to statistics, because you know I sometimes have to have a little fun in this House too. The member for Scarborough East was very upset earlier about some information—the lack of depth and the material—

Mr. T. Reid: I am still upset.

Hon. Mr. Davis: —and you can go back to December 2, 1969, when the member presented a very factual questionnaire before this House. This was his statistical information, and he came up with various assumptions. He can read it again in *Hansard* if he wants to look at his own statistics and what was it based on—10.2 per cent of the replies related to the number he sent out, as I recall it, which is for him a very statistical, analytical approach to a problem. With respect, Mr. Chairman, I fail to see it.

Mr. T. Reid: Boy, you are well prepared.

Hon. Mr. Davis: Well, I came well prepared. I enjoy fun too.

Mr. Pitman: I would just like to say a word more about what we have been talking about, because the minister's remarks force me to react.

What I have suggested is not that we go off on some kind of weird, wild, psychedelic, educational half-wit experiment. What I am suggesting is that we take the realities of the society around us, the changes that are taking place in technology, the changes that are taking place in the whole social structure, and try to relate the educational system to preparing young people to cope with those kind of problems. And the minister would surely say—

Hon. Mr. Davis: But you are assuming that they are not. I say that they are.

Mr. Pitman: Well, I say that a great many are not coping very well; a great many are being turned off. I am suggesting that we improve the system. At no time did I state that the province of Ontario was in second place to any other jurisdiction. Incidentally, I was not talking about the school system of Mexico. Cuernavaca is a particular place where there is an educational dialogue going on all the time. I just said that the minister might very well spend two or three weeks there. Do not follow up the educational system of Mexico; it has not got anything to teach you, I do not think, in the province of Ontario.

I think if you take a logical extension of what the minister said it was this: that we can have experiment and innovation in industry and business but not in education.

Hon. Mr. Davis: No, I just say you have to be very sure you are going to be right.

Mr. MacDonald: So sure that you do nothing or very little!

Mr. Pitman: May I say something to the minister? Really, I think he has altogether too much concern with what the education system both can do to young people and does with young people; I think that young people learn a great deal outside the school system. In fact, they have already learned in many cases how to talk, to speak—the whole vocal aspect of communication—before they get to school. They could probably learn to read at home too; there are many things they could learn and they do learn outside of school.

In fact, as I look at what my four youngsters do in school, and as I do a costing of what they learn day by day, I wonder about the whole cost and value of the number of hours they spend in school and I wonder if they should be spending less time in school and more time in other activities. I am suggesting that the minister take into account some of these directions which I think would solve some of the problems of cost, although I admit immediately that our society, alleged society, in which education is going to play so major a part in providing opportunities for people, the total cost of education is of course going to rise. I am suggesting that it can be borne by other sectors of the society and that more things of value can be done, particularly when you have people who are motivated to learn.

We try to teach so many young people so much stuff that they do not want to learn, at an age when they really are not tuned in to learning. I am simply saying that we try, I think, to find it in other directions. I think we have to take risks, and I do not think these risks are beyond the capability of rectification if indeed it does turn out that something has not turned out quite as one had hoped. And I certainly did not—and I

say this, I hope, as clearly as I can—say anything about permissiveness and sort of letting every kid do his own thing. I was not suggesting that at all. I was suggesting that we develop other opportunities outside the existing formal structures.

My point, I continue to relate to you, is that you could do something from the base of what you have going now for you in this Province of Ontario; you could do something really very exciting and unique.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, we will get down to some other items in the estimates. I would like at this time to ask of the minister if he is giving any type of consideration under professional development to stabilize the requirements for teachers in various categories.

One of the criticisms that has been passed on to me quite commonly by technical school teachers is that they are required to have a certain number of courses before they qualify for their certification or upgrading in their certification, and that each year it seems to change; it never seems to be stabilized. One year they are required to obtain four courses in grade 13 and the next year, all of a sudden, it is changed to five. There does not seem to be any specific plan, any forward planning, where they would know that by taking X number of courses that they would eventually become fully certificated. Is there some consideration being given to stabilize the requirements for certification?

Hon. Mr. Davis: Mr. Chairman, there really have not been many changes in the last four or five years as to what is required for various levels of certification. I find this a little bit puzzling. If the hon. member would like to deal with this more specifically, or have these people who have raised this with him consult us on it in detail, I would be delighted to get some reaction. There has not been any major change year by year in questions of certifiaction.

There is always the question of equating courses from other institutions and other jurisdictions—no question about this—but the question of a person not knowing the requirements for various levels of certification is somewhat new. I would be delighted to look into it.

Mr. B. Newman: I can enlarge on that a bit. The individuals are machine shop teachers in a school; to get their specialist standing they require X number of grade 13 courses plus other courses. Now one year it happened to be three; the next year, all of a sudden, it was upgraded to four; and the next year it was some other figure. Had they known three or four years ago that it was going to be one set figure they would have been a little happier than they are today and maybe they could have taken two grade 13 courses at that time rather than take it over an extended period. There does not seem to be any stability in the requirements for upgrading of the teachers in getting special standards.

Hon. Mr. Davis: I think I understand now what the hon. member is saying. It means that in the year 1966 to get a certificate, whatever it is in a certain area, you needed X number of subjects. It was then determined, say, two years later that we wanted to upgrade the qualifications so it was—

Mr. B. Newman: One year later.

Hon. Mr. Davis: All right. One year later it was X plus Y, but the teacher who wanted to upgrade in 1968 knew what was required to get the certificate in 1968. If we were to have complete stability, it would mean that whatever level of qualification exists this year would be the same level of qualification, say, for four or five years hence and we will not upgrade qualifications if we are going to retain this very static approach to it.

One could make the argument, why bother to move to a degree situation for your elementary school teachers?—we are in the process. Some people are not going to be caught because of the method that we are using, but it might have been possible if we just moved and said, "Everybody will have to have a degree by a certain day." There would be some caught within the system who would have lost out. As it is now, they will not. And here is the problem: Do we upgrade qualifications or do we not? In my view, we have to continue to upgrade and I think any teacher who is in a course in a particular year should know—and I think they do—what is required at that particular time. But there is no guarantee that two years later there will not be some increase by way of qualifications.

Mr. B. Newman: Well, I will buy certain portions of the minister's argument except that it would be better to inform the teachers when they first go into the programme and those teachers who are in that programme now that when they take these number of courses they will be qualified to receive this

type of certificate—not to change the rules of the game in the middle of the game. This is the thing that they object to. Likewise, they object to the fact that they take courses at the College of Applied Arts and Technology and they are not given credit for these courses because they were not taken, as they say, at the local university. Yet the course may be identical.

Hon. Mr. Davis: Well, Mr. Chairman, if the course is identical, I think it is worthy that we look into it. But I would say that the people taking the course at the college knew when they took the course that it was not available for credit. This was known.

Mr. B. Newman: Well, they understood when they took the course that it was going to be an accredited course. Otherwise, they would not have taken it. I would suggest that you check this up with your department, because improvements can be made.

The next thing I would like to ask of the minister, is whether any encouragement is being given to ethnic groups maintaining their cultural heritage by inclusion of courses in schools—for various ethnic languages—giving them an opportunity of taking an ethnic language and the school likewise getting financial aid for having that type of programme. For example, in one community there might be a large number of Italians who would like to take Italian as a second language. Then, there may be a small number of Portuguese that may want to take it; yet, they could not take it or have not been able to take it in the past.

Hon. Mr. Davis: Mr. Chairman, just very briefly, Italian is a credit course at the secondary school level now.

Mr. B. Newman: Well I just happened to use the term "Italian".

Hon. Mr. Davis: Yes, but it is a very good one, because there are a large number of Italian students within the school system and the language is available for credit. You then get into a decision as to whether you have for credit—with adequate teacher training and so on—five or six other languages for which, I think quite legitimately, or understandably, requests have been made in the past year or so—

Mr. B. Newman: There would be nothing wrong with having Portuguese also.

Hon. Mr. Davis: They have asked to have their language, or a further language offered in the secondary schools for credit. But you get into the question of economics and whether or not this is an appropriate development within the secondary school system. We are in the process of analysing this. We have had, I think, either three or four groups in to see us in the past while we are taking a look at it.

Mr. B. Newman: It does seem strange that the Provincial Secretary (Mr. Welch) attempts to encourage this and now your department attempts to discourage exactly the same type of a programme.

Hon. Mr. Davis: We are not.

Mr. B. Newman: Yes, you do, Mr. Minister, because you do not make the finances available in a school to encourage it, even on an after-school basis. Because if the ethnic organizations want to teach, let us say, Polish, Ukrainian, Russian, Hungarian and so forth, they have to rent the facilities and they have to provide their own teachers, whereas you could very well have that type of programme right in the school or in some school in the community sponsored by the board of education, paid for by The Department of Education.

There is one other item I would like to bring up, and that is on the use of 16mm motion picture film in the schools. I would like to ask the minister if his television films are going to be likewise put onto 16mm, so that schools could use motion picture film at any time they please rather than be the captives of the one-eyed monster in the classroom.

Hon. Mr. Davis: Mr. Chairman, this is a very complicated, technical problem and I think perhaps the ultimate answer will be in the use of VTRs rather than having the tapes available for television turned into 16mm film. In other words, if you have the VTR you do not have to depend on the schedules—when the transmission is available. You tape it and make it available in the individual classes at such time as you want and this may turn out to be a more practical way of approaching it.

Mr. B. Newman: Mr. Minister, what you say may be partially true but remember there is still a big difference between viewing a film on a 25-inch screen and viewing it on a three- or four-foot screen in the classroom. There is a big difference when you can control the projection; you cannot control it on the ETV receiver.

Hon. Mr. Davis: I know, but surely the image, or the picture that is projected, is what is important.

Mr. B. Newman: It is by far cheaper to project it on a 16mm projector than on a television receiver and 16mm can be used far more effectively in a classroom than the television receiver. I think it is a place where you should look into the vast expenditures of funds to see if you could not provide maybe even better educational opportunities by the use of the 16mm film as opposed to the television receiver.

Mr. Nixon: Mr. Chairman, on the matters that my colleague has raised; I had the honour to be present at a school opening last night and by the way, I gave the minister's greeting to the assembled gathering and he was well received.

An hon member: Did they name the school after him?

Mr. Nixon: No, it was the Bloomsburg School. They decided they would not call it the William Davis school after all. I was quite interested in part of the period afterwards when we were shown the TV facilities while we were waiting our turn to see the kindergarten and so on. They had a programme on their educational television facilities that we were able to watch showing a normal school day and it was very well done indeed.

But the complaint had come forward that while they had read with interest, the reviews of the early weeks and early programmes on channel 19, they could not understand that while they could receive channel 6 quite readily, channel 19 had not been brought up to the power so, that they could receive it. So really, it was not of much use to them and also, they could not see why there was not more impetus behind the programme to provide the VTR tapes that the minister mentioned to communities such as this one, which happened to be the Norfolk County Board, so that they could make more direct use of them.

They say that they are really not that interested in the school system of receiving the educational television programmes as broadcast at all. The main use of those is obviously in educational programmes in the community.

They have the facilities that are provided through grants and local taxes to use tapes, and they are not so interested in having a local station, that they will be able to receive in the future, as much as they are in building up a having library of these tapes that can be used over the transmission facilities even in this rural school.

I wonder if the minister could give us some more information on how they are moving towards that? Is he still sticking with his programme to blanket all parts of the province with educational television, which must be, I would say, for adult education as much as anything else, and how this is going work out as the schools make more and more use of ETV.

Hon. Mr. Davis: Well, Mr. Chairman, there are two aspects to it. Firstly is the provision, shall we say, of universal transmission which is part of the other problem. The department, or the new authority, will move as rapidly as economics will permit to establish a comprehensive network acress the province, channel 19 being the first phase.

There are other ways of dealing with it. One is the development and the use of tapes through the VTRs and, once again, it gets down to a question of economic resource. As funds become available we will be making these recommendations to the local school system so that they will, in fact, be able to utilize the programming and the various hours during the school days.

It is all a question of priorities and how soon the funding would be available for the extension of these programmes. While we are talking about it, we are really somewhat pleased at the initial reaction and response to channel 19 but we recognize that this applies basically to the Metro area and it has to be extended. Mr. Chairman, this relates to the priorities that we will have to set.

Mr. Nixon: Talking about those priorities, surely, near the very top would be the use of public funds in providing these tapes because you have got the programmes; the work has been done in preparing them on a broad basis. Most schools are not interested at all in getting them by direct reception on a time table established centrally, because it was pointed out by the principal of this school that there is no relationship between the curriculum as it is applied in his school and what is broadcast. And even if he could pick up the broadcast, it would be only to record it on their tape locally, and use it as they see fit.

The actual reception of a broadcast for the use of education within the schools has to be, I think, a priority that is considerably reduced, while the use of the tapes, and the availability of the tapes within the county boards, is a top priority.

Hon. Mr. Davis: I do not want to prolong this, but actually the original transmission or broadcast is the cheapest way of distribution. In other words, if you can tape at the school on the VTR—

Mr. Nixon: If they could receive it—

Hon. Mr. Davis: Quite right. So that in those areas that cannot receive at the moment, we are going to go the other way, but this is more expensive and it is high on the list of priorities but there are other priorities as well.

Mr. Nixon: How would it be more expensive; other than the cost of the mail?

Hon. Mr. Davis: The cost of the making of the tape.

Mr. Nixon: Well, of course, the tape has to be made anyway. It may be more expensive to you but less expensive to the board.

Hon. Mr. Davis: I know, but there is still total cost.

Mr. Nixon: I do not think the total cost would be any different.

Hon. Mr. Davis: Oh, yes, it is.

Mr. Chairman: The member for Peterborough.

Mr. Pitman: We seem now to have transmitted ourselves into the area of educational television—

Hon. Mr. Davis: It is in this vote.

Mr. Pitman: Yes, I know it is in this vote, but I thought we were going one by one down the list. There are a number of other things in this vote as well.

Hon. Mr. Grossman: What channel is the member on?

Mr. Pitman: Well, I might say to the Minister of Correctional Services, I am on the educational television channel. That is the very reason for my engaging myself at the moment.

Hon. Mr. Davis: I saw the hon. member on channel 13.

Mr. Pitman: I want to say to the minister that that was not an educational enterprise, except for perhaps the person involved.

I want to say, though, that I think we are involved here in something which is extremely disconcerting. I have seen a little of the channel 19 transmission and I would like to compliment those who are doing the programming at channel 19, because I think what they are doing has been, on the whole, very good. I would like to take a longer look before I make any specific criticisms.

However, what bothers me very greatly is that I think the whole ETV operation has been obsessed with channel 19. I realize how important it is that this channel get off properly and that it has had a great deal of very high-level qualitative work done there. But, once again, the rest of the province of Ontario does begin to feel that Toronto is the beginning and the end of experiments in education.

I wonder if the minister, with perhaps some help from his advisers, could give us some idea of what the stages are toward placing educational television across this province? That is the first thing I would like to know.

The second thing is, I would like to know what steps are being taken to solve this problem which the Leader of the Opposition has brought up. It seems to me you have a number of audio-visual activities going on. So it can be done on film, as the member for Windsor-Walkerville has pointed out, and some of it should be done on film, because I think there is something very different about film transmission and television transmission. Some of it should be done by VTR. Of course, I think probably our programmes would have to be played year after year to remain as a part of a library, which could be used within the school system for educational television operation. There is other VTR which, I think is inappropriate—that is, I do not think it would be that useful over an extended period of time. To play it on tapes would be too expesive and would certainly be very minimally useful.

At the same time, it is the universal transmission which is now virtually restricted to channel 19, along with more or less some transmission through the CBC and channel 9 operation in Toronto. You have all of these activities going on—you might say across the very width of the spectrum—and the lack of information which I think exists across Ontario means that you really do not know what it is all about. I think many of the teachers who are outside the Toronto area look somewhat disconsolately towards educational television because it seems as though the emphasis is on channel 19 and the rest of the province has no hope or a very long-term hope.

So I would like to get that sorted out. Do you know exactly what the roles of each of these various kinds of transmissions will be? Do you know what is your staging for the rest of the province?

The third thing I would like to talk about is the need for some real in-depth research on what happens to young people in the channel 19 transmission area. We have very spotty research across the United States. I think I have read about 202 different papers on educational television, none of them very good. Only ten had any real kind of research validity, because there was no real effort to find out what the quality of difference was between doing things in television and doing them by some other method of teaching.

I think we need this kind of information and when for the first time on channel 9 you can find out what happens, I would like to see how much more television is being used than the channel 19 area. What I am asking for is not information from the minister, but some indication he is prepared to do these kinds of projects so that next year when he comes before this committee, we can really zone in and find out what ETV is doing. We will not just be congratulating the minister on a fine production, we are going to be able to make a real assessment of what happens to the kids in the classrooms in the channel 19 transmission area.

Fourth, I would like to find out too—and I hope this is being done now—I would like a far more philosophic concept of what the role of educational television is in relation to the whole spectrum of educational services in this province. Now, this really means finding out whether Marshall McLuhan is right, I suppose, in many of the things he is saying. I hope the minister is doing some reading in that area, too.

Hon. Mr. Davis: Would the member interpret to me all he is saying some time?

Mr. Pitman: I would be very glad to spend an hour with the minister. I am not sure I can interpret any of what he has said. I have read what he said, but I am not sure I know what he is saying.

But nonetheless, I do think the minister has a responsibility—in view of the fact the man lives, you know, within the shadow of this building—that the minister has really a special responsibility to the people in the world in making educational television and its jurisdiction totally relevant.

And I would like really to find out, is educational television the important kind of media that he says it is? Should we really be giving sort of a news analysis day by day, should the FLQ be on educational television on channel 19, rather than historical films? What is the kind of role it should be?

Up to now, the minister has given us a pretty vague view as to what the philosophy is, that is an adjunct for a textbook. It is sort of something a teacher can turn on, you know, when he gets tired and I do not think it is good enough. I think the teachers across this—

Hon. Mr. Davis: I do not think I ever said that.

Mr. Pitman: I think the minister, in an offhand remark, once indicated educational television was really an assistant to the teacher as well as to the students. But perhaps I intimated too much in what I said.

Hon. Mr. Davis: Is it not a textbook?

Mr. Pitman: Yes, it is, but I suggest there is a very real, unique and qualitative difference in what a textbook can do and what educational television can do.

One of the things I have been very pleased about in relation to ETV is that it has not been on an instructional television kick, that it has really done something far beyond simply "how to" programmes. I think that is what I would like to see—a really in-depth, philosophical study as to what the role of ETV should be.

As it is now, I think we are pretty disappointed—not in what ETV is doing, but what is happening in the classrooms. You have not got through to the teachers as a whole, in spite of all the material that flows out of the ETV branch going to the teachers. So far, because of the sporadic nature of the transmission in the past, teachers have not taken the trouble to be conscious—or let me put it this way, it is too disruptive of the schools at the secondary level to really use educational television in all the ways it could be used in the educational services in a jurisdiction.

I just say to the minister, opening channel 19 a few weeks ago I think created a whole new ball game for ETV. We all realize this, but what we want to know now is not, can ETV produce the kind of films which have been produced in Syracuse and in Florida and California or in Japan, but we want to know really what ETV is going to do for education in Ontario—what it can do when it has regular transmission through channel 19; how it can really affect teaching and learning in the province of Ontario.

Of course, as well as that, the fifth thing I would like to know is, to what extent is ETV really concerned about adult education in this channel 19? I have looked over some of the programmes, but how do you tie people into an adult education programme when, of course, the adults are so unstructured, they are now—

Interjection by an hon. member.

Mr. Pitman: No, what I would like to do is this. I suggest to the minister that there must be ways by which you can draw people into patterns of response at the adult level. I suggest they have to break out of habits such as those of turning the set on at 7 o'clock to watch "Laugh In". There is a very different response that is needed if you are going to tie people into educational television.

We have not explored that direction very effectively yet and I do not know how it is done. Maybe through the newspapers, or some kind of proclamation on the printed matter—the printed news media and educational television. Perhaps it is through the use of the regular television media, the CBC unit, to tell people what is on ETV, and get them into some kind of pattern of response.

I do not know whether there has been much research on how adults learn through educational television. There certainly has not been much research on how adults learn, period, but I am convinced that there is not too much in this other extension of the problem.

So there, I think, I have five different projects, which I suggest that the minister administer over the next year, because I think the next time that ETV comes before this Legislature, we can look at the rather, well—

Interjection by an hon. member.

Mr. Pitman: —I would not say it is too generous, but a rather generous expenditure of some $7 million and really be able to assess its total impact on the education system of this province.

The minister might also answer why it is that channel 19 and 17 seem to be having so much difficulty. Apparently channel 19 was chosen on the basis that it would not interfere with channel 17, which is also a very educational station, and there seems to be a great deal of difficulty in certain parts of Toronto as a result of the business of channel 19. Is this going to be sorted out?

Hon. Mr. Davis: You would prefer channel 19 though, if there were.

Mr. Pitman: Very much.

Mr. T. Reid: Mr. Chairman, what are the rules or understanding of the House concerning the people who can sit in front of a minister? Do they have to be civil servants? I do not mean to be nasty.

Hon. Mr. Davis: Mr. Chairman, I do not know what the rules are. Mr. Ide is here as chairman of the ETV authority. My desire has always been to have as much information available; if the member opposite would prefer that he not be here, I will struggle along.

Mr. Stokes: You leave him right there, he is a good northerner.

Hon. Mr. Davis: I would be quite delighted to move through the estimates without Mr. Ide's assistance, although his assistance is valuable. I want to make that abundantly clear.

Hon. Mr. Grossman: The member opposite does not want you to have the facts.

Mr. M. Gaunt (Huron-Bruce): I do not think you could get along without him.

Mr. T. Reid: Mr. Chairman, my point of order is very simple—

Hon. Mr. Davis: I said I would struggle along.

Mr. T. Reid: It is not a question of wanting Mr. Ide out or not having him here at all. He can always send the minister notes like my researchers have to send me notes, but I am wondering if he is allowed to sit on the floor of the House.

Hon. Mr. Grossman: I do not think there is any rule on that, Mr. Chairman.

Mr. Chairman: It has been an established precedent for the last seven years that I have been here—and I think somewhat before, too —that during the study of the estimates, at this particular stage of the estimates, the minister may have in front of him the various officials from his department, and this is—

Mr. T. Reid: Could I ask if Mr. Ide is from his department, Mr. Chairman?

Mr. Chairman: I believe he is an employee of The Department of Education.

Hon. Mr. Davis: Mr. Ide is not from the department. As I say, I have no reservations at all in having Mr. Ide sit over here, although I think we have had people who have been chairmen of commissions before. I am not—

Mr. T. Reid: It is just a question.

Hon. Mr. Davis: As I say, I do not know myself.

Hon. Mr. Grossman: Why raise it?

Mr. J. W. Snow (Halton East): Small minds.

Mr. Chairman: Does anyone have any objection to the way it is going now? Then we will continue.

Mr. R. Gisborn (Hamilton East): Bring in Santa Claus.

Mr. Chairman: The member for Sudbury East, I believe, is wishing to speak on educational television. Are you wishing to discuss educational TV?

Mr. Martel: Yes, it is a different topic. I was just wondering if the minister wanted to answer.

Mr. Chairman: Does the minister wish to reply at this stage?

Mr. Martel: My point is not on educational television, so—

Hon. Mr. Davis: I am sorry. Mr. Chairman, unless there are any other remarks on educational television, perhaps—

Mr. I. Deans (Wentworth): One remark. It is the wrong time, perhaps, but I had it brought to my attention about the mailing out of the little booklets that go to the various schools, outlining their programme; the cost of the mailing—all I want to do is to ask you, would you please investigate the cost of the mailing of the booklets? I understand in this instance that was brought to my attention; 10 small booklets cost $4.65 to mail them. If that is carried on throughout the department, it is no damn wonder we spend so much money on education.

Hon. Mr. Davis: I will find it.

Mr. Chairman: Does the minister wish to reply now?

Hon. Mr. Davis: If no other member has anything to—

Mr. Deans: I asked my questions two years ago. I have not got any answers yet.

Hon. Mr. Davis: That is interesting. I thought we might get into discussion of the letter you sent the CRTC. I was all ready. I am very disappointed. I even had some reply to the letter.

Mr. V. M. Singer (Downsview): Why do you not make the reply without the question?

Hon. Mr. Davis: It really was not a question. It was an observation from the member for Scarborough East, who wrote to the CRTC objecting to the allocation of channel 19. He said something about budget and the minister had indicated to the House and the committee that the federal government was going to pay all the bill. I even have some excerpts from *Hansard,* from the discussions with the member for Peterborough, his own colleague, indicating that there was every indication that the federal government might not pay. However, that is the subject for another occasion.

Mr. Singer: Come on, do not be so modest.

Hon. Mr. Davis: Perhaps in the budget debate we can do that. Just to reply very briefly on this subject to the member for Peterborough, and I do not know that I can take them all in the exact order: First, the authority is already in the process of establishing, I think, a significant research project as to the impact of channel 19 within the Metro area. Second, the authority is in the process of determining the most economic way of getting universal transmission. This can be either by a type of transmitter cable, tapes as mentioned by the Leader of the Opposition and who knows in the next few months what new technological device will be available to us. The objective is to have transmission or availability or accessibility right across the province as soon as we can.

Mr. Pitman: Do you have any idea when that might be?

Hon. Mr. Davis: Mr. Chairman, it relates entirely to whatever technological changes may take place to expedite the process, and the moneys involved. If you want me to express a personal desire, just as soon as possible, but it does relate to the funding. Very simple.

Mr. Pitman: Is the minister saying that we cannot do it until somebody invents something?

Hon. Mr. Davis: No, I am just saying that a change in technology, who knows, could expedite the process, might make it cheaper. Who knows?

Mr. Pitman: But on the existing knowledge that we have about setting up a regional television operation, surely you could get some idea as to how long that is going to take?

Hon. Mr. Davis: No, I cannot say how long it is going to take. We have a rough idea, if we do it exactly the same as we have done it here at channel 19, how much it is going to cost. One then can relate that cost to, perhaps, the availability of public funds to do this.

Mr. Pitman: As soon as possible is pretty far away.

Hon. Mr. Davis: I do not think so. We have made very real progress once the federal government made its decision with respect to ETV. How long ago was the decision? Not too many months, and channel 19 came on schedule just a few weeks ago and, I think, with a very positive response. It is about a 30 per cent increase in viewing audience on 200,000 in-school viewers. In the field of adult education, Mr. Chairman, I am very intrigued because, you see, the member for Peterborough contradicts himself just a little, when he says "tie-in or plug-in to" which implies a form of structure because—

Mr. Pitman: No.

Hon. Mr. Davis: A form of structure because—

Mr. Pitman: I am going to have to have a—

Hon. Mr. Davis: —as the member implied, some sort of arrangement whereby in the field of adult education particularly, if they are to be courses for credit—

Mr. Pitman: No, I did not say that. I did not mention courses for credit.

Hon. Mr. Davis: No, but I am. I am saying that—

Mr. Pitman: All right. You are, not me.

Hon. Mr. Davis: I am saying I think there is some merit in having courses for credit in the field of adult education, at which time you become involved in some sort of structure.

Mr. Pitman: If you want to do it that way.

Hon. Mr. Davis: If the hon. member really wants me to say, I will say we are going to expand the interest of ETV in the field of adult education that does not always relate to, shall we say, courses for credit. This is highly desirable; it is a case of some priority. We have experience with the in-school broadcasts—these have had the priority—and I think this is where the traditional approach has been.

As to the philosophy of where educational television will fit into the school system or into our total society, Mr. Chairman, far be it from me to expand upon that at this precise hour. It would take me a long time, except to say this—I think you can describe it in many ways. With respect, I think it is a teaching aid. In other words, I think it assists the teachers in the educational programme. I do not think there is any doubt that it brings current events, relevant events, to the attention of the students.

Mr. Pitman: Yes, that is the point.

Hon. Mr. Davis: I think really one can say of everything the member for Peterborough has said, you know, this is all part of it. To try to pin it down to any one sentence, any one paragraph, would be totally impossible. Also, to predict what the impact would be over the next five, 10 or 15 years is also impossible to do except for the very personal observation that I think it has tremendous potential. I think it is in the process of realizing this potential, and I think we are very fortunate in this province that we have adopted the approach that we have, with the quality of programming that we have. And, very incidentally, the programming is by and large about 90-plus per cent Canadian in content.

Hon. Mr. Grossman: Ontario leads the way.

Hon. Mr. Davis: It is, you know, amazing in the last three weeks alone the number of people who were sort of coming to have a look. Now the Leader of the Opposition will accuse me of boasting. I am not really, I am just taking plaudits.

Hon. Mr. Grossman: Why not?

Mr. Nixon: Why not a full-page ad on it?

Hon. Mr. Davis: We might put in a full-page ad but I doubt it.

Hon. Mr. Grossman: We have to take the lumps, why should we not take the credits?

Mr. Nixon: Lumps?

Mr. Pitman: If I might just correct—it will not take a second—when I said "tying in adults" I did not mean into courses, because I have very little expectation that ETV does its best work tied into courses and credits and examinations and marks and all this sort of thing. In fact I have been trying to—

Hon. Mr. Davis: You would not have wanted us to ignore that though?

Mr. Pitman: I have some very real reservations about the role of educational television in that kind of structure. I suspect that educational television is at its best when it is giving present realities and providing young people with a virtually total atmosphere and experience of what is going on right now. The impact and involvement and participation of young people, I think, becomes important in relation to educational television, rather than simply being a spectator and writing things down in textbooks in order to regurgitate them on examinations. I just want to make that point.

I do think that we need some kind of philosophic content in written — you cannot say we believe we do everything — because when you do everything, you do nothing — but you do not make any kind of guiding judgment as to what educational television is for. I am sorry. I should say that if you do everything you do things less well than you could if you can zone in and decide what the real role of ETV should be.

Mr. Chairman: May I ask the member for Sudbury East, have you anything you wish to discuss?

Mr. Martel: Yes, I wanted to discuss teachers' colleges.

Mr. Chairman: Teachers' colleges?

Mr. Martel: Yes.

Mr. Chairman: May I ask the member for Scarborough East which item he wishes to discuss at this time.

Mr. T. Reid: Mr. Chairman, I wish to discuss the question of curriculum.

Mr. Chairman: Curriculum development?

Mr. T. Reid: Yes.

Mr. Chairman: Well, to keep some order to this we will hear the member for Scarborough East on curriculum development first.

Mr. Martel: My God, going from the ridiculous to the sublime!

Hon. Mr. Grossman: Or vice versa.

Mr. T. Reid: Mr. Chairman, I would like to talk about curriculum development in the context—

Mr. Martel: Three bloody hours!

Hon. Mr. Grossman: Tut, tut.

Mr. T. Reid: —of what one could approve for the curriculum in certain courses by the department in secondary schools. For example, Mr. Chairman, the department has certain courses in the schools, such as "Man in Society"; it is a secondary school programme and they have a curriculum outlined for that programme. They also have, on what is called Circular 14, a number of books which teachers who are teaching that course can use in the teaching of that course. So there is a relationship between the curriculum outlined which is the curriculum development, and the books that are approved and which are called Circular 14.

In Circular 14, which is really an extension of the curriculum, the minister, relating back to The Department of Education, says that certain books may be purchased by schools and school boards with the taxpayers' money and that they must be used in the schools. The minister does not just say one book has to be used; he gives them a multiple listing and says, in this particular case, four books may be used and the teachers can buy these books and spend taxpayers' money on them. So, that is the starting point of the discussion. I will have to keep my remarks grouped anyhow.

This is related to the question of who produces those books to satisfy the curriculum of The Department of Education and in the past several weeks we have been discussing publicly and the ministry has been taking some positive action the question of the American or the foreign take-over publishing houses who produce the books from which the minister selects and places these books on Circular 14.

The minister has, if I understand his position correctly, said that Circular 14 is a good document and it really is a positive-assist to the publishing industry, I accept that. I think Circular 14 is a very positive thing.

Let me just, by way of example, Mr. Chairman, take a particular book that the minister has approved for Circular 14 without reservation. That is, it is a book that is not "approved for limited time only"—the book that is on the Circular 14, and it represents two things.

First his exaggeration of the Canadian content of Circular 14 because it would be classified as a Canadian book, I think the minister will correct me if I am wrong when it is simply a foreign book touched up for the Canadian market so that it could be approved on Circular 14. It forms a specific point here, if you like, of testing the min-

ister's credibility just slightly when he proclaims the extent to which Circular 14 could tax and help and have Canadian values in the school system. I said that as softly as I could.

Secondly, it would be a very brief case study, Mr. Chairman, of why the publishing industry in Canada must not be allowed to be taken over by American conglomerates, or even British conglomerates, because the examples I will refer to will show beyond doubt that books that are rewritten or touched up for the Canadian market—which have basically been written for the mass American market—are infiltrating American values right into the curriculum of our schools.

Without further ado, Mr. Chairman, the book the minister has approved without any reservation whatsoever, in terms of the legislation and regulations of his department pertaining to textbooks, is found on page 56 of textbook Circular 14, 1970, "Man in Society" course. It is by Redpath, it is "Mass Media and You," and it is produced by Longmans which is a wholly owned foreign subsidiary.

I would like to put into the record the type of book the minister is approving, and secondly, the dangers of having our publishing in this country taken over by Americans, particularly textbook publishing, because they do a lousy job of even taking out the American examples. Let me just show you, Mr. Chairman, so there is no doubt about the seriousness of this problem.

On page 13 in this book, here are the examples used:

In 1927 the first talkies were produced; 1936 was the year *Life* magazine was first published; 1939 was the year in which the timid giant, television, was first born in North America with people watching National Broadcasting Corporation programmes on six-inch television sets. Then on page 20—

Hon. Mr. Davis: Is that not factual?

Mr. T. Reid: No, on page 20—

Hon. Mr. Davis: Is that part of it?

Mr. T. Reid: No. I want to give you the cumulative effect of all these specific examples and, then, I think I will not even have to make a conclusion.

On page 20 the reference is to: "In the spring of 1965, the United States launched a Thor-Delta rocket".

Another small example, on page 23, in reference to the Orson Welles, "Invasion from Mars". "This production broadcast by the Columbia Broadcasting System, CBS radio, on October 30, 1938".

On page 26, "The research division of NBC reveals that six out of eight parents receive such requests," and so on.

On page 27—this is in reference to ads on television—the reference is to an ad, "Can you afford to be only half-safe from body odor. Try Odoraway." My understanding is that Odoraway is not sold in Canada, only in the United States.

On page 31, these are the questions in the teachers' guide. Reference here is to "George S. Kennedy at the University of Notre Dame—from a speech by Newton M. Minnow, chairman of the Federal Communications Commission—the National Association of Broadcasters, US—from a speech by Sylvester Weaver, formerly of NBC—from an interview with Gary Cooper—on page 31.

On page 34, the reference is to "Clarence Day, of the Yale University Press, told to a friend."

On page 42, in relationship to "How to Read Non-Fiction", the reference is "to hear Kennedy as he talked of a better world". On page 47, the reference is to the *Book Review Digest*, which, I understand, is the *American Digest* and not the *Canadian Periodical Index*, for example.. On page 49, the reference is to Mark Twain, and I should point out that in this book there are eight or 10 references to Mark Twain.

Now, that might be great, but I am just suggesting what is going to be the cumulative effect of this book in the teaching of "Man in Society"?

On page 68, this is a nice one: "*Time*, with *Newsweek*, is an example of a magazine that makes us aware of our world".

Then in the questions, the students are asked: "Compare *Time* with *Newsweek* and with *Life*.

Which do you prefer? Why? Why is *Maclean's*, why is *Saturday Night*, why is *Canadian Forum* not mentioned there?

On the same page—

Interjections by hon. members.

Mr. T. Reid: I will just get this right in the record and then you can see the cumulative effect of what you are doing with circular 14, sir. On the same page:

> As *Time* is the most popular, although perhaps not the best, news magazine, you should be familiar with it. A close look at this magazine may prove profitable. For

Time will take you into the world outside. It will give you a key to a more interesting world.

Then, on page 72, talking about photo journalism, it says:

Photo journalism is a technique of telling a story or explaining an idea by means of photographs. Look in *Life* for example.

Then on page 103, the references are to *Life* magazine, to *Atlantic Monthly,* to *Harper's.* On page 104, the references are:

For instance, periodically in the mail I receive a piece of public relations material I actually read. It comes from the Potomac Edison Company, a untility which serves the—

I can never pronounce it—

—Shediac and Potomac valley.

Hon. Mr. Davis: Potomac.

Mr. T. Reid: Thank you. Shediac and Potomac valley.

Mr. Singer: We used it to throw silver dollars across.

Mr. T. Reid: Then it goes on to say: "With references to the American civil war."

Interjections by hon. members.

Mr. T. Reid. Then on page 113, the footnote is from the New York *Herald Times*—New York *Herald Tribune.*

Hon. Mr. Davis: *Tribune.*

Mr. T. Reid: *Tribune,* thank you. I have not got my glasses on.

Mr. Pitman: Who is giving this speech anyway?

Mr. T. Reid: Then page 132—

Mr. Stokes: I am glad it is him.

Mr. T. Reid: On page 132: "A favourite form of situation comedy is the American comedy" and "American culture," and so on.

Then, they go on and refer to comedians on page 132: "Red Skelton, Jack Benny, Bob Hope, Mort Sahl, Shelley Berman." You know, there might have been a little token mention of our dear friend Rich Little. Then, on page 135, on documentaries, it refers to a Robert Frost or Frank Lloyd Wright interview. Well, surely we have had decent interviews in this country as well. And then on page 137, there is a reference to Quebec, the one single reference to Quebec in the whole book. One token, symbolic word "Quebec" on one page—one-third of Canada—then on page 138—

Hon. Mr. Davis: Why do you not table the book and make it available; we will all read it.

Mr. T. Reid: No, no, no, sir.

On page 139:

A sponsor that consistently presents high quality programmes is the William A. Coutts Company Limited who sponsors Hallmark Hall of Fame.

Hallmark of Fame. Next reference is page 134 on films:

Everybody goes to the movies. *Life* recently estimated that 19 billion people saw at least one movie last year.

Page 182, here is an essay suggestion:

Smoking: US cigarette companies will put their $250 million-a-year advertising programmes into the hands of an administrator.

US cigarette companies in the US! What about the action the federal government has been taking in this regard, or at least talking about?

At page 195; here are suggested readings that come at the end of the book. Mr. Chairman, there are 36 suggested readings; two are Canadian.

Now the point about this book, Mr. Chairman, is that when you go through it page after page after page, what emerges is an American book that has had token little things like "Quebec" slipped in. One section, be honest about it, the section on newspapers, has obviously been rewritten.

You can pick out the sentences and the paragraphs that have been inserted by some Canadian, or someone else who has simply slipped them in to make the book a Canadian book, so that the minister would accept it. But the overall impact of this book is a denial of Canadian culture; it is a denial of Canadian mass media, and students studying this book under the "Man in Society" course, buying this book with the Canadian and Ontario taxpayers' money, are taught from a book that is an American cultural book, originally written for the mass American market. And they said: "Well let us see if we can get the education authorities in

Canada to slip it in, as long as we throw in a word or two about Canada."

The footnotes—it is well footnoted this book, and six per cent of the footnotes are from Canadian sources.

There is very little reference here in the discussion of media violence. I am just about to wind up, Mr. Chairman quoting Dr. Rainsborough who is now at OISE, Ontario Institute for Studies in Education, who led the CBC programme guidelines against violence on television. There is not a thing in here.

My point is a simple one, that the danger of the American takeover, of firms like Gage, the McGraw-Hill bid for Ryerson Press and two American bids for the book club—the distribution agency—is a clear and present danger to our cultural heritage. Right in the heart of our schools, as exemplified by this book by Redpath, they do not even say where he is from.

Hon. Mr. Davis: Toronto.

Mr. T. Reid: Okay, I am very interested where he wrote this book and which market he wrote it for.

Hon. Mr. Davis: I am just telling you. He is a Toronto teacher.

Mr. T. Reid: It is called "Mass Media and You," and I suggest, sir, that that is a sellout in our school system to the American mass distribution of this type of book. It was written for the US market and then the guy doctored it up to get it through. I am saying that the overall effect, Mr. Chairman, of this type of thing, is overpowering. It is a denial of our culture right in our schools. This is an American book, right down the line.

Mr. Chairman: Just for clarification, can I take it that these items on page 32 up to and including ETV, are carried?

Mr. Pitman: Well, just a second now. Up to and including—

Mr. Chairman: Up to and including ETV so we start on teachers' colleges next. All right, so understood.

Mr. Martel: Who has the floor?

Mr. Chairman: Order please. I understand that tonight we will be on Energy and Resources; is that not right?

Mr. Nixon: Bills first.

Hon. Mr. Grossman: We will start off with second readings of the Minister of Justice's bills, of which both whips have been advised.

Mr. T. Reid: When will we come back to Education?

Mr. Chairman: Order please, we have not adjourned yet.

Hon. Mr. Grossman moves the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

It being 6 o'clock, p.m., the House took recess.

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Third Session of the Twenty-Eighth Legislature

Thursday, October 15, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 15, 1970

The House resumed at 8 o'clock, p.m.

THE MILK ACT, 1965

Hon. Mr. Stewart moves second reading of Bill 181, An Act to amend The Milk Act.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I have only one comment to make and that is, I have had some experience over the years with these housekeeping amendments of the Minister of Agriculture and Food. I would appreciate it if he would give us just a bit more explanation than was available in the notes to the bill on why these amendments are required; why the Milk Board has asked for—or at least the minister sees fit to give them—these new powers to require payment? I think it might be useful if he would give us that information.

Mr. Speaker: Does any other member wish to enter the debate before the minister replies? If not, the hon. minister.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, in reply to the Leader of the Opposition's inquiry, the need for, or the necessity that we feel for this amendment empowers the milk commission to order the payment of moneys that are due to the Milk Board now on behalf of the producers.

At the present time, if you are aware of section 4 of The Milk Act of 1965, the milk commissioner is empowered to launch an inquiry on a complaint or a request from a producer or a group representing producers. On the results of the inquiry, they can then make an order determining how much should be paid.

But supposing the plant operator decides not to make that payment, then the only authority that the milk commission has is to cancel his licence or to threaten to cancel his licence. The plant operator can go through a series of legal procedures. The terminology escapes me somewhat—*certiorari or mandamus*—to delay the enforcement of the lifting of his licence.

But the commission really cannot make him pay. Then the only alternative is for each individual producer, or in this case the Milk Marketing Board on behalf of the producers, to sue on an individual basis that plant operator for each claim. I think one can recognize, Mr. Speaker, the cumbersome difficulty that this would bring about.

Mr. Nixon: We have had that experience already.

Hon. Mr. Stewart: No, we have had something that could have developed into this; but it has not. So now what we are suggesting is that we give the commission the authority to issue an order and file it in the court, the same as in other types of legislation that we have on the statutes of Ontario. This will be the same as a court order. This will require the plant operator to obey the order and make good the payment for the products that he has purchased from the board or from the producers, as the case may be.

Mr. Nixon: Are there appeal procedures?

Hon. Mr. Stewart: There are no appeal procedures on the order but there are appeal procedures to the Appeal Court on the rightness of the claim, and all the rest of it, but no appeals as specifically to the order—that is to the amount of the order.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THE JUDICATURE ACT

Hon. Mr. Wishart moves second reading of Bill 183, An Act to amend The Judicature Act.

Mr. H. Peacock (Windsor West): You hesitated a little there.

Mr. Speaker: There was no hesitation whatsoever. It is the usual procedure to give the

member of Her Majesty's loyal opposition the first opportunity to speak.

Mr. V. M. Singer (Downsview): Mr. Speaker, in the introduction of Bill 183, together with the bills that complement it, the Attorney General (Mr. Wishart) has embarked upon a course of substantial law reform as has been embodied in suggestions that we have put forward to him and his predecessors over a substantial number of years. And to the extent to which he has gone, we compliment him. We think that he has taken an advance, though small step, and we wish that he had gone much further.

Certainly some of the things that he does in this Act and in some of these Acts go along with our ideas that we put forward over a long period of time—the moving of divorce actions to the county courts, the setting up of the changing of hours, the ability to appeal in certain matters this new idea of the divisional court. It is an idea, really, that I have not heard advanced in this House before, but it is an idea that probably has considerable merit to it.

However, there are certain gaps that still appear, and I would hope that when we got down to discussing this kind of substantial procedural reform which will assist us in the process of the administration of justice, that it could have been much farther-reaching.

Now there are a few things that I want to touch on. I do not want to touch on them at any great length, but some of them I have discussed with the Attorney General; some of them I discussed with the Deputy Attorney General. There is the whole matter of court sittings—of all courts 365 days a year or 365 days less Sundays and Christmas and New Year's and Easter.

Probably that is taken care of by allowing —certainly on the county court level—the senior judge to determine the hours. I can see no reason why, quite apart from the criminal jurisdiction, and that seems to be reasonably well in hand now as a result of not only speeches that were made here, but as a result of some unfortunate events that took place in the summer. That seems to be reasonably well in hand now.

It seems to me that there is no particular reason why, when we bring forth substantial amendments to The Judicature Act, we cannot provide that the courts sit all normal business days of the year.

Particularly here in Toronto, which has half the lawyers in the whole province and more cases that go before the courts, there seems to be no reason, Mr. Speaker, why there cannot be civil pleadings in the summertime, why there cannot be examinations for discovery, why everything stops for two months. I know that one of the replies that the Attorney General is going to give is that the legal profession might resist that. As I have said in this House before, the legal profession is a very adaptable profession and could very quickly adjust to this new kind of a schedule.

Those lawyers who found that it was too much of a burden to have themselves ready to appear in court 12 months of the year, by augmenting their staff could arrange to have additional people in their firm to assist them. They could take their well-earned holidays for however long they want, but the business in the courts could still go on.

It seems most regrettable to me that so often after an incident has taken place, litigation resulting from it does not, in fact, occur until months, often years after the event. This occurs in particular in automobile negligence matters, where witnesses with the best of goodwill and without lying try to reconstruct what happened in a fraction of a second a couple of years earlier. They are quite unable to do this sort of thing.

I have a note from the hon. member for High Park. He says he does not want to interrupt me but he has a point of order. At this point I pause and let the hon. member for High Park make his point of order.

Mr. M. Shulman (High Park): I did not wish to interrupt you.

Mr. Singer: No, that is all right.

Mr. Shulman: On a point of order, Mr. Speaker, I am at present in the health estimates down below, and I have come up here to bring an objection, sir.

Despite the instructions in the order paper that the standing health committee will meet concurrently with the House to consider the estimates of The Department of Health, we have been refused permission to meet tomorrow morning by the Chairman. No vote was allowed on this. This means, sir, that we will lose that time from the estimates of the committee and I request, sir, that this House instruct the Chairman that we be allowed to meet tomorrow morning.

Mr. Speaker: Well, I would say this is a matter that is not up to this House, to instruct the Chairman of a committee how to conduct that committee. The matters have been referred to the committee, the rules have been laid down as to procedures in the

committee, as to when they must deliberate and report. The standing orders stipulate the number of days, and it seems to me it is up to the Chairman of that committee to handle the affairs of the committee.

Mr. Shulman: Surely we should follow the rules of the House; we have the rules here in the standing orders, which I have here in front of me. You have the order paper. Here is the rule of the House, but the Chairman refused to abide by it and it means we lose that time from the estimates. What are we to do about it?

Mr. J. E. Stokes (Thunder Bay): If I might speak to the point of order, Mr. Speaker.

Mr. Shulman: It is page 14.

Mr. Stokes: It is common knowledge in the rules and procedures that were laid down to govern the length of time to be spent on supply in the House and in committee meeting concurrently, that all of the estimates that were referred to committee have to be reported back within 75 sessional days of the bringing down of the budget.

So that in effect if you are restricting the sitting of the committee to three days a week, which is in effect what you have done, it means that you are necessarily cutting down the length of time to discuss the supply which has gone to committee. So you are not living up to the terms of the rules as laid down in rules and procedures. I think it should be given some thought by the House.

Mr. Speaker: I am not aware of anything in the standing orders that says the standing committee shall sit on any particular day or days or shall not sit.

Mr. Shulman: It says "will meet concurrently."

Mr. Speaker: The standing rules do stipulate that there shall be a certain number of days during which the committee shall report back to the House. That is clearly indicated in the standing orders in dealing with supply, pertaining particularly to those departments which have been referred to standing committees. Now, my recollection is that there is nothing that says when the committee shall or shall not meet; there are these number of days, and it is up to the Chairman.

Mr. Shulman: Sir, on page 14 of the order paper, and I quote: "The standing health committee will meet concurrently with the House—"

An hon. member: As necessary.

Mr. Shulman: No, not as necessary; the words "as necessary" do not appear here.

"—to consider the estimates of The Department of Health as required."

Mr. Stokes: It says "will meet."

Mr. Shulman: "Will" meet, not "shall" meet.

Mr. I. Deans (Wentworth): For as long as is necessary.

Mr. Speaker: Well, the entire item, the committee notice indicates as the hon. member has read it, "as required" and surely the Chairman must be the person to determine "as required".

Mr. E. W. Martel (Sudbury East): How is he to arbitrarily decide?

Mr. Peacock: Mr. Speaker, on the point of order, with respect to the application of the rules of this House, I believe under the standing orders which the House adopts they apply equally to the committee. Therefore, the time of sitting of the committee on supply outside this House is determined by that committee on motion, just as the times of the sitting of this House are determined on motion, usually by the Prime Minister (Mr. Robarts) or the House leader.

The point of the member for High Park is correct; the Chairman did not permit a vote. I suggest that the House at least instruct the Chairman of that committee that he must receive a motion on the sittings of that committee, that he cannot arbitrarily rule himself that the committee shall not sit on a certain day.

Mr. D. C. MacDonald (York South): Mr. Speaker, before you speak further to that—

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, in the first place I believe there was an understanding among the whips there would not be any of the standing committees on estimates meet on Mondays and Fridays.

Mr. Stokes: No, there was not.

Hon. Mr. Grossman: That was my understanding. Well, I see some of the members opposite are nodding their heads "yes" and some are saying "no". But in any case, Mr. Speaker, it is my view that your ruling is quite correct; that it is entirely up to the committee itself as to whether they want to meet on any particular day.

Mr. Stokes: Well, what would happen if the Chairman decided he was not going to meet anymore?

Hon. Mr. Grossman: It is up to the committee to take a vote.

Mr. Shulman: They would not allow a vote.

Hon. Mr. Grossman: Well, then, all you have to do, it seems to me, is appeal the ruling of the Chair in your committee, and find out.

Mr. S. Lewis (Scarborough West): What are the committees for, to play games with the Chairman or to examine the estimates?

Hon. Mr. Grossman: The committees are to carry on the business of this House.

Mr. Stokes: But do you not have to sit in order to do that?

Hon. Mr. Grossman: And the decision as to how the business is to be carried on was arranged for earlier, everyone agreed to this, everyone was satisfied with it, and just because—

Mr. Shulman: Everyone did not agree to this.

Hon. Mr. Grossman: —some of the members opposite may feel that they have taken up too much time—we discussed this earlier before this rule was laid down—and now because they feel that they have taken too much time on perhaps less important things—

Interjections by hon. members.

Hon. Mr. Grossman: —that, sir, is a matter they should have concerned themselves with earlier. The business of this House has to be carried on in a businesslike fashion. Mr. Speaker, we agree wholeheartedly with the interpretation you have made of the rules and we believe it is entirely in the hands of the committee itself.

Mr. MacDonald: Mr. Speaker, if I may speak to this briefly, I think what we have got to avoid is formulating and implementing new sets of rules so that they become straitjackets. The minister has, unwittingly or otherwise, very seriously confused the issue. The issue is not that too much time was taken in the committee; the issue is that there is a certain period of 75 days after the budget following which the report must come back from the estimates committees.

If the estimates committees are going to meet only on Tuesdays, Wednesdays and Thursdays, and they are going to exclude Mondays and Fridays, you are restricting the amount of time that theoretically is there to consider the estimates—and now we are getting near to the end of that period. It is not that too much time has been used; it is that we are being denied the opportunity to use the time that is ours within the rules.

Mr. Speaker, I think I understand the import of your ruling that this is a decision by the committee to decide its own procedures, but if the Chairman of the committee arbitrarily stated that there was going to be no meeting and there was no vote, that I suggest to you, is not in accordance with normal rules.

Sure, it can be challenged, but what is the point of a challenge. We want a reasonable solution of this. The normal thing that happens if a government-appointed Chairman is challenged is that the majority of the government members on the committee back him up. Are the majority of the government members in the committee going to say, "We cannot meet on Mondays and Fridays"? If that is true, then the government majority on the committee is deliberately restricting the time available under the rules of the House for consideration of the estimates held in that committee, and that is what we are complaining about.

Do not introduce the red herring that we wasted so much time on and now we are coming in and crying. What we are crying about is that we are denied the time within the rules of the House by the committee not sitting on Mondays and Fridays, particularly now that we are about to run out of the amount of time that is available at the committee level.

Mr. Nixon: Mr. Speaker, if I might say something on the point of order.

I am sure that you are correct when you say, or someone said in the House, that by agreement the committee did not sit on Mondays and Fridays during the early period of the discussion of the estimates. I think that you are quite right: The decision does lie with the committee, and for that reason the Chairman should be instructed to permit discussion and a vote.

But, more than that, I think the point is well made that rather than leave this to the kind of partisan division down in the committee which would result in the foregone conclusion that the committee would not sit tomorrow, if in fact the time is running out and there is a good deal more to be put to the Chairman and to the minister on the dis-

cussion of these estimates, surely a reasonable agreement can be arrived at among the whips so that we will have the time that is, according to the rules, supposedly available to us.

You are correct, sir, that the resolution says, "as required", and I would presume that if the discussions were completed—and they will not be—but if they were completed, then the committee would be quite within its power not to hold meetings when there is nothing more to do. But surely the Chairman goes well beyond any powers granted to him by this House if he is not prepared even to accept a resolution and have reasonable debate on it and a vote. This is a minimum requirement and even that does not go far enough.

Mr. G. Ben (Humber): Mr. Speaker, first of all I have to apologize for not being in very good shape. I have an office on the fourth floor facing the University of Toronto campus. East of my office in the anteroom which has no ventilation are six stenographers.

Mr. Speaker: Is this relevant to the point of order?

Mr. Ben: I just wanted to apologize. It will only take me a second, if you do not mind.

Mr. Speaker: I accept your apology.

Mr. Ben: The point is that in order for the girls not to suffocate, I have got to leave the window open. But if I leave the window open, then I have got to die of pneumonia. So I compromised, sir. I have got a sore back, a strep throat, I have got a cold and I can barely talk — and the girls somehow managed to survive in their anteroom. So you will forgive me if I am not up to my usual.

Mr. Speaker: I forgive the hon. member.

Mr. Ben: We will see. I would much rather the government do something for those poor girls. At any rate, Mr. Speaker, one of the reasons I have for rising here is that, as things have transpired, simultaneously we are discussing estimates which involve an expended share of more than 50 per cent of the provincial budget for the year 1970.

Mr. Speaker: With respect to the hon. member, he is not speaking specifically to the point that was raised, purportedly as a point of order, in this House. In the first place I am not even sure it was a point of order. Nothing is out of order in this House.

Mr. Ben: Would it please Your Honour if I said you are right, but?

Mr. Speaker: It may; it may not.

Mr. Ben: I think the rules there — and I respect the rules there and I respect that you respect the rules, Mr. Speaker, let there be no doubt about that — but the hon. member for York South is right. Rules are here to enable us to work effectively and officially in the interests of the people of the Province of Ontario. Therefore, we have to have some leeway in, shall we say, adapting these rules to modern usage and temporary circumstances so we can work effectively. Last night, as was pointed out, on a point of order—

Mr. Speaker: Order, please! The hon. member for Humber is not speaking at all to the point raised by the hon. member for High Park. He is embarking on a speech which is irrevelant to the matter raised in this House. I feel that his remarks have nothing whatever to do with it and therefore he is out of order. May I say first of all, the hon. member for High Park rose on a point that he termed a point of order. I should say to this House that unless there is something wrong with the proceedings in this House, something out of order—

Interjections by hon. members.

Mr. Speaker: —there is no point of order.

Interjections by hon. members.

Mr. Speaker: There is no point of order unless there is something wrong with the proceedings in this House. There can be no discussion or appeal from a committee to this House. The arrangements made by the whips and by the members of the committee are under the direction and the guidance of the Chairman of the committee. Surely there must be some arrangements that were made or that can be made so that the matter can be ironed out in committee. It is not for this House to deal with this matter on a point of order raised by the hon. member. I find nothing in the standing orders by which I can be guided. It must be directed through the Chairman of that committee.

Mr. Shulman: But she refused to listen or discuss it.

Mr. P. D. Lawlor (Lakeshore): It is called walking-the-plank rule.

Mr. Lewis: On a point of privilege, Mr. Speaker—

Mr. Singer: Privilege?

Mr. Lewis: I assume it is privilege, Mr. Speaker. If it is not order, then it is privilege—the privilege to abide by the rules as established by this House as they apply to committee. Can the Chair indicate what the members of the Legislature are to do if a Chairman of a committee refuses to accept a motion, debate or discussion in the absence of the agreement of the whips on the conduct of a committee?

Hon. Mr. Grossman: Appeal the ruling, as I suggested.

Mr. Lewis: But there is no ruling. There is not even the entertainment of a discussion.

Hon. Mr. Grossman: Mr. Speaker, with great respect, the reason the member takes exception to that procedure was, he thought that, because there were more Conservatives on it, it would be voted down. Now I remind the House that that is a pretty weak argument—

Mr. MacDonald: I hope the minister is right that they will be reasonable, and we will go and find out right now.

Hon. Mr. Grossman: That is right of all parties in those committees. Just because the member does not like what the ruling may be, has no bearing upon the rightness of the ruling. Mr. Speaker, I think we should proceed with the business of this House.

Mr. Shulman: The minister is just trying to gag us again.

Mr. Lewis: The business of this House is committees.

Mr. Speaker: As one of the hon. members has just indicated, I have not made a ruling. I permitted full discussion on this because it is a matter of importance. But I must point out again that there is no mechanism of which I am aware by which this House at this time can direct the proceedings in a committee. A Chairman has been appointed and it must surely be up to the committee and the Chairman to deal with this matter. And I therefore so rule.

The hon. member for Downsview.

Mr. Singer: Yes, Mr. Speaker, I presume this is all over and we can get back to Bill 183. Mr. Speaker, as I was saying, on Bill 183, the first point I wanted to make was I would like to have seen a clear spelling out of the fact that the Supreme Court, as well as all our courts, can function year round and that matters of litigation be not delayed but can carry on during the summer months, during the Easter vacation, during the Christmas vacation and that sort of thing.

The next point I would like to make, Mr. Speaker, in this regard is the question of the handing over of divorce jurisdiction to county court judges. I think this is a forward step and I commend the Attorney General for introducing it. I note that a point is made in a newspaper editorial in today's paper, drawing attention to the fact that there has been substantial pressure, suggestion, and material presented to indicate that we need a new family court procedure, and that part and parcel of it could well be, and should well be, the inclusion of the divorce jurisdiction along with the other jurisdictions.

I think this is most urgent and, while presently this step insofar as transferring divorce procedure to county courts is going to speed up the administration of justice and is a good step, I think that the Attorney General should designate to us, perhaps tonight, when he can anticipate a genuine reform in the whole family court procedure which will, I hope, include the coupling of divorce action with the rest of the family court procedure.

The next point I want to make, Mr. Speaker, is the question—and it is an interesting question; again it is raised in this same editorial—as to whether or not the three judges of the divisional court might perhaps have some qualms about overruling in appeal their brothers in the Supreme Court, with whom at one time, they may be sitting in judgement as trial judges and at another time they may be sitting as divisional court judges. They are moving together in the same group as judges of the high court. Are they going to suffer some qualms of conscience when they are called upon, from time to time, to overrule their brother judge on the high court level, and next week they are going to be in the same position? Is this going to be a detriment? I do not know. It is a question posed in this editorial and I think it is an interesting question, and I wonder to what extent the Attorney General has thought about it or his officials have thought about it? It could perhaps present a difficulty.

I am not suggesting improper motives from anyone, Mr. Speaker, but suggesting that even judges are subject to certain human frailties. And if a divisional court lands fairly loudly on a judge of the Supreme Court in overruling him, the hour might change and the day might change, and the judge who has just been overruled may the following month be a member of that divisional bench and choose to write a pretty strong opinion about

one of his brother judges when he is handling an appeal in that regard. I think it is worth thinking about, Mr. Speaker.

Another question that I had raised, I think with the Deputy Attorney General, is the question of allowing interlocutory appeals or appeals from interlocutory matters in the Supreme Court of Ontario. As the Attorney General well knows, there is provision, I think it is section 79a of The County Courts Act that allows an appeal from an interlocutory order made at the county court level, but there is no such procedure presently available, nor is it in this Act, on the Supreme Court level. I think it made good sense when you brought in that amendment to The County Courts Act or The County Court Judges Act; The County Courts Act probably. There is no reason why the same procedure should not extend to the Supreme Court proceedings.

Then, there is the question, Mr. Speaker, of judges being *persona designata*. When we were amending The Landlord and Tenant Act, I do not know if anyone was too aware of the fact that all the new remedies that we had given under The Landlord and Tenant Act are to be heard by a judge of the county court who is, according to the wording of both our amendments and the existing Act into which the amendments were inserted, a *persona designata*. So the judge who grants the appointment has to be the judge who holds the hearing, otherwise the proceedings are not proper.

And what has happened, Mr. Speaker, in the county court in the county of York, where there are hundreds, if not thousands, of landlord and tenant matters that carry on with this very difficult procedure—and it is difficult enough and on another day we will deal with some of the difficulties? On certainly more than one occasion which I know, the judge who was granted a flock of appointments for a particular day to hear 15, 20 or more landlord and tenant matters suddenly finds that, at the last minute, for a variety of reasons—other urgent business, or his health, or something having come up—he is not able to appear in court on that day. All of those landlord and tenant matters must then be adjourned.

As a result, the jam-up in all those landlord and tenant matters gets worse instead of better. The matters are delayed and they are all of the reforms that we attempted to achieve when we amended The Landlord and Tenant Act. In fact, they are being frustrated by reason of the fact that we chose to have the county court judge act as a *persona designata* and not as one of the members of the bench of the particular county court.

Another point that I wanted to make, Mr. Speaker, was on the whole question of prerogative writs. I had hoped, when I heard, sort of through the corridors, that there was a substantial amendment to The Judicature Act coming in that at long last there would be sufficient amendments which would do away with the old forms of prerogative writs —not with the remedies, but with the form of writ.

I noticed earlier this evening, Mr. Speaker, that the Minister of Agriculture and Food was concerned about whether the remedy was by *certiorari in or mandamus*. Really, what I am in fact suggesting is that all he would have to say, if these suggestions take form, is that there be a remedy in the court by reason of an application, so that then none of us would have to worry about the old-fashioned forms of action. I think this a reform that is long overdue and hopefully the Attorney General will be able to tell us something about that.

Then again, Mr. Speaker, I would refer the Attorney General to a new set of legal books that has just appeared. I do not know whether he is familiar with them or not but a two-volume effort called "The Law of Civil Procedure," by Williston and Rolls—I am sure the Attorney General knows both of these gentlemen—has just come off the press—

Hon. A. A. Wishart (Minister of Justice): I have read the review, that is all.

Mr. Singer: Yes. It is now available, and I commend it to his attention and, particularly at this moment, I commend to his particular attention the various chapters in the book that deal with disabilities of people when they come before the courts—the disabilities of an infant, of a person who has been committed; the disabilities of married women.

Now in this day of women's liberation, surely it is time that our laws began to recognize that a married woman has as much status in our courts as anybody else and our laws do not recognize that.

A married woman, as the Attorney General well knows, Mr. Speaker, cannot be a guardian *ad litem* or a next friend. Why? Well, it is bound up in history somewhere but sense it makes. Judgement against a married woman is in different form, and so forth. Without detailing all of these disabilities—the Attorney General is well aware

of them—I would have hoped that our procedures could have been simplified so that we could do away, insofar as possible, with most of the old-fashioned disabilities which no longer serve any useful purpose.

And then finally, sir, I wanted to say just a word on behalf of my colleague from Kitchener (Mr. Breithaupt). The Attorney General will recall the private member's bill submitted by the hon. member for Kitchener; it was Bill 31, which is now reflected in section 11 of this Bill 183. The hon. member for Kitchener feels very pleased that the Attorney General is taking the step, as urged by the member for Kitchener. He assures me that the situation in Waterloo county is going to be considerably improved in the courts as the result of the Attorney General's listening to the good advice that he, the member for Kitchener, put forward. So we commend him for that as well.

With those remarks, Mr. Speaker, I say we are going to support this bill and the companion bills. We had hoped for something far more wide-reaching in reform. There are certain danger signals that are presented in this bill. I have touched on some.

It may well be that the Minister of Justice has some of the answers before him immediately. In fact, I think he has some of the answers before him immediately. Some of the other points that I have raised are technical points which concern, perhaps, only lawyers in this detailed sense, but I think the Attorney General would understand the significance of these concerns. They are concerns of most members of the legal profession who have had to face some of these problems. That is why I say we will support the second reading of this bill.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Thank you, Mr. Speaker. Initially, may I join with my friend from Downsview in his initial remarks as to a revamping, a thoroughly thorough revamping, of the time periods of the courts. The concept of the long vacation seems to me to be long outdated.

Another relatively minor matter that might be given consideration is the business of setting up trials by way of appointment in advance, rather than by the rule-by-thumb way in which it is done at the present time with lawyers—particularly junior lawyers—sitting around the courtroom waiting and trying to guess when one trial will end so that they can scurry their witnesses up for the next following trial in which they are interested. That seems to me a most un-businesslike way to carry on the courts.

It means that many highly paid witnesses and others are placed in great inconvenience, waiting in the rooms provided and in the hallways for the previous trial or trials to end and for the trial in which they are interested to begin. In other words, what it comes down to is our aristocratic theory of the courts whereby everybody attends upon the judges.

I suggest in a democracy it should be the other way around, fundamentally. The judges should be the servitors of the general public, like the rest of us. It would certainly be less costly than it is now, in terms of the expenditure of the people involved in lawsuits, if it were made that the times are doped out as shrewdly as possible ahead of time.

If a trial appears to be going over to the following day, then true, the judge may have to retire for an hour or so to his chamber. Surely he has plenty of law to look up and plenty of things to do and the next trial will come on at 2 o'clock in the afternoon and the thing would proceed by a more regular progression than occurs at the present time.

I put those thoughts forward to the Attorney General as a general approach to the issues involved in this bill. Now, this bill is a fairly far-reaching measure to which we will give accord fundamentally, at least in principle.

I am still to be convinced that the shift that is taking place in this legislation from the role of judges of the Supreme Court on to the shoulders of the judges of the county court is, in terms of workload, otherwise justified. And somewhere along the road I would like to see figures presented to me which would give a conclusive indication, although I accept the Attorney General's statements that have arisen from time to time in this House when we have increased the number of judges or we tried to revamp the system.

But then I consider that the county court judges across this province are responsible for mechanics liens proceedings, for landlord and tenant actions. They have two areas in which they exercise a preponderance of criminal jurisdiction—in the general sessions and the county judges' courts where they handle substantially larger numbers than the Supreme Court. This was 0.7, I believe, in 1965, of the load, whereas the figure was around four per cent of total criminal cases

in the province handled by county court judges.

Take that in conjunction with the work these judges are doing as divisional court judges, acting as judges in the next level down and attending upon those courts—take that again in conjunction with the appeal matters to which they have exclusive jurisdiction, particularly with many conviction appeals of all kinds and add to that the increased jurisdiction that is being given to them, and which I give full accord to under this bill, having to do with extended divorce proceeings. Incidentally, the member for Downsview should not word so loosely as to say that the divorce jurisdiction is being conserved to the county court, as throughout this Act it is an alternative route. The Supreme Court may be still well utilized in this particular area.

Mr. Singer: I accept that. I apologize for my loose wording.

Mr. Lawlor: Taking all those chores and tasks which are multiple and munificent in the hands of the county court judges, along with, particularly in the county of York at the present moment, the landlord and tenant load that they are carrying, it gives me pause. I would almost come to say, what are the Supreme Court judges of Ontario going to be doing? Under the terms of this Act, we are admittedly giving them an expanded reign, an expanded jurisdiction, in a role which they had not previously possessed.

In other words, giving them more of the status and prestige, authority and desideratum of a Supreme Court judge. Every one of those judges is a judge of appeal, ex officio, or by very fact of being a Supreme Court judge, and the appeal function in this particular regard is beneficial. Even with that, I question both the extensions of the Supreme Court at this time.

You know, I heard one thing—I just wonder if it is true; I am not asserting that it is the truth—I have heard in the past that the Supreme Court judges of Ontario take one week out of four off, and that the reason given for that one week of four in which they are working—and this does not include, of course, the long vacation—is to write their judgements and to deliberate upon those judgements. There may be an argument on that in this way, but when that happens, when you are granted leave of absence in this particular way, I wonder whether that is crucial to the operations of the court—and whether part of the inability to handle, or the contention that they are unable to, arises out of such facts, and is precisely that.

Now I am not sure; this is a kind of rumour that I heard. You know, I was taken a little aback by it; I do not think this should be so, particularly when they have spent periods of time supposedly granted for this precise purpose, in order to think about their judgements and get them down in writing.

Getting away from the Supreme Court and precisely right on to the point of this Act, I think it is just as well to get into the record the thoughts of McRuer as to the necessity of the present change. At page 660 of his famous writing, Mr. McRuer says,

> The confused pattern, or absence of pattern or principle, in the conferment of appellate jurisdiction on the courts, and the caseload that the Court of Appeal now bears and will bear in the foreseeable future—

And I may interject here to say that he has documented to my satisfaction in the year 1966 what that caseload was and just how heavy that job is. He goes further and says that one of the alternatives before the Minister of Justice was to expand the Court of Appeal for Ontario. He rejects that solution —as it has been rejected here and to which I accede—on the basis that the Supreme Court of the United States consists of only nine judges and the largest Court of Appeal, our own court, the English Court of Appeal, is made up of 11 judges plus three others who could sit if they wish but seldom do.

In other words, these are bodies that are held in close organic unity and have a real interrelationship; the men know one another well over periods of time and are able to converse and reach a uniformity of judgement rather than have the court, as is presently taking place, partitioned. Instead of a five-man court sitting in our final court, which would be the least number of minds working together over ultimate issues of constitution and of the law of the province and to keep it in accord with that of other jurisdictions and so that we at least have a strong sense of the traditions of the court and that there is some overall direction to the common law, it is a prerequisite to maintain that court with the smallest numbers possible. They have hardly sat in any courts over the past few years in any greater number than three, so great is the caseload.

So it becomes obvious that an intermediate Court of Appeal, handling matters of less ultimate consequences perhaps than the court of appeal proper would handle, be brought into being in the province. Mr. McRuer

brings the full weight of his considerable judgement and prestige to bear upon that head. He says:

> Under present conditions it is quite impossible for the judges in the Court of Appeal in Ontario adequately to meet the irresponsibilities as judges of the court of last resort in the province. We are compelled by force of circumstances to dispose of cases on a sort of assembly-line basis.

And he goes on down through there to flesh out his argument and to bring the full weight to bear and then, over two pages, he says:

> This is the basis for this present legislation. We agree that there should be a court to exercise an appellate jurisdiction inferior to that of the Court of Appeal—

And he rejects a number of arguments against it which as I have indicated, will not hold water. Having constituted the court and having set up an appellate jurisdiction, what power is to be given? What role and function will the court exercise? And, if I may say so, Mr. Speaker, the Attorney General has indicated to me one area in which the present legislation is not quite broad enough, probably by way of oversight, and which is not in line with the recommendations of McRuer, taking those recommendations, as I always do, with a grain of salt and weighing them in the balance of objectivity. In his recommendation at 671, recommendation 16(d), he says:

> "All appeals from judgements of judges of the county and district courts and surrogate courts, exercising their compulsory jurisdiction as *persona designata* or in their capacity as judges of the court but not including matters heard while exercising optional jurisdiction."

We will, in our next bill tonight, come to this problem of the alternative or optional jurisdiction of the county court. In other words, you may sue in both the county court and Supreme Court up to any sum of money really. In the county court, it is done usually by way of consent between the lawyers, and the scale of costs may be different as the action emerges. But if, after this bill is passed tonight, the sum exceeds say $7,500, the matter in strictness would be a Supreme Court matter within the jurisdiction of the Supreme Court, and appeals on matters of that kind would not go to this level of appeal but to the Court of Appeal itself, being a Supreme Court matter; that is, arising out of a trial judgement.

In interlocutory matters, those matters which have not finality in the division courts and the county courts, and in the Supreme Court—and some provision is made for that in the legislation at the Supreme Court level—it is the other two levels that have been left out; or if there are administrative tribunals dealing with interlocutory matters, certainly they would fall within it too.

Basically it is the county court I am thinking of that has been overlooked in the course of writing up the legislation. And these matters, I suggest to the Attorney General, in accordance with section 26 of The Judicature Act, ought to be, as he has done for the high court matters, not those dealing with ultimate human rights. If that could somehow be segregated—and he has tried to do it in terms of his legislation for the high court—then a similar type of reasoning should apply all the way down the scale.

If a matter arises—even a division court interlocutory matter, which appears to be a matter of ultimate human rights; I cannot imagine how it would do so; nevertheless, these peradventures in the law come to pass—then provision ought to be made that this matter would be heard either by the Court of Appeal or by appelate division set forth in this—probably by the Court of Appeal being of that nature.

There are many areas—and I will not go into them deeply; we can go into it in committee. This legislation is necessary and arises out of a real mess in our handling of appeals at the present time. This is thoroughly documented in McRuer, but to give some notion on the record of how far it goes, at 665 he points out "the rights of appeal from statutory tribunals to judges of the courts"—and I will only read two or three of the eight different kinds of appeals. You may appeal to a county or district judge under 30 statutes; to a county or district court under one statute; to the Supreme Court of Ontario or a judge under one statute; to a judge of the Court of Appeal under seven statutes—and it goes on in that hodgepodge fashion and is set out in the appendix (a), (b), (c) and (d) to chapter 44 of McRuer, as to the diversity of ways and the really confusing labyrinth of possibilities of appeal.

Now this legislation does not really straighten that mess out at all. It sort of overrides the mess, comes in obliquely from the side, and it says, "Gentlemen, we will give you another means, we will give you

another road, whereby all these appeals—appeals on stated cases, appeals on matters of form, appeals having to do with prerogative writs and the judicial view generally, those having to do with practice and procedure, basically, appeals from administrative tribunals of all kinds—can go to this new appellate jurisdiction that we have set up."

Of course, the other routes are still available to you. In most of these instances, the old routes remain. They are not overridden; as I read it, they remain. But this provides what I would think the Attorney General is hoping would become the overriding routes in due course as lawyers become attuned to the process and know the purpose of the court; know that it is providing a much quicker mode; would be far cheaper than any appeals to the Court of Appeal; gives expedition and efficiency to the law, which is what it is crying out for in this province, to the extent that as this comes to be known, then appeals will proceed by the routes in question.

I say that because of the wording of section 3 The Judicature Act is amending, and by adding thereto the following section, 14(a), the divisional court has jurisdiction to hear, determine and dispose of all appeals in and through the Supreme Court under any Act, and that covers a lot of ground other than this Act and obviously you could not be making an appeal to yourself. In The County Courts Act—it is The County Courts Act that has bothered me somewhat—that exclusion goes too far.

But as I read that section, that is not a mandatory requirement; it is simply being given jurisdiction to do so. It does not say other modes of jurisdiction are excluded or overridden. So it has not got the compulsory exclusive feature. And I suppose initially it ought not to have. As it goes into the veins of the legal profession and the means of proceeding, then it probably will become a more restrictive thing and we can make it into law under that particular head.

The exclusion of the county courts from the operation of the Act puzzles me a little bit. I have indicated that in terms of the derogatory proceedings it does not seem too sensible. The sections involved in The County Courts Act, I believe, are sections 36 to 38, and in section 38 an appeal under certain circumstances to the Court of Appeal from the county court is mandatory. Why you want to continue to assert the somewhat narrow and restrictive rights within the county court demesne puzzles me. The matter can be taken up in detail in the committee and I intend to do so at that time in order to clarify the position under that particular Act. Therefore, when it appears on the surface that any Act as has been repealed in this legislation would seem to involve the absorption by this appellate tribunal of a wide range of internal matters to courts, it, I suggest—and I would like the Attorney General to confirm it—is simply being asserted as an alternative route with some hope that it would be the determining route in times to come.

The habeas corpus provisions are not included in this Act. They come up in a bill later this evening, I would think, and that would be—

I also am a little concerned that while it has been recommended by McRuer that appeals from administrative tribunals, or from justices of the peace, or magistrates could possibly be brought before this tribunal, you at the same time restrict that range with respect to The Summary Convictions Act, which basically involves an appeal to a county court judge. I wondered about that and ask.

Hon. Mr. Wishart: Is that not fixed by the criminal law procedures in the Criminal Code?

Mr. Lawlor: Is that the reason the minister is excluding it, because of the Criminal Code?

Hon. Mr. Wishart: That is my offhand thinking. I have never thought otherwise.

Mr. Lawlor: Well, of course The Summary Convictions Act is an Act completely within the minister's own jurisdiction as to the modes of procedure for appeal under that Act. I know the Criminal Code makes reference to The Summary Convictions Act in turn, but surely the minister has it within his own power to arrogate under that Act the direction of appeals and where they may go? I do not suppose there is any—

Hon. Mr. Wishart: I think, Mr. Speaker—I do not want to debate here, we could perhaps examine that before we get to the committee—the law of criminal procedure is set forth in the Code, appeal from summary procedure conviction is a new trial, a *trial de nova,* for the county court judge. I will examine the hon. member's remarks but I do not think we have jurisdiction there.

Mr. Lawlor: Well, I do not think I am going to press them either. I would not think there is any great harm in the *trial de nova*

and in the county court judges hearing some of these appeals. After all, many cases are only highway traffic offences of a minor nature. At the same time it is a matter that, when you are making a revamping of an Act on this scale, ought to be taken into consideration.

Now this bill makes it mandatory that three judges sit and hear the cases as they come through forwarded for appeal and these three judges are chosen out of the already existing ensemble of Supreme Court judges, so that no new judges need be appointed or new courts set in motion. These judges are ordained by the chief judge of the high court on the basis of experience and the particular kind of appeals being undergone, and the aim and intent apparently, particularly in the area of administrative law, is to get a number of judges who are thoroughly conversant with the field so that we can get a uniformity of practice in the body of jurisprudence built up in Ontario which will be certain, clear and well defined for the legal profession in dealings with administrative tribunals.

I would have you know that Professor Willis, for instance, is not, I would think, under this head, altogether in accord with that procedure. He thinks that administrative judges and administrative tribunals are very often at loggerheads in a way which is invidious to the courts, that the judges simply do not have enough understanding or penetration in the affairs for which these tribunals are specifically set up to deal with because of their expertise, and that it could very well mean and may mean an undermining and a constriction of the work of some administrative tribunals.

However, I am not prepared to let the matter rest, but to follow it to see what contours and what lines of development take place over the next few years in our province, as to the truncating or twisting of the role of administrative tribunals, if such would be the case, by the courts. I am willing, in other words, to concede to the judges a far greater measure of sagacity, of rapport with contemporary conditions and of living with the people, than Professor Willis apparently is prepared to do.

The history of judges in workmen's compensation and labour law has not been the best, simply because they work sociologically minded and do not live according to the norms of our time. Still, the new appointments to the court, of John Brooks and others, would indicate to me a change for the better in the temperament and the Brandeis mentality taking a wide girth as to social conditions and seeing law, not as something isolated and grandiose, but as something routed in, and an expression of, the social milieu in which we live simply that and no more as one manifestation of the way in which we live in a society, having nothing particularly sacrosanct about it, changing and subject to change according to the deep racism and not just the whims of a populace.

And then with events like that, and having increasing numbers, we will be able I think to contend with and do the service in the job of overlooking or supervising administrative tribunals of all kinds. I notice that these administrative tribunals like the Labour Relations Board do not fall within the counterlines of this particular legislation. Well, it may be—

Mr. Singer: Would you want them to?

Mr. Lawlor: No, I think we do not. I notice that the legislation was restricted as to exclude this possibility, and wisely so, but the very rationale that excludes the judges from this arena may have an impact on a number of other arenas also, and the best we can do as legislators is to watch the development with a close eye.

The final point I want to make is the bill has received a good deal of thrashing about over the past 18 months or maybe longer, particularly since the family law reports have begun to come out in abundance. There is a case to be made—and I am sure the Attorney General is well aware of it—for a family court structure which hangs together and which has cognizance and control and a degree of rapport with all elements of family life, from maintenance to child care, and it would include, as we envisage it, matrimonial causes of all kinds. I think that is in the womb; through time it may be given birth to, before very long. I anticipate what we are doing at the moment is an anticipatory step in that direction. I think it is a far better solution than what we have agreed.

At the same time, because of the cost to legal aid of Supreme Court actions—county court actions being about 50 per cent of the cost to individuals of what Supreme Court actions are—and because of the load in the courts arising out of divorce proceedings, because the Supreme Court is not being excluded from jurisdiction in these regards, I think that we can accept half a load because it is far better than none and it is as much as we can hope for in legislation of this kind where we are fundamentally feeling our way.

With those general remarks, I would anticipate in committee we could get down to the nice points of this legislation as I find it very taxing and highly complex stuff with all kinds of angles, turns and twists—all of which obviously the Attorney General's department have not, you know, been able to grapple with. There are no doubt more interstices which we can get into as we get into committee in order to make this the very best legislation we can.

Mr. Speaker: Is there any other member who wishes to enter the debate before the minister replies? The hon. Minister of Justice.

Hon. Mr. Wishart: Mr. Speaker, I should like to take the opportunity to say to you, sir, how glad we all are to see you. It would appear, sir, that you have been in sunnier climates than we have enjoyed and we are glad to see you in such good health. I would say that we have missed you, but in saying that I would say we have not suffered because I should like to take the opportunity to pay a tribute to your Deputy Speaker, the member from Waterloo South (Mr. Reuter), who has carried on your duties in your absence in a most capable way. We are very glad to have you back with us, sir, and I wanted to take the opportunity to say that.

Mr. Speaker, I think I can be brief in my comments on second reading. This bill will certainly, of course, go to the committee on legal bills and be there, I am sure, debated most fully.

Mr. Singer: Mr. Speaker, I wonder if—perhaps not in order—I wonder since the Attorney General just made that point, if it would be possible in a bill of this sort to invite certain of the justices of the Supreme Court to that committee? It is something new but I think it might be of some substantial interest insofar as this concerns procedure.

Hon. Mr. Wishart: It is a thought I shall consider, Mr. Speaker. I would certainly think it is a meritorious thought. I might say that in the drafting of this bill, in the consideration of it, I and my staff in The Department of Justice have had many conferences with the judges—justices of the Supreme Court, including the Chief Justice of Ontario, the Chief Justice of the High Court and committees of that court, the Supreme Court, county court judges, the Canadian bar and committees of the bar—and all the things in this bill—

Hon. Mr. Grossman: What about the laymen?

Hon. Mr. Wishart: Laymen? Oh, I have had comments from laymen. I do not know as I have ever met a committee of laymen.

Mr. Nixon: Can you think of anything to say? Now is your chance.

Mr. Singer: How about the members of the QC?

Hon. Mr. Wishart: I am not sure—I am not going to dwell on this—I am not sure that judges of the High Court want to take part in the discussions. Maybe they will. They certainly will be made aware of the suggestion. I would be glad if they would come but of course I will make it plain that everyone is welcome to come to that committee.

Mr. Peacock: One of them has just been meddling in our affairs.

Mr. Lawlor: Maybe Mr. Justice Haines would not want to have the tribunal.

Hon. Mr. Wishart: Any member of the public has a right to ask to be there and say what he wishes within reason, and I think the judge must fall into that category.

The hon. member for Downsview suggested that the Attorney General should have gone further in some of the things he did here. I would at once say to him that I think we have, in following the recommendations of Mr. McRuer, gone quite well along the road which he outlined and supported with his studies. I would also want to say to him, as this was in his remarks, with respect to the prerogative risks which he dealt with, I think I may tell the House—in fact, it should be no secret to this House—The Judicial Review Procedures Act which I introduced and gave first reading to over a year ago, contained a single method of getting the relief in those prerogative risks of *mandamus, certiorari* prohibition, injunction, not, I think, habeas corpus. That was in that bill, and the revised bill which I now have ready after receiving the—

Mr. Singer: The new one.

Hon. Mr. Wishart: Yes, the new bill. After receiving a good many comments and suggestions and some criticisms, the new bill, which is, I think, a much better bill than the one I originally introduced, will contain that single procedure for all those remedies that are now so confused by way of procedure under our various prerogative risks. So, we did not see fit to include it in this bill because it will be coming forward in separate legislation. I agree with the member for

Downsview and also the member for Lakeshore, that a new family court, a reorganized family court, is certainly to be desired and, if you would just allow me to say it, I will take the words from the hon. member for Lakeshore, this bill is perhaps a preliminary approach, in a sense, to that. But we are waiting for some further studies or for some further reports in that whole study which the Ontario Law Reform Commission is making.

I know they have presented certain recommendations. Our members are aware that that whole field of family law is being studied by the Ontario Law Reform Commission and we would like to have all of their studies, all of their reports before us, as we move into the field of family court revision and reorganization. So that is not in this bill.

The member for Downsview raised the question of the effect of judges of the high court, an evolving tribunal, assessing by way of appeal the judgements of their fellow judges. I think I will go along with him and say, "Let us try it out and see". I noticed the editorial today but it seemed a little confused to me, too. I was not sure whether it was favourable or unfavourable, or whether its thinking was very clear, but I think we would like to try—

Mr. Singer: It depends on which paragraph you read.

Hon. Mr. Grossman: The *Globe and Mail* editorial.

Hon. Mr. Wishart: I would like to suggest that we try this legislation. I cannot see that our judges will be so sensitive to the comments of a tribunal of three of their fellow judges that they will take umbrage and that this will affect their relationships. Most certainly, I should not think it would affect their judgements.

Mr. Singer: We might get down to editorial judgements unsigned. The group will write one judgement.

Hon. Mr. Wishart: I would hope they would be obiter. I have dealt with prerogatives. I am glad to have the comment on the new publication, "The Law of Civil Procedure". Perhaps some of the things we do here may change that law.

With respect to the workload which the member for Lakeshore had some concern about, the workload of the county court, again I have to say that we have made a survey in the last year, a very complete survey, of the workload of all our courts, the supreme and county, and the provincial courts. We know the workload which each court has; we know the time which each judge has spent in court and on his cases throughout this period.

Mr. Lawlor: May I ask a question?

Hon. Mr. Wishart: Yes.

Mr. Lawlor: Is it possible to make available to the members of this House or anybody who happens to be interested, that particular report? Was that done by Marshall Pollock?

Hon. Mr. Wishart: I am not sure which of my legal staff headed it, but it was done by a group of law students who went out in the field and visited every court in the province and got the records. Then we called in a lot of records and our officials, of course, submitted them to us and they were correlated and collated, and we had the actual hours spent on the cases.

Mr. Lawlor: Can I take a look at it?

Hon. Mr. Wishart: I will take that under consideration. I always like to be generous with the hon. member for Lakeshore. It is a working paper of the department and I am not sure at this moment, on a snap judgement, that all of the information that it contains should be scattered about.

Mr. Lawlor: Well, anyhow, to the four winds. Yes, I know. It shows the Supreme Court judge is overloaded, though.

Hon. Mr. Wishart: It shows some are overloaded. I think our assessment is that the judges of the county court can carry what we anticipate will be an increased workload, particularly, in divorce. We did not increase the jurisdiction in the next bill we shall consider, as Mr. McRuer suggested, to $10,000 in contract matters in the county courts, only to $7,500, anticipating that we would expect the additional workload before we went quite so far as he recommended. But to some extent we shall have to operate by trial and error and see how the work is handled. We think we have it pretty well in hand. I would say this, we have, as I say, conferred with the county court judges. They assure us that they welcome this legislation and if the workload did grow unbearably heavy, of course, we can always appoint additional county court judges. In some counties we have two, three and I think in one or two, four, and in some of the cities, of course, such as the metropolitan area, we have great numbers of, or a large number, I should say, of these judges, and we can get additional appointments should the workload increase unreasonably.

I shall be examining the remarks about the suggestion for appeals in interlocutory matters and I would expect that when we go to the committee to study this legislation, I would offer at least one amendment. Perhaps there will be more. I will examine the suggestion that we did not include appeals from judgements of the county court. I do not think I shall say more about it here but perhaps we could discuss it at length in committee. I am quite prepared to do that.

The hon. member for Lakeshore ended up by saying, "Half a loaf is better than no bread." I would say that this is about nine-tenths of a loaf at least and I hope that he will be more satiated than he appears to be with that ration.

Mr. Lawlor: You just like price—

Motion agreed to; second reading of the bill.

Mr. Speaker: Now, while I believe the minister has agreed this should go to committee, the rules require that I ask, shall the bill be ordered for third reading?

Hon. Mr. Wishart: No, committee.

Mr. Speaker: Committee, right.

Before we enter the next order of business, may I say that I, too, am pleased to be back. I have been attending the Commonwealth Parliamentary Association convention and I must say that after watching Mr. Speaker Ashton of the Commonwealth of Australia rule his House, I feel that we have a very wide open House where much liberty of expression, which in some other areas is not given, is afforded the members. I think this is good. I know that it will continue, but it will only continue so long as we live within the rules which we have.

I am grateful to the Deputy Speaker and Chairman of the Committee of the Whole House and his Vice Chairman for looking after matters much better than they would have been dealt with had Mr. Speaker been in the chair, I am quite certain of that.

COUNTY COURTS ACT

Hon. Mr. Wishart moves second reading of Bill 184, An Act to amend The County Courts Act.

Mr. Singer: Mr. Speaker, the general remarks I made in connection with Bill 183 apply in substantial measure to Bill 184. I think more can be achieved when we get down to a clause-by-clause discussion in the legal bills committee, and we will support the bill here at second reading.

Mr. Lawlor: Mr. Speaker, I have a few added remarks to make about this bill. As the Attorney General indicated a moment ago under the other bill, both Mr. John Robinette and Mr. McRuer recommended a $10,000 limitation, not a $7,500 one, as has been said. I would like to know the reason for that difference. The feeling was that a goodly load would be removed. This is before it was thought about divorce jurisdiction being taken off the Supreme Court.

Hon. Mr. Wishart: If the hon. member would permit—perhaps I should wait until he is through—but I just a moment ago gave a reason for that jurisdiction increase to $7,500 and not $10,000. We are saying that we have increased the county courts' jurisdiction in divorce and that we wanted to see how that workload affected their work, so we felt that if we went to the $7,500 mark it would be a less number of cases coming in than if we went the whole way to $10,000. That was the reason.

Mr. Lawlor: Mr. Speaker, the increases over the years are kind of interesting. In 1909 the limitations on the actions in this court under contract were $800, and $500 from all other actions, tort and otherwise. In 1949, the next raise was up to $1,200 in contract and to $1,000 in other actions. About nine years ago, we raised it to $3,000 in contract and $3,000 in other actions, and basically we are raising it tonight to $7,500 across the board. You can see there is an acceleration taking place in the cerebral processes of the Attorneys General of Ontario which is a very much to-be-desired piece of business.

Now the only other major thing which affects the—

Mr. Singer: How do you know that that proves it?

Hon. Mr. Wishart: There has also been inflation.

Mr. Lawlor: There is, I submit to you, Mr. Speaker, a mistake made in this bill, an oversight, which I suppose it is better to have corrected right now. It concerns the central principle of the bill. As the present Act now stands, if anyone glances at section 19, these are the seriatim sections which cover various classifications of actions which have been altered in amounts, under subsection 1. When you come to subsection 2, there is this alternate or optional procedure

whereby you may take a Supreme Court action, an action that would otherwise be on the Supreme Court scale, into the county court under certain circumstances and conditions, and those circumstances are set out at some length in subsection 2. Then the Attorney General has left that substantially intact, but then he deletes subsections 3, 4 and 5 and substitutes another section, and makes a mistake in the process in my reading of these.

Taking subsection 3, which he has had repealed as it now stands and substituted a new section 4, that is the section where the plaintiff in an action when he has been given a notice by the defendant, the man he sued, either the defendant in his appearance to the action puts a note on his appearance or puts a caution in there, saying that he intends to dispute the jurisdiction of the court because it exceeds that of $7,500—the basic rule—or later on in the action, after the next step in pleadings have been taken, when he files his statements of defence he may therein also indicate that he contests the jurisdiction of the court.

Now if he does either one of these two things certain results flow from that. On the side of the plaintiff, having been given that warning, he may praecipe the papers out of the county court office into the Supreme Court office, and that is fine. As the Act presently reads he may do that at any time after. He is not confined to time limitation.

Under the new legislation, this must be done within 15 days after either of those two things takes place, after either the appearance is filed, indicating the situation, or the statement of defence is filed, indicating that exception is taken to the jurisdiction. That is fine, I have no objection to that. But we come to subsection 2—this is the defendant's side of the fence. Suppose the plaintiff does not do anything about it. He just sits on this thing, hoping that the matter will be carried through in the county court as he has got reasons for wanting it carried on there, and the defendant then has certain rights. Under the old legislation, or the existing legislation as it stands, the defendant—let me read it because it is a very important clause, subsection 5:

> Where the plaintiff does not exercise the right conferred by subsection 3, the defendant may after the expiration of 10 days from the entry of appearance, if he has given notice that he disputes the jurisdiction of the court, on entering his appearance, or after the expiration of 10 days from the filing of the statement of defence, if he has given such notice in his statement of defence, apply to a judge of the Supreme Court for an order transferring the action to that court.

Now, in other words, there is a 10-day interval. He may not move within that 10-day interval. That 10-day interval is the interval of the plaintiff, if we may put it that way, where he has his action in praecipe. After that has elapsed, then the defendant moves into the situation to protect what he thinks is his best interest. Under your legislation, the times run concurrently. The 15 days after the entry of appearance is the same 15 days as in subsection 3 of subsection 13 which the plaintiff has in which to exercise his praecipe proceedings.

Therefore, those nice little words, "after the expiration of," is after the 15 days under the minister's new legislation, that the defendant should be able to enter in and go before a Supreme Court judge and get the right to take his case to the higher court. I think there is an oversight there. Apparently the Attorney General agrees with me that an amendment must be made to the legislation under that head. That being the case, I will drop any further explanation of that point.

One final thing, under subsection 5, if no application is made—the defendant does not make his application to a judge—or praecipe issued under subsection 3 or 4 or the plaintiff does not go to the court to remove it within the time prescribed therein, or if an application made under subsection 4 has been refused—in other words, the Supreme Court says to the defendant, "No, I am not going to let you try this case in the Supreme Court"—then subject to subsection 6 (and this I do not understand, what does that mean?) subsection 6 as it presently exists says where the court or a judge makes an order under subsection 2 allowing the defendant to question the jurisdiction, he may direct the action transferred to the Supreme Court.

You have already ruled that out in my reading of this thing in your preliminary clauses right within that section, and what is subject to subsection 6 and to section 20. Well, that has to do with the set-offs and counterclaims, and I suppose it should stay in section 20, but not in section 6—"the jurisdiction of the court to try and dispose of the action shall be deemed to be established." And in the note that is given to us on the counter page it says that this is rewritten to remove some kind of difficulties, to quote, "to ensure that failure to take the procedures to remove the case puts the jurisdiction of the

county or district court beyond dispute."

Maybe I am deficient—I am quite willing to acknowledge it; one does not follow all the cases—but has this problem been a grave one? Has the Attorney General had overtures from the chief judge or any county court saying that this has caused jurisdictional quarrels within the courts as to whether or not the county court judge can hear such cases? I would have thought that under subsection 2 that was fairly conclusive. If the defendant does not do the two things that I have outlined, then it says here the question of jurisdiction shall not afterward be raised or the jurisdiction brought into question.

Hon. Mr. Wishart: Unless the judge so orders, or something like that.

Mr. Lawlor: Yes, but we have already ruled out the award that the judge follows, in subsection 6 upon the terms of section 5, where the defendant goes before the judge, the papers not having been praeciped, and making his overtures inside his pleadings, he goes before the judge to get the order, and the judge either accepts it, thinking it is a legitimate situation, that he should go to the higher courts or he jettisons the case.

Can there be any question about it, and has there been a question about it? Is there a case on the matter? Is there one pending before the Supreme Court of Canada at the moment, or is there anything like this that causes the Attorney General to draft this legislation in this particular form in order to make it determinate and convincive that this court, and not the Supreme Court, has jurisdiction?

I would take it, even as it stands on the wording, that the judge of the county court may nevertheless in his discretion apply Supreme Court measures of costs, should he so decide, because the matter comes out in the Supreme Court. The award comes out in a measure to justify such costs, exceeding $7,500 by a considerable sum of money.

One final thing about the legislation. I think you will find that there will be an inundation of cases into the county courts. And lawyers now very often—overwhelmingly, I would put it to you— sue in the county court even when they have a Supreme Court case in front of them. They do so for many reasons, you know—because of the cost situation to the client; because of some measure of expedition; because of judges they want to get; or any number of reasons. They start out in the court and many cases which are Supreme Court cases are continuing through. In raising your figure to $7,500, you are recognizing a basic fait accompli.

As you say, you had better keep a sharp eye on the situation, because this will give a cumulative vent to that previous position on the part of lawyers to take matters into the county court, rather than the Supreme Court. Having raised the thing from $3,000 up to $7,500 is a considerable leap. Some lawyers I spoke to thought that the overwhelming number of cases that were now going to the Supreme Court might very well devolve upon the county courts from this point on. They thought that the relief to the Supreme Court would be significant—and even worse than significant.

I do want to go into hectoring terms, you know, but they felt that the county courts would be swamped if this legislation comes into effect, and that the Supreme Courts would be somewhat denuded of cases because of the range of this. Well, I say, that being the case, we still have to test it and we cannot predict these things in advance.

We can discuss that particular clause at some length in committee, I suppose, but the clause does not seem to me to say anything. If it has a pertinency of meaning that escapes me, then I would be pleased to learn about it.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the Minister of Justice? The minister has the floor.

Hon. Mr. Wishart: Mr. Speaker, I take it from the remarks of the hon. member for Lakeshore that he agrees with the principle of the bill.

He has not been good enough to point out what he considers to be perhaps some error in drafting or oversight. In one case, I think, I follow him and I agree with him that perhaps there should be a change of one word from "within" to "after." I should like to consider the other.

I can assure him and the other members of the House that we shall deal with the points he has raised in committee on legal and administrative bills.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Hon. Mr. Wishart: Committee.

Mr. Speaker: Committee?

Mr. Lawlor: Committee.

THE GENERAL SESSIONS ACT

Hon. Mr. Wishart moves second reading of Bill 185, An Act to amend The General Sessions Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Singer: Committee.

Hon. Mr. Wishart: Committee.

Mr. J. Renwick (Riverdale): Legal and municipal.

THE JUDGES' ORDERS ENFORCEMENT ACT

Hon. Mr. Wishart moves second reading of Bill 187, An Act to amend The Judges' Orders Enforcement Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Committee?

Agreed.

THE HABEAS CORPUS ACT

Hon. Mr. Wishart moves second reading of Bill 188, An Act to amend The Habeas Corpus Act.

Mr. J. Renwick: Mr. Speaker, we have no comments on this bill, provided the minister is prepared to refer it to the standing committee on legal bills.

Hon. Mr. Wishart: I expect it to go to the committee on legal bills, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Committee?

Agreed.

Clerk of the House: The eighteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT

(continued)

On vote 507:

Mr. Chairman: Page 44. I might just point out to the committee that we have two votes left to complete in this department, votes 507 and 508. One is air management and the other is waste management.

The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, in an effort to finish up this evening I shall be as brief as possible.

The first item I wish to discuss is air management, and this concerns chimneys. Some months ago I had some correspondence with the minister (Mr. Kerr) regarding the cleaning of heating units which include, of course, chimneys.

In Montreal every chimney is swept annually and has been for the past 25 years. In Ontario, many chimneys have never been swept or cleaned. In Montreal, chimney sweeps work under the direction of the director of the fire department. They are not on the municipal payroll but they work under a permit. They must clean every chimney in their assigned district once a year. For the average house, the fee is less than $1.

Ontario has no regulations for the mandatory cleaning of heating equipment in full. There are regulations for boiler cleaning. Boiler inspectors are not required to inspect breechings and chimneys, although these are integral parts of any heating system.

One reason given by the minister for taking no action is that larger heating units, that is, commercial, industrial and governmental, are equipped with soot blowers. Now soot-blowers are used only with steam boilers of the high pressure type and these come under The Boiler and Pressure Vessel Act, and must be, I understand, attended by qualified engineers on a 24-hour basis under the jurisdiction of The Department of Labour.

A soot-blower is a steam or compressed air device which blows the soot through the tubes of the boiler into the breechings and into the chimney. The heavier particles remain in the breechings and chimney. The lighter particles are dispersed into the air, polluting the atmosphere. The soot-blowers clean only the tubes. They do not clean the breechings and they do not clean the chimneys and they certainly do not clean the atmosphere.

From one steam laundry in Toronto, back on April 26, 1970, 28 cubic yards of soot were

taken from the breechings and chimney. There was still another seven to 10 cubic yards still to be removed, mostly from the breechings. This is in a high pressure boiler heating system which had been cleaned out a year before. Surely, this is not a condition that can be allowed to continue? In home heating systems, even if the chimney base were cleaned out regularly, what happens to the soot clinging to the inside of the chimney? Particles are expelled every single time the furnace starts up.

This is a subject, Mr. Chairman, upon which I am not competent to speak with any great authority, but when Vancouver and Montreal insist on annual chimney cleanings, I must question whether they are wrong or whether Ontario is wrong. In Europe the regular cleaning of chimneys is part of the way of life, based on centuries of experience. Ontario's way is either better than that of Montreal or Vancouver or Europe, or it is worse. It certainly is not the same.

If our methods of not cleaning chimneys regularly is superior, we should be telling Montreal and Europe. If, on the other hand, we have something to learn from them, send some open-minded member of our staff on a trip to study European methods or else import an expert or two to broaden the knowledge and techniques of our own departments.

Switching over to the waste disposal, I have already brought up during question periods the matter of combining incineration of waste material and the production of heat and power. In Europe this is being done to the apparent satisfaction of everyone. They have developed air pollution devices to such a point that they can have a dustless, odourless and noiseless municipal incinerator in the very centre of a city. At the same time it produces steam heat and—

Mr. Chairman: Order, please. Is this under air management or in the next—

Mr. Burr: This is waste disposal.

Mr. Chairman: Well, perhaps it should—

Hon. G. A. Kerr (Minister of Energy and Resources Management): We are on air pollution.

Mr. Chairman: Yes, that is right.

Mr. Burr: Are we not cleaning up the two votes?

Mr. J. W. Snow (Halton East): Which way do you take that?

Mr. Chairman: Well, perhaps we should do 507 first of all, then we will get to 508. I think we should do 507, air management first, and then we will get to waste management.

Mr. Burr: I was trying to save time so that the minister could—

Mr. Chairman: Does the minister care if we cover them both at the same time? They are related definitely.

Hon. Mr. Kerr: That is all right.

Mr. Chairman: The member may continue. We will cover these two at the same time.

Mr. Burr: I may continue?

Mr. Chairman: Yes, you may.

Mr. Burr: Thank you. At the same time it is producing steam heat and electric power. Incidentally, there happens to be an account of this in the *Readers Digest,* edition of April, 1968. It is not a technical magazine but one of some interest in this matter.

Now, Ontario badly needs leadership in this field, and it is up to the waste management branch to give it. I suspect that this staff, like many others, is short-handed and could benefit greatly from the vast amount of research and trial-and-error experiences the Europeans have had. In saying this, Mr. Chairman, I do not underestimate the need to recycle as much rubbish as possible and to return to the earth as much garbage—that is organic material—as possible.

Continuing on with waste management, I want to make a very brief comment on Lake Erie and the phosphates that are being disposed of there. Now that it is known that Lake Erie's western basin is completely devoid of oxygen, at least in summer, and that the huge central basin is almost devoid of oxygen, what action is the government of Ontario going to take? Dr. Noel Burns—

Mr. Chairman: I believe this is water pollution you are talking about and we have completed that.

Mr. Burr: No, it is the phosphate pollution.

Mr. Chairman: Well, we are just dealing with air management and waste management.

Mr. Burr: Well, the waste is the phosphate. However—

Mr. Chairman: No, I think we have covered that under water pollution.

Mr. Burr: All right, Mr. Chairman. In order to speed this up I shall conclude with a couple of questions concerning the Hearne plant. That is air management all right I think? Thank you.

I would like to ask the minister about the coal that has been and is being used there. My information is that we were using United States coal that had a sulphur content of between 1.7 and perhaps 2.0—

An hon. member: Two point nine.

Mr. Burr: —and that we switched over to Alberta lignite which has a content of about 0.8 or 0.9, and it is my understanding that the American coal with a higher sulphur content had a Btu rating of somewhere over 13,000, perhaps 13,500, and that the Alberta lignite has a rating of about 7,500 Btu.

Now if this is true, then we are using almost twice as much of the Alberta coal and the price is about the same within a few cents, so we are using twice as much money and the sulphur dioxide emissions are just about the same because of the total amount used. Also, the total of all the other emissions has doubled because of the doubling, or almost doubling, of the amount of coal used, and I understand that this is also causing boiler problems.

Would the minister enlighten me on these points please?

Hon. Mr. Kerr: Mr. Chairman, regarding chimneys and chimney sweeps, as the hon. member knows, if you are burning oil, most oil companies maintain and clean domestic chimneys. They usually do this as part of their service, as well as servicing a furnace operation usually at the end of a season or during the off season.

Mr. G. Ben (Humber): Is that in Burlington or all over?

Hon. Mr. Kerr: I think that is pretty well all over.

Mr. Ben: I am going to change oil companies then.

Hon. Mr. Kerr: I think one of the things we should remember, Mr. Chairman, is that during our investigations and our programme of controlling emissions and setting certain levels of emissions, that if a chimney or if a stack in some way does not meet our standards, we therefore prosecute or enforce our standards.

There has never really been, since coal has been used less and less for domestic use, any great system of regular chimney cleaning, or firms that do this particular service, for a number of years now. Whether, for example, in Montreal, as the hon. member referred, there are more problems or not, I do not know. Certainly there is more use of coal in Montreal, there is more use of coal in that whole area of eastern Canada, and there is more need, therefore, to have some sort of a programme. Whether or not this is regulated, I am not prepared to argue.

The hon. member mentioned certain things that are being done in Europe and I think that in Europe there has been a practice of a regular system of cleaning chimneys. This, of course, is almost absolutely essential because of the years of use of bituminous coal or soft coal on that continent, and really—in many respects—the use of chimneys in Europe becomes a fire hazard if there is not this system of keeping the chimneys clean. I do not think that is the case in Ontario.

Swinging to waste management, the hon. member discussed municipal incinerators and the use of garbage to produce heat. This is something that we are looking into. We had an opportunity to see some similar types of incinerators on our recent European tour. They have, in some areas, perfected this method of generating heat, particularly for residential and commercial use. So I might say we have stepped up our investigation into this.

It will mean adapting some changes in our present incinerator process, adapting to Canadian conditions which may be different from over there, but as a result of our investigations we are looking into this and we are hoping that it will develop into something here which will be less of a problem of waste disposal, and at the same time, it can be used, as the hon. member suggests, to generate heat.

Regarding Ontario Hydro and the use of lignite, Ontario Hydro has purchased lignite mainly for trial purposes. They are still investigating it; comparison of relative amounts of SO_2, for example, has not been made, as yet. The test is mainly for combustion efficiency and if, of course, this particular product or substance can be used for generating heat, there is no question about it, it will be a great saving and, I would suggest, a lesser problem of pollution. I believe the source of this lignite is western Canada and I think the hon. member did mention that.

I am sorry I did not get the last point the hon. member made. I would be happy to refer to it later.

Mr. Burr: That point was that the lignite apparently has a rating of 7,500 Btu and the American coal that we used to use has around 13,500. Therefore we must use almost twice as much of the Alberta lignite and the sulphur emissions would be not much less, and yet the total of all the other emissions would be almost twice as much. If that is the case we did not improve the situation at all. In fact it seems to me to be worsened.

Hon. Mr. Kerr: That is right, Mr. Chairman. The hon. member, therefore, is not recommending lignite. I would assume that our tests could very well verify the submissions of the hon. member and if this is so, of course, we will not use it because the transportation costs, for example, of bringing coal from Alberta to Ontario are just not low. Who knows, we may look to the Maritimes for fuel.

Mr. Chairman: The hon. member for Humber.

Mr. Ben: Mr. Chairman, I recall when the Hearne generating plant was being constructed in this province by Ontario Hydro that I had objected at that time to them constructing coal fired plants. This minister was not then the Minister of Energy and Resources Management, but, nevertheless, he was starting to reap the bad seeds that were sown by his predecessor.

I pointed out at that time that constructing these electricity producing plants that had electricity generated by coal, would entail the importation of some six million tons of coal a year from the United States. The cost of importing such coal, the cost of transporting such coal, I pointed out, was such that we could find ourselves in the power of a foreign power for our power.

Well, it has not taken that situation long to materialize. Indeed, the steel company in Hamilton has been asking the Seaway authority to keep open the Welland Canal system longer than usual so that it can bring in more coal from the United States before the freeze sets in, when it will be short of coal. I do not know, Mr. Chairman, whether this, in fact, applies to the Hearne electricity generating plant, but I rather suspect that it is true. If a big company like the Steel Company of Canada is experiencing difficulty in stockpiling sufficient supplies of coal for its purposes, then the same situation must pertain to the generating plant.

I said at that time that it was shameful that Canada, and especially Ontario, being the largest producer of uranium in the world, having the largest known stockpile or sources of uranium, Ontario—which was going all over the world trying to peddle its uranium—found that it could not sell it to its own government. At any rate we are now faced with possibly a shortage of coal and the resultant pollution.

I extracted from this minister earlier in the year, or late last year, that Ontario Hydro was using coal with a sulphur content that was from 15 to 25 per cent higher than that used by the Hearne generating plant here in the city of Toronto. He tried to wave that aside by saying that a low sulphur content fuel was difficult to obtain, which is true at the present time, but I pointed out that in New York State legislation was enacted which would make it compulsory to use coal having no larger sulphur content than one per cent, and I asked the minister if he intended to pass such legislation here. The answer was, no.

Now, coal produces more than the sulphur dioxide that we have been speaking about so frequently in this House. Sulphur dioxide, as most of the members know, when combined with the moisture and particles in the air, becomes sulphurous acid, and irritates the nose and the throat causing the lining of the membranes and the bronchial tubes to become swollen and eroded, and even some clogging of the small arteries and veins. We have seen the effect of this in other parts of the world.

Coal also produces carbon monoxide. We have a bad tendency to think coal only produces sulphur dioxide. It also produces carbon monoxide, which in large doses results in a lower concentration of oxygen in the blood and tissues and, as we know in the case of automobiles operated in close quarters with no air circulation, often causes death.

It also produces ozone, a very powerful oxidizing agent which irritates the passages causing chest pains, coughs, shortness of breath and nausea.

A lot of the members who walk up here from the hotels down on the waterfront attribute their coughing and their chest pains and their shortness of breath and nausea to the fact that they are getting on in years when all it is is walking past the generating plant—

Mr. H. Peacock (Windsor West): If they just drove an air-conditioned limousine like the minister does.

Hon. Mr. Kerr: It was not in the atmosphere.

Mr. Ben: It was in the atmosphere. I can tell you it was in the atmosphere and I am asking you to take it out of the atmosphere.

Out of coal also is obtained nitrogen dioxide as a byproduct and exposure to nitrogen dioxide in high concentration also results in acute obstruction of the air passages and inflammation of the smaller bronchi. Then there is hydrogen sulphide, a deadly gas which most of you are familiar with, having played with it one way or another in high school. That is the stuff that smells like rotten eggs.

In 1950, in Poza Rica, in Central Mexico, this gas escaped from the gas feeding system of the natural gas plant that they had down there. There was a temperature inversion at the time and the windlessness kept the gas near the ground with the result that 22 people died and 320 were hospitalized. We also suffer from that when we use large amounts of coal where we do not have wet scrubbers in the chimneys to scrub out these pollutants.

I am not going to talk about dust too much because I think you all know that dust, such as silica and asbestos, is a very serious problem, in the factories and in the mines where workers become seriously ill.

All this kind of pollution which is spewed from the use of coal costs us money besides costing us our health. As for medical expenses, we know that we have to increase our services, we know we have to increase our facilities and we will have to use more medication to combat the ill effects of pollution. Sulphur dioxide becomes sulphuric acid which corrodes steel, especially autos, bridges, and so forth. We spend huge sums, especially the Minister of Highways (Mr. Gomme) to combat the ravages of sulphur dioxide.

Our cars need washing more frequently, not just to keep them clean but to counteract corrosion which comes through the air. At one time, I recall when I was striving to have the Minister of Highways add sodium hexamelophosphate to the salt—

Hon. A. Grossman (Minister of Correctional Services): Watch your language.

Mr. Ben: It is a corrosion inhibitor. The minister answered, not this minister, the Minister of Highways, that it was a waste of time, that most of the corrosion was caused by the pollutants in the air. I do not care how they are caused. Wherever the pollutants come from I do not like them in the air that my consituents breathe, that I breathe, that my children breathe, that my neighbours breathe.

Houses need painting more frequently, both to preserve them and to decorate them. Sulphuric acid, which is derived from sulphur dioxide, causes some clothes to disintegrate. Do you remember the big panic that we used to have in the city of Toronto because women's nylons, women's nylon clothing, were more or less disintegrating before their very eyes? A girl would step out on a street in downtown Toronto with a brand new pair of glamour nylons on, pleased with the shapeliness of her legs, to expose five minutes later a run which just about left her in tears and her pocketbook empty.

Sulphur dioxide also damages eavestroughs, TV antennas, storm windows, aluminum screens, numerous things, you name it.

What are we going to do about it? It is well known that the minister acknowledged that these things are happening and he was doing something about them. If I remember correctly, the previous minister lost this particular portfolio because he said there was going to be an end to pollution by 1970. Needless to say, he faltered somewhere and the date was pushed back to 1972. I do not think we are going to have many more results in that time either. So what are we going to do? Well, the thing is we have got to stop using this high-sulphur-content coal for heating purposes. But it is not enough that we just do not use coal which has a high sulphur content, as say the chimneys should also be cleaned. It is true; they should even be cleaned from oil. I was gratified to hear from the minister that, at least, in his locality, oil companies that supply heating fuel to private residents are in the practice of cleaning out customers' chimneys. They have not come around to clean out mine and I am certainly going to look into this and find out which companies do supply this service. I can assure my present supplier of fuel oil that as soon as I find out, there is going to be a new truck driving up to my house.

The passage of a law to make it compulsory to have a furnace examined and adjusted is in order. Most furnaces, as the minister points out, that is, most oil furnaces are cleaned annually by the fuel companies, and I think that natural gas furnaces, or furnaces which burn gas supplied by the major gas companies, Union and Consumers', also supply free cleaning of furnaces. In my area I was having my furnace cleaned free of charge and adjusted. Well, the hon. member for Windsor-Walkerville (Mr. B. Newman)

says that they have not been enlightened to that extent down in his area and I trust that he will get after them and—

Mr. B. Newman (Windsor-Walkerville): They say that you pay for it.

Mr. Ben: —set the ground rules for them.

Here we are fortunate, the competition is so great in Toronto that most, if not all, companies that supply fuel oil for heating purposes do look after your furnace free of charge. You can take out insurance against the risk of replacing parts. That is one of the services they offer. At any rate, this is one of the things that we can do that can cut down on pollution from domestic sources. Obviously, we have to follow the lead of New York and pass a law reducing the sulphur content of the coal used in generating plants by private commercial enterprises, even public commercial enterprises, because I note from the list that the minister was so kind to supply to this House yesterday or the day before, that some of the worst miscreants of pollution in Toronto at least are public bodies, such as the commissioner of works for Metropolitan Toronto, Ontario Hydro in Toronto—

Interjections by hon. members.

Mr. Ben: No, there are not that many of them so just relax: Lambert Lodge, Wellesley Hospital, Toronto General Hospital, York University, Toronto Terminal Railways—everybody is guilty of these offences. So we must have some control on the type of fuel that is used.

We also have to control the emissions from automobiles. I asked the minister a question today about regulations governing pollution—

Mr. Peacock: You did not happen to say that in the main office vote, did you?

Mr. J. E. Stokes (Thunder Bay): You are contributing to noise pollution now.

Mr. Ben: No, I did the hon. members the courtesy of not speaking to them when they were speaking. Perhaps you will give me the same courtesy.

I asked the minister about any regulations or statutes which would govern emissions from automobiles. He mentioned that he had followed more or less the California law but when I tried to pin him down and asked him the citations, he could not provide them. In California, they have some very stringent laws and they set up some bodies to deal with these problems. They have divided the state into basins, to fulfil the purposes or provisions of the particular Act and this division must have taken place not later than January 1, 1969.

They required all these basins to adopt standards of air quality. They required intergovernment rules and regulations in accordance with the provisions of The Administrative Procedure Act in California. They had to adopt emission standards for all nonvehicular air pollution sources. They had to conduct studies and evaluate the effects of air pollution upon human, plant and animal life. They had to encourage a co-operative state effort in combating air pollution. They had to take an inventory of sources of air pollution within the basins of the state and determine the kinds and quantity of air pollutants, and they had to monitor air pollutants in co-operation with other agencies to fulfil the purpose of this Act.

This is not all they had to do. It goes on and on and on and you can run through most of the alphabet.

What has this government done toward something like that? Not a thing. All they do is tell us that they are going to bring in regulations. In 1967, we passed The Air Pollution Control Act and, to the best of my knowledge and belief, this Act was not proclaimed until 1969, I am not quite sure which date it was.

For two years they just sat back and did nothing. What good is it crying about pollution and pressing it on radio and in other communication media when this complacent government just sits on its fat haunches and keeps on giving us platitude after platitude?

Well, God bless the minister! He has just sent up by page boy the regulations made under The Ontario Pollution Control Act, 1967, governing contaminants for motor vehicles.

Mr. I. Deans (Wentworth): Why did the minister do that? Now the member for Humber is going to read them into the record.

Mr. Ben: No, I am not going to read them into the record, but I am grateful that the minister sent them over. I do not know why the hon. member is so impatient and why so anxious to get home.

Interjections by hon. members.

Mr. Ben: It bothers me that nobody interfered with the previous speaker and, all of a sudden, every time someone gets up to make some kind of a point, the gaggle to the left side starts to cackle, but so be it.

Anyway, Mr. Chairman, through you to the minister, I think this government has been complacent long enough and I think we have to start taking stringent actions. To begin with, I think it is about time that we passed laws to prohibit so much waste, to recycle as much as we can. I think it is deplorable that one's weekly groceries—now costing more—after they are used, leave pounds of paper, cellophane, tin cans, glass and what remain are thrown out, never to be used again.

I think it is deplorable that so many trees are chopped down to supply these papers and cellophanes for this purpose and thereby deprive us of oxygen-producing plants. I think we ought to press for education in ecology and appreciation of our environment from kindergarten on. I do not think it is sufficient that we have to rely on Pollution Probe, although it is doing a spectacular job in that respect.

I think this government has to wake up and be increasingly aware of the public concern in the country and answer why the citizens of this or any country should be poisoned by waste and blasted incessantly by noise, or endure the stench of unburnt fumes. I think that the public has got to wise up and—I was going to say "take up arms" but those are bad words with what is going on in Quebec—but anyway they should rise up in opposition to industry polluting our environment and compel them immediately to clean up this pollution. I think we ought to stop the paving of our lands with highways, which again cuts down on the grass areas which produce oxygen.

Mr. Chairman, I think I have covered as much as I can in the short time that the closure crowd to my left will permit. Obviously they do not like anybody else speaking in this House except them. In any case, there are more than these pollutants in the air, so I think that I will just ask the minister to please take some concrete steps toward bringing about a definite abatement in the pollution that is being spewed into our environment from smokestacks, from industry, and in the waste that is being generated by individuals and give the people of the province, and the world, as a matter of fact, a chance to live long enough to get their Canada pension whenever that comes about.

Mr. E. W. Martel (Sudbury East): Mr. Chairman—

Mr. Chairman: I might point out that there are two other members who wish that they—

Mr. Martel: All right, I will make it short.

Mr. Chairman: Govern yourself accordingly.

Mr. Martel: In 1963, in the entire United States, from refineries and smelters there was a total emission of SO2 of a little over three million tons. We get in the Sudbury area, Mr. Minister, per year—an area of 1,200 square miles—a million and a half tons. In the past year, Mr. Minister, your department has come through with two press releases which to the majority of the people in the Sudbury area are a little nauseating.

What in effect you are doing with Falconbridge, Mr. Minister, is you are reducing their emission from 1,028 tons per day to 460 tons per day or 13,800 tons per months. In Trail, BC, in 1929 they had a clean up and they were only permitting 18,600 tons per month. In effect, by 1975 from Falconbridge alone we will have a total emission of 4,800 tons a month less than Cominco had to clean up in 1929. And one thing that your announcement forgets to include, Mr. Minister, is that Falconbridge is expanding and nowhere in this press release do I see your department taking into account the amount of increase of SO2 emission that will come from the increased expansion at the Falconbridge Nickel Company holdings. It is a sellout, pure and simple.

But if that is not bad enough, Mr. Minister, your latest release in August regarding the big daddy in Ontario, the International Nickel Company, indicates that by 1978, eight years hence, they will have reduced by 90 per cent, despite the fact that the present times are already six times larger than Falconbridge. So even if you do reduce it by 90 per cent, by 1978 the combined emissions from Falconbridge and from Inco will be far in excess of what Cominco had to clean up when faced by court action of the American government in 1929.

Now, it is interesting in your announcement, Mr. Minister, that by December, 1972, sulphur dioxide emissions at the iron ore recovery plant in Waters Township will, through enlargement of the sulphuric acid plant, be reduced by 90 per cent. That is interesting because Inco is making money, or whoever is related with them is making money. But in Coniston it will be 1978 before you reduce the emissions by 90 per cent, because in reducing the emissions by 90 per cent there, it will mean no problem.

And we really cannot do too much that would be detrimental to Father Inco, can we? Because you know this year their profit was only $100 million after taxes for the first

six months, and we do not want to do anything to disturb them.

What you in effect admit, Mr. Minister, in this statement is that the technological know-how is there, that you are allowing the International Nickel Company eight years to install it. Now you can tell me all about their new stack. The new stack was primarily built to increase production. That will be as a result of 20 per cent more of the tails being brought in from Shebandowan plus the fact that two of the stacks are ready to fall over.

So the curtailment of sulphur dioxide was just something that was thrown in as an afterthought, and I suggest to you, Mr. Minister, that this does not cut the mustard with the people in the Sudbury area. And I suggest to you that you can kiss one member goodbye, from the Tory backbenchers, and largely due to this—because the member for Nickel Belt (Mr. Demers) just is not going to retain that seat. The people in the Sudbury area are fed up to the gills with the nonsense. And your own press releases give you away.

Mr. Snow: Do you think you will retain yours?

Mr. Martel: I will be back; I will be back; do not worry.

An hon. member: We are not too sure about the member for Halton East.

Mr. Martel: I am suggesting, Mr. Minister, that you admit, by your press releases, the technological know-how is there. This has been presented in the House in the past in a number of ways, and I just think that in face of such a big company the government has not got the fortitude, the intestinal fortitude, to lay it on the line.

It is very interesting, Mr. Minister, that I can make one complaint to you about National Steel and they are hauled into court—and thank God they were—but the complaints against International Nickel have been there for years and no one has ever managed to get them in court, and Mr. Chairman—

Mr. E. Sargent (Grey-Bruce): They are big contributors to the Tory slush fund though.

Mr. Martel: I just want to advise the Chairman I am talking about water pollution. But I just threw that in because I knew you would cut me off, Mr. Chairman.

Mr. Sargent: I ask the minister, how much did they give?

Mr. Martel: We got National Steel in court in a hurry, but we cannot get Inco in—

Mr. Snow: We all have our resources.

Mr. Martel: —despite their having polluted every water body in the area. So I suggest, Mr. Minister, that you get down to brass tacks, that you revise this programme. I realize that it is going to take some time to install this type of equipment but by God not eight years, and I would hope you get on with it immediately.

Mr. M. Makarchuk (Brantford): If you do not, we will.

Hon. Mr. Kerr: Just a brief reply, Mr. Chairman, the hon. member, of course, has sort of flogged poor old Inco on many occasions, but one thing one can say about his community is that there is no unemployment, and I think some credit should be given to Inco and Falconbridge.

Now, to get back to air pollution, the hon. member is making a great deal out of the fact that this programme matures or ends in eight years and I think when you see the size of the process—there is a complete change of process at that plant; this is a large plant, I do not have to tell the hon. member that—there are millions and millions of dollars involved in air pollution control. It takes a long time to spend that kind of money.

Mr. Makarchuk: How many millions?

Hon. Mr. Kerr: I think it is about a half a billion dollars for this particular industry alone, not to mention Falconbridge. That does not include the stack.

Mr. Martel: Oh, the stack.

Hon. Mr. Kerr: Well, the stack is 1,200 and some odd feet and it survived that storm. You have got to give us some credit.

Mr. Sargent: Come on, that is $500 million.

Hon. Mr. Kerr: There are new plants involved here, complete new plants and complete new processes.

Mr. Makarchuk: And your total investment is not half a billion.

Hon. Mr. Kerr: I think the important thing here is to realize that any programme or any ministerial order that we serve on a company, such as Inco or Falconbridge, involves a great deal of technology, a great deal of scientific know-how, and it is very difficult really to stand up and criticize because it happens to take a total of eight years. You must remember that the ministerial order

requires these companies immediately to do something, so there is a continuous improvement over the eight-year period, so that at the end of that period, this company, regardless of future expansion, we hope will no longer be a problem as far as poisonous emissions are concerned in the Sudbury area.

This is our objective. I think, in spite of the wealth of the company to which the hon. member refers, this is a very expensive process. The hon. member talked about SO2 and using sulphur dioxide as a byproduct. That market is pretty well gone. There is no great advantage to the company as far as that is concerned, whereas in Trail it was a different process altogether, a different situation altogether, where they used it as a fertilizer.

Mr. Martel: Right. The American government was after it.

Hon. Mr. Kerr: So I do not think we should knock these two companies.

Mr. Makarchuk: They are such a benevolent group of companies, are they not?

Hon. Mr. Kerr: The air management branch of my department is satisfied with these programmes and it will have a great marked improvement on the condition of the atmosphere over the hon. member's city.

Mr. Martel: May I ask one particular short question?

Mr. Chairman: I think we should divide this time up.

Mr. R. Gisborn (Hamilton East): On a point of order, Mr. Chairman—

Hon. A. Grossman (Minister of Correctional Services): Would this be a good time to break?

Mr. Chairman: I am just wondering if these votes would carry. There seems to be a desire on the part of the members to do so.

Mr. Gisborn: That is why I rose on a point of order. I caught your comment when the member for Sudbury East started and we had 15 minutes left that he accordingly pace himself. I did not think that you meant that you were cutting us off at 10:30.

Mr. Chairman: The Chairman is not cutting it off, but there seemed to be a desire from the comments I was getting here that you wished to complete these two votes, but if we do not that is something that is up to the House.

Hon. Mr. Grossman moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, before moving the adjournment, tomorrow we will continue with these estimates, and if we complete them, we will proceed with the continuing discussion of the estimates of The Department of Education. If we should finish those, there will be the estimates of The Department of Revenue.

Hon. Mr. Grossman moves adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.

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No. 126



Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Friday, October 16, 1970

Morning Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, OCTOBER 16, 1970

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: This morning our guests in the galleries are students from the Givens Senior Public School in Toronto.

Oral questions.

IMPLICATIONS FOR ONTARIO IN WAR MEASURES ACT

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Premier.

In view of the proclamation by the Governor-General-in-Council of the coming into effect of The War Measures Act, does the Premier anticipate that there will be any necessity to invoke these provisions in the province of Ontario?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, no, I really do not. I am conducting some study as to just what the implications are. But as I understand it the Act itself would apply right across Canada. In other words it is not restricted to any one area or province.

The whole secret to the thing, in my mind, would lie in how it is exercised. I mean we have a situation where the federal government considers that for the safety and well-being of our country as a whole this is necessary. Now I assume, in fact there is no doubt in my mind, that these provisions will be applied to meet the emergency conditions they are designed to meet and at the moment I do not think they would have application in Ontario at all.

Mr. S. Lewis (Scarborough West): A further supplementary, Mr. Speaker: What consultation was there with the government of Ontario and the Premier of this province prior to proclaiming the orders-in-council this morning?

Hon. Mr. Robarts: Mr. Speaker, I was aware that the government of Canada was considering this move and I was so informed by the Prime Minister of Canada.

Mr. Lewis: By way of supplementary, I am not asking for details of the conversation, but was the Premier more than informed? Was he told the substance of implementing it? Was the necessity or the justification for it discussed with the Premier of the province?

Hon. Mr. Robarts: Mr. Speaker, the government of Canada has its responsibilities and this is one of them.

Mr. Lewis: It is also a federal system.

Hon. Mr. Robarts: It also is a federal system, but constitutionally the powers are divided under that federal system—

Mr. Lewis: Agreed.

Hon. Mr. Robarts: —but as a matter of practical operation we have quite a high degree of consultation and co-operation between the various levels of government. So I could not say that the situation would be this: that if we said we did not like it, it would not be done. All I can say is that we are consulted.

Mr. Lewis: A further supplementary, Mr. Speaker: Has the Premier of Ontario thought of any civil libertarian areas which can be preserved or reinforced during this period of emergency, whether in Ontario or other parts of the country, and has he so discussed with the Prime Minister of Canada?

Hon. Mr. Robarts: That is a very general question. I really do not understand what the member means. Does he mean certain sections of the population, certain geographic areas that might be exempted?

Mr. Lewis: Yes, right.

Hon. Mr. Robarts: I do not believe that anyone can be exempted. I believe the terms of the order-in-council do apply to the country as a whole.

Mr. Lewis: I am just wondering whether there is anxiety on the part of the Premier, whether there is any thought in the Premier's mind of discussing with Ottawa the implications of the emergency Act?

Hon. Mr. Robarts: Mr. Speaker, I would simply say that I have a good deal of confidence in the federal government—

Mr. Singer: Hear, hear.

Hon. Mr. Robarts: —and I am quite convinced in my own mind that they are not going to abuse the powers that have been given to them by this order-in-council. I have confidence in their judgment that they considered it necessary or they would not have done it.

Mr. Lewis: By way of supplementary—

Mr. Speaker: This is becoming a debate. I will—

Mr. Lewis: Could I ask one final supplementary? Does the Premier think the Canadian people, the Premier of Ontario or the Province of Ontario deserve a fuller explanation to indicate why these measures were invoked?

Interjections by hon. members.

Mr. J. B. Trotter (Parkdale): What does the member want—chaos? These questions are irrelevant.

Mr. Lewis: May I continue, Mr. Speaker? On the assumption that there was or is incipient insurrection in Canada which is the basis for The War Measures Act being declared, does the Premier not think that some explanation might be given to the country as a whole before proclaiming it?

Hon. Mr. Robarts: Mr. Speaker, I firmly believe that the explanations and the reasons are open for all to see. I also think that in the discharge of its duties—

Mr. Lewis: The Attorney General (Mr. Wishart) did not think it was necessary.

Hon. Mr. Robarts: —the federal government has to deal with an extremely difficult position, a very difficult situation which affects everybody in Canada. It is an emergency situation and they have to decide how they are going to deal with it.

Now, I really do not think that we have time to sit down and have a three-week debate—

Mr. Lewis: I am not asking for a conversation.

Mr. W. G. Pitman (Peterborough): Just a phone call would help.

Hon. Mr. Robarts: —or even a two-day debate.

Mr. Lewis: Just a consultation on this one.

Hon. Mr. Robarts: I will tell the House that we have consultations, and I have told the House we had. I made some statements myself this week that indicated what the position of this government was and what we felt about the situation generally, so it is all there for anyone to see.

Mr. J. Renwick (Riverdale): Mr. Speaker, by way of supplementary question—

Mr. Speaker: I think this matter has been explored as far as reasonably need be done at this time and I would—

Mr. J. Renwick: Surely, Mr. Speaker, on a point of order, on a morning of an emergency—

Mr. Speaker: There is no questioning of the Speaker's ruling with respect to oral questions. That is the rule.

Mr. Lewis: This is a democratic assembly.

Mr. Speaker: The hon. deputy leader will have an opportunity to ask his questions at a later time this morning. Other members must have an opportunity.

Some hon. members: House leader.

Mr. Speaker: I have been away.

Mr. Lewis: This is the first time in peacetime this has been proclaimed and you give it seven minutes in the House.

VALUE, COST AND REASONS FOR ADVERTISEMENT SOUGHT

Mr. Singer: Mr. Speaker, I have a question of the Prime Minister.

In view of the full-page, multi-coloured advertisement that appears on page 3 of this morning's *Globe and Mail* over his signature—

Mr. D. C. MacDonald (York South): That was dealt with yesterday.

Mr. J. Renwick: Now we are back to the important matters of the democratic system.

Mr. Singer: —could the Prime Minister explain to us the value—

Mr. Lewis: You know, this is the first time in peacetime that the measures have been declared and—

Mr. Speaker: The hon. member will have his opportunity to ask questions.

Mr. Lewis: Right. Now we are back to the advertisement.

Mr. J. Renwick: This was asked yesterday and replied to by the government.

Mr. Lewis: Right. It has already been dealt with three times in this House.

Mr. Singer: Could the Prime Minister explain the value of this advertisement and the cost of it and the purchase of it?

Hon. Mr. Robarts: Mr. Speaker, I will answer this question as I did yesterday when I was asked by the hon. member for Waterloo North (Mr. Good). The Minister of Trade and Development (Mr. Randall) made a complete explanation to this House; it is in *Hansard.* I think he set out the cost and the reasons, and I would refer the hon. member to that issue of *Hansard.*

Mr. Singer: Well, Mr. Speaker, by way of supplementary, this is—

Mr. MacDonald: On a point of order, Mr. Speaker. The Prime Minister has indicated that this question has been asked; it has been replied to. Why is the question not out of order? It is in your power, sir, to exercise it since you exercised your powers a moment ago and cut off discussion on a very important issue.

Some hon. members: New leader.

Mr. Singer: Mr. Speaker, first replying to the point of order: This question could not have been asked yesterday because this ad appears in today's newspaper.

Interjections by hon. members.

Mr. Speaker: If the hon. members of the New Democratic Party would allow the Deputy-Leader of the Opposition to complete his questions—

Interjections by hon. members.

Mr. Speaker: —then it will be their turn to ask questions and they can return to the subject at the moment that is interesting them. The hon. member for Downsview.

Mr. Singer: Mr. Speaker, by way of supplementary question: In view of the fact that the ad is in today's paper and that the answer given by the Minister of Trade and Development could not possibly apply to this one, has the Prime Minister anything further to add?

Hon. Mr. Robarts: Mr. Speaker, that is a quibble to which I will pay no attention.

Some hon. members: Hear, hear.

Mr. MacDonald: The question was out of order.

Mr. Speaker: Has the member any further supplementaries? The member for Scarborough West has the floor.

Mr. Lewis: I would prefer to defer if I may, Mr. Speaker.

Mr. Speaker: The member for Riverdale.

REQUEST FOR STATEMENT ABOUT WAR MEASURES ACT

Mr. J. Renwick: Mr. Speaker, I would like to ask the Prime Minister whether, in the light of the events of the morning and in the light of the federal system that we have in this country, it is not incumbent upon the Prime Minister of this province to make a statement to the public about the extent to which he thinks these powers are going to be exercised and the extent to which he expects to be consulted insofar as the application of The War Measures Act and the emergency powers are exercised in the province of Ontario, recognizing that they apply to the country as a whole?

Hon. Mr. Robarts: There may be some virtue in what the hon. member is asking, except I would say this, that I have made several statements as to what our position is vis-à-vis the situation. These measures were invoked at 5 o'clock this morning; this is a quarter after 10—five hours and 15 minutes ago.

Mr. Lewis: Bill Rathbun is under the gun.

Hon. Mr. Robarts: It is going to take a little time to assess the points that you are making. On the other hand I say this, as I have said before, we feel the federal government must do what it needs to do, as must we, to ensure that we do maintain our democratic process in this country and we are not ruled by blackmail, and we are not intimidated by terrorization, kidnappings and threats of personal violence to any individuals. Perhaps right now, in answer to these questions, I am doing exactly what the member suggests, I am quoting our position.

Now I can only say again—and repeat—that they are very broad powers. Of course, we all look upon them, with what is the word

I want to use?—some trepidation because improperly used they can be a very damaging, harmful and hurtful thing to our society and to our country.

Mr. Lewis: That is why we are asking the question.

Hon. Mr. Robarts: I can only say and repeat—

Mr. Lewis: Apprehension.

Mr. Pitman: That is the point—

Hon. Mr. Robarts: I am saying to the House I have complete confidence that they will not be so used, and there the matter rests. Now for my own information, I want to get into the details. I have not got a copy of the actual document, but we are making arrangements to get one.

Mr. H. Peacock (Windsor West): Does the Premier mean the Act or the regulations?

Hon. Mr. Robarts: The Act and the regulations. I want to see precisely and legally exactly what the full implications are. I have read various newspaper stories this morning, giving interpretations of them, but I would like to see for myself.

For the moment, in view of the fact there is an emergency and in view of the fact the federal government has acted to meet an emergency, as has the government of the Province of Quebec, I think that I would stand in my place here and say to the people of Ontario that we concur in what has been done.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick: By way of a supplementary question: Would the Prime Minister assure the House that in the next several hours there will be the closest possible consultation, if it requires the initiative of the Prime Minister, with the federal government about all aspects of this drastic action which has been taken this morning?

Hon. Mr. Robarts: Mr. Speaker, I can simply tell the House that this is what we do; this is what we have done.

Mr. Lewis: But yesterday the Premier had not been talked to.

Hon. Mr. Robarts: My conversations took place after the question period yesterday.

Mr. Lewis: Yesterday the Attorney General said the Act was not necessary. The Attorney General of this province—

Interjections by hon. members.

Mr. Speaker: Order, order! The hon. member has asked his questions.

Hon. Mr. Robarts: I was not here and I did not hear what he said.

Mr. Lewis: He was expressing confidence in our own police power.

Hon. Mr. Robarts: Well, he may very well have been referring to the fact that he is responsible and our police are responsible for the situation in Ontario. And it may very well be that I would agree with him.

Mr. Lewis: We agree.

Mr. MacDonald: That is the point.

Hon. Mr. Robarts: But the point that I am making—and I have made it several times but I will make it again—is that the Act applies to all of Canada and it is up to us to have some confidence in our federal government that they are not going to run madly around the country using this power in areas where it is obviously not needed. This seems to me to be pretty elementary.

Mr. Lewis: We want to know what occurred in the interim.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, on a point of privilege. The leader of the New Democratic Party is citing some press report; I made no such statement in this House as he mentioned a moment ago.

Mr. MacDonald: It was on radio and TV last night at 11 o'clock.

Hon. Mr. Wishart: And if the members would carefully examine my statement they will find it related to our own situation here.

Interjections by hon. members.

Mr. Lewis: I am on a point of privilege, Mr. Speaker. I did not mean to imply—

Interjections by hon. members.

Mr. Speaker: Order

Mr. Lewis: The Attorney General is firmly on record, visually, through the electronic media, as to what he said. I think that was quoted accurately in the House, no one attempted to misquote him—

Hon. Mr. Robarts: Mr. Speaker, I have just been given some information here that might be of some help in this situation. This has come by telephone and it is the terms of the order. It may very well be that this order,

in itself, is very limited and very narrow in its application, but I will really have to see the text of the order. It is indicated to me here that the order-in-council itself is really quite limited. In other words there is a limitation on its application, but I cannot go any further than that because I am not certain of my information. I will find out and, of course, I have no doubt this will be common knowledge very shortly.

Mr. Singer: Mr. Speaker, I have a supplementary. In view of the latest remarks of the Premier, would the Premier undertake to advise the House, if possible, before the adjournment hour today, because it is a matter of grave concern to us all because—

Interjections by hon. members.

Mr. Speaker: The hon. member has asked his question now; he needs no editorial comment.

Mr. Singer: Mr. Speaker, on a point of order; if the noisy members from the NDP had been paying any attention they would have noticed that the first question I asked related to this matter. We, in the Liberal Party, express great confidence in the ability of the Minister of Justice and the federal cabinet to take proper measures and administer them properly.

Mr. Speaker, my supplementary question again—it probably got lost in those—

Mr. Lewis: After that little hymn to the federal Liberals, what—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Singer: Mr. Speaker, the supplementary again, since I am not sure I got through to the Premier: Would he undertake, if possible, to advise the House before the adjournment hour as to the complete nature, insofar as he can ascertain, of the effect of the order-in-council?

Hon. Mr. Robarts: Yes, I would do that.

Frankly, Mr. Speaker, I accept wholeheartedly that the interest of all the members of this House is the same. I am not seeking any difference of opinion or approach with anybody on this. But I would just like to say, in answer to one of the questions recently asked me, that I think it would be too much to ask that the federal government would necessarily consult the leaders of all 10 provinces over the wording, for instance, of an order-in-council. I mean that is not practical; but in general terms we knew what was going on and in a general way we agree with this.

I will try to put myself in the position where I can be a little more specific. If I can do this between now and 1 o'clock I would be delighted, if the House agrees, to come in and interrupt the business whatever it may be, and let the House and the people know.

Mr. Speaker: Are there further supplementaries? The member for Windsor-Walkerville.

LISTING OF MODEL YEAR IN APPLIANCE ADVERTISING

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I would like to ask a more mundane type of question and this is of the Minister of Financial and Commercial Affairs.

Is the minister considering restrictions, or requiring advertising in local newspapers that advertises the sale of various types of appliances, to include in the advertising the model year of the appliance, and likewise insist that in the retail outlet the model year be visibly displayed on the appliance to protect the consumer?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): No, Mr. Speaker, I am not considering this and I would hesitate to do so because, as I have mentioned in this House before, I would very much prefer to see the question of standards, product standards in particular, left with the people at the federal level who have the resources, who have the system, who have the jurisdiction, I think, to do it better than we, or the other nine provinces, can.

Mr. B. Newman: A supplementary question of the minister: What protection has the consumer in the purchase of an appliance, to be sure that the appliance that he does purchase is the model year that is being represented to him?

Hon. A. B. R. Lawrence: I do not know, Mr. Speaker.

Mr. Speaker: The member for Windsor West was on his feet. Has he a question?

Mr. Peacock: No, Mr. Speaker, it was in connection with earlier questions.

Mr. Speaker: The member for Wentworth.

EFFECT ON PREMIUMS OF AUTO COLLISION COSTS

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question o fthe Minister of Financial and Commercial Affairs.

In view of the minister's answer to a question I asked previously—that he did not have the power to investigate the pricing system in the automobile collision field as it affects auto insurance premiums—would the minister seek from his cabinet colleagues the power necessary to order an investigation now? I have personal proof of the fact that there is, indeed, a two-pricing system in auto collision that affects premium rates.

Hon. A. B. R. Lawrence: Mr. Speaker, I do not think that I have ever foreclosed the idea of investigating a two-pricing system, if it does exist. The question is, does it offend against insurance principles? If different premiums can be given under certain different situations to different groups, the question that comes up for us in my department, or the department of the superintendent of insurance, is whether it offends against fundamental insurance principles that he administers.

Mr. Deans: If I may, by way of supplementary question, ask the minister, does he not believe that if there are two prices offered to the public, one which is lower if the individual is paying privately as opposed to if his claim is through an insurance company, this certianly must add to the cost of insurance which is within his jurisdiction and ought to be investigated?

Hon. A. B. R. Lawrence: I cannot accept the assumption on that amount of evidence, Mr. Speaker, but if my friend will give me some more details, perhaps by letter or in writing, where I can follow it down in some order, we will certainly have the superintendent of insurance look into it.

Mr. Speaker: The member for Oxford.

FIRE PROTECTION FOR VEHICLES ON HIGHWAYS

Mr. G. Innes (Oxford): A question of the Minister of Transport:

In view of some municipalities and some areas refusing to give fire protection for vehicles that are in accidents and catch fire on Highway 401, what has his department done to reimburse or try to come to some agreement with the municipalities to give fire protection in these particular areas? I think this is a very serious problem for these municipalities and I would like the minister to comment.

Hon. I. Haskett (Minister of Transport): Mr. Speaker, I am unaware of any presentation being made to us by municipalities within the province for fire protection service rendered on the highways. I would like to discuss that matter with my colleagues, the Minister of Highways (Mr. Gomme) and the Minister of Municipal Affairs (Mr. (McKeough), and see if this is a problem that might require a solution.

Mr. Innes: A supplementary, Mr. Speaker: Some of the municipalities are not being reimbursed for fires that have occurred and that they have put out on the highway and they have refused to give service in that particular area. I think it is very urgent.

Hon. Mr. Haskett: Mr. Speaker, I would like the hon. member to give me any information he can on this, especially as to whom the municipality made request for reimbursement for expenses for fire fighting services rendered.

Mr. Speaker: The member for Sandwich-Riverside.

MERCURY CONTAMINATION OF FLOUR AND MEAT

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Energy and Resources Management regarding the finding by researchers that Canadians probably get more mercury from flour and meat than they do from freshwater fish that have been taken in mercury-contaminated waters. What steps has the minister taken to eliminate mercury from industrial processes in Ontario?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, as the hon. member knows, when we first became aware of this problem early last winter, knowing the sources of mercury pollution, we at that time issued ministerial orders against all the chloralkali and pulp and paper plants in Ontario. The order, basically, required those plants to stop using or stop the loss of mercury into their waste waters, that is, mercury going into the receiving waters and, therefore, contaminating the fish.

Since those orders have been issued and served, we have been continuously monitoring those plants. There is a difficulty in some

of the chloralkali plants to eliminate completely the loss. Some of them, for example, where they were losing maybe up to 100 pounds per day are still losing possibly one-eighth of one pound, or something like that at this stage.

Unless they can comply with the order and completely eliminate this mercury loss, we may require them to stop using mercury in their manufacturing process.

Mr. Burr: A supplementary question: Has the minister determined how the numerous foods, such as flour and various kinds of meat, are getting this mercury contamination or content? Is it from the atmosphere?

Hon. Mr. Kerr: This is very possible, Mr. Speaker, and I think that as far as meats are concerned it may be that. For example, cattle are being contaminated in some way through their food cycle the same as fish. I think there is no question about it, there is a natural degree of mercury in the atmosphere that is not only affecting animal life and plant life but is also affecting fish life, because there are waters in Ontario where there is no known source of mercury and where the fish have a certain degree of mercury, So we assume this must come from the atmosphere.

Mr. Burr: As a supplementary, Mr. Speaker: If this comes from the atmosphere, it probably gets into the atmosphere from industrial emissions. Would it not be wise to follow Michigan's example and eliminate the use of mercury in industrial processes?

Hon. Mr. Kerr: Mr. Speaker, I do not want to prolong this; there is no question that part of the reason is industrial use. However, we are finding it in areas, for example, in the Arctic and the sub-Arctic miles from where there is any industry whatsoever. This is part of a research project that is going on in parts of Europe and I am sure is being looked into in this country. But there apparently is a natural mercury phenomenon that exists and whether it is strictly the result of man's use or not is something that has to be decided.

Mr. Speaker: Has the member for Parkdale a supplementary?

Mr. Trotter: Yes, Mr. Speaker. As a supplementary question: In view of the fact that the tourist industry is having so much trouble with the mercury, why does the minister not just ban it from use altogether?

Hon. Mr. Kerr: Mr. Speaker, first of all, that may not solve the problem and, secondly, mercury is used in some ways, I think, in a very essential way—for example, mercury is required in hospitals for various types of treatment. So to make a sort of rather simple statement that we just ban mercury, I would not be prepared to do at this time.

Mr. Speaker: The member for Windsor-Walkerville. A supplementary?

Mr. B. Newman: Yes, I wanted to ask of the minister if he or his department has undertaken any studies as to the possible pollution by mercury from coal-burning processes?

Hon. Mr. Kerr: Mr. Speaker, I have been informed that the mercury fallout from the use of coal in generating heat is a possible source from this.

Mr. B. Newman: Has the minister undertaken any studies at all on this?

Hon. Mr. Kerr: It is all part of a very general study that is going on in three or four different areas on the whole question of mercury contamination, both in Europe and on this continent. It involves the Ontario Research Foundation, it involves one or two universities and, of course, it involves a great deal of research in Sweden.

Mr. B. Newman: If I may ask a further supplementary—

Mr. Speaker: One further supplementary.

Mr. B. Newman: Are his studies being co-ordinated or is he getting information from studies being conducted in the United States as to the effect of the coal-burning plants and the emission of potential mercury from that process?

Hon. Mr. Kerr: I am not aware of a particular coal-burning plant in the United States. I think I am prepared to say at this time that all research into the question of mercury and mercury contamination, as far as this continent and Europe are concerned, is being co-ordinated.

Mr. Speaker: Does the member for Grey-Bruce have a supplementary?

DEATH PENALTY PROPOSED FOR DRUG TRAFFICKING

Mr. E. Sargent (Grey-Bruce): Not a supplementary, no. I would like to invite a comment from the Attorney General, Mr. Speaker, in regard to getting the Prime Minister to get Ottawa to change the constitution so we could run our own show here.

Would he comment on the statement made by a candidate for governor of New York who is asking for a state law clapping the death penalty on dope importers, wholesalers and distributors? In view of the apathy last night in the Health estimates on this very important subject, would the Attorney General comment on the feasibility of this?

Hon. Mr. Wishart: Mr. Speaker, this is not a question and I do not think it is the place for comment. If the hon. member will ask a question, I will endeavour to answer him.

Mr. Sargent: Does the Attorney General not think the matter is that important that we should consider a drastic law like this?

Hon. Mr. Wishart: Mr. Speaker, I would have to tell the hon. member that criminal law, particularly capital punishment, is a matter for federal jurisdiction.

Mr. Sargent: I understand that.

Mr. Trotter: Has the Attorney General any ideas on the subject?

Mr. Speaker: The member for Peterborough.

EXTENT OF SUBMISSIONS ON TORONTO-CENTRED REGION PLAN

Mr. Pitman: I would like to direct a question to the provincial Treasurer.

I would like to ask him, in relation to all the submissions that are being presented in regard to the Toronto-centred region plan, if a definite deadline has been set for all submissions in regard to this plan, when is that deadline, can the minister indicate whether he is prepared to give us a list of all those who have made submissions and, finally, would he provide a Xerox copy, at least, of these submissions for the municipal affairs critic in each of the parties in this House?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, the deadline was extended to October 31.

Mr. Pitman: There will be no further extension of that deadline?

Hon. Mr. MacNaughton: Not as we see it. There are many briefs in. I would suggest that all or most of the briefs that we can reasonably expect appear to be in. They are still coming in but the month's extension, I think, will give us a sufficient cross-section of the comments and the criticisms, expressing the conflicts that we expected to arise from the conceptual plans brought down.

The process of evaluation will take quite some time, because we will be examining and evaluating every brief on its own merits in the first instance. Then, I think, we will have to relate the individual briefs to the rather more total aspects of the situation because there will be some overlap, there will be situations where there may be more than one area affected.

So I do not know that we can anticipate a final decision for further refinement or firming up of the plan for some time because of the very comprehensive nature of individual briefs, and then the total impact of the individual briefs that we will receive.

As to the matter of listing them for the members of the opposition, Mr. Speaker, I would say we will consider the advisability or the necessity of that. Whether the individual briefs should be submitted to anyone more than myself or the government for consideration is a matter I would want to take under consideration.

Mr. Pitman: As a supplementary, Mr. Speaker, would it not be important that part of the evaluation of the Toronto-centred region plan should be made by those who represent the people of Ontario in this Legislature and would not that evaluation be much more useful and helpful if each party had a copy of the submissions that had been made to the provincial Treasurer?

Hon. Mr. MacNaughton: Mr. Speaker, I am not ready to indicate to the House whether that proposal can be accepted. Certainly the final firm plan that emanates from the study of the briefs specifically and totally, as I have mentioned, will result in a further plan, a refined plan and, hopefully, a firm plan. That, of course, will be made available to the Legislature, and I think then the examination of the conceptual plan and the final plan may be all that is required.

Whether the individual submissions should be submitted to the Legislature is a matter I would like to consider, because there may be some matters in those individual briefs that should be for the consideration of the government and The Department of Treasury

and Economics only. So I do not propose to make that type of commitment here today.

Mr. Pitman: If I might ask a further supplementary: Have any of the briefs yet received been marked "private and confidential"? Has there been any brief received which has not been a public brief by the body which is submitting it?

Hon. Mr. MacNaughton: I cannot say how many, Mr. Speaker, but there have been a number of briefs marked "private and confidential." I cannot say how many there have been. I can review that and see whether they predominate or whther they are minor in number. There have been several that I know of. I have not seen all the briefs myself yet. I acknowledge them upon receipt but obviously I assign them to somebody else for review—

Mr. Pitman: The minister has not read them all?

Hon. Mr. MacNaughton: —as the member can well understand. I think, Mr. Speaker, that is about all I feel inclined to say at this moment.

Mr. Speaker: The member for Essex-Kent.

EXTENT OF COVERAGE OF FARM TAX REBATE

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question of the Minister of Agriculture and Food with regard to the farm tax rebate.

Could the minister tell us whether the rebate was considered the full amount of the farm property taxes, including local improvement such as drainage and so forth, or is it just going to cover the education and regular township rates? Is he aware of this?

Hon. W. A. Stewart (Minister of Agriculture and Food): Yes, Mr. Speaker, I believe that question more properly should be directed to the Minister of Municipal Affairs, and if I make a mistake in answering it I would be pleased to have him correct it.

Mr. Ruston: I will redirect the question if the minister wishes.

Hon. Mr. Stewart: But my understanding of the situation is that it simply covers the net taxes—that is, the net taxes for municipal and education purposes—not including any local improvements or drainage debenture payments, and it would be only calculated after the residential rebate had been deducted.

Mr. Speaker: The member for High Park.

PART-TIME JUDGE ALSO PRACTISES LAW

Mr. M. Shulman (High Park): A question of the Attorney General, Mr. Speaker.

Is it correct that one of the judges in North Bay, Mr. George Wallace, is sitting part-time as a family court judge and in his other time he is acting as a defending lawyer in the criminal court? If this is correct, does the Attorney General think that this is a benefit to the system of justice in North Bay and if he does not, what is he going to do about it?

Hon. Mr. Wishart: There are several questions here, Mr. Speaker. I believe Mr. George Wallace does sit as a judge part-time in the juvenile and family court. He is a very excellent judge and his work is well recognized as being of high quality in that court. The court does not occupy all his time and he is entitled, under the arrangement we have, to practise law and some of his practice, I presume, may be in the criminal side of the court in defending cases. We have sought, and are still seeking, to have all our judges full-time in the whole provincial court, both the juvenile and family court side and the criminal side. I think there are three left on our roster who are part-time, and who practise law to some extent and at the same time are judges, but I think we are moving to a full-time situation.

I think I might mention that Judge Peterson, in the district of Algoma, is a judge in the criminal side of that court; he does not, I know, defend criminal cases. That is a definite understanding. He is one of the most highly regarded provincial judges and former magistrates that we have and everyone who knows his work will agree with that assessment of it. Judge Groom is another.

But our objective is to reach the full-time occupation as a judge. Perhaps that answers the last part of the hon. member's question. That is the objective we are striving to get.

Mr. Shulman: Well, as a supplementary question, and to stress the urgency, does the Attorney General agree that it is a very difficult position for a judge to have a fellow judge appearing before him in the role of representing a defendant?

Hon. Mr. Wishart: No, I do not think the judges find difficulty in that situation. The judges are very independent and I do not think it matters who appears before them what their status is. I do not believe that it affects their judgement.

Mr. Speaker: The member for Parkdale.

REQUEST FOR ANSWERS TO WRITTEN QUESTIONS

Mr. Trotter: Mr. Speaker, I have a question of the Prime Minister.

I would like to ask the Prime Minister if he could possibly put some pressure on his ministers so I can get answers to questions 51 and 53 on the order paper. They have been there since last spring.

Hon. Mr. Robarts: Oh yes, I would be happy to see if we can oblige. We generally end up by answering them all. I will see if we can speed up these two.

Mr. Trotter: Numbers 51 and 53. By way of a supplementary question, Mr. Speaker, I was wondering if the Prime Minister would not think it an abuse of the rules that questions sit on the order paper for months and go unanswered and they are often very straightforward?

Hon. Mr. Robarts: Well, Mr. Speaker, I do not think there is any abuse of the rules. There is no compunction on the government to answer any of those questions if they do not want to, under the rules.

Mr. Trotter: Why?

Hon. Mr. Robarts: Well, there are various reasons: I could name a few. I remember one year one of the Liberal members put 112 questions on the order paper and we worked out the number of man-hours in the department. This is perfectly all right, we answered them. But perhaps we just do not answer them all in two weeks because, with a little ingenuity on the part of opposition, if we were forced to answer them within any time limit, the government would do nothing but answer what might very well be a lot of frivolous questions.

Mr. Trotter: I am asking the government to be reasonable.

Hon. Mr. Robarts: I think we are quite reasonable. We take the questions and very few of them ever go unanswered; as to those that are not, it is generally because the questions are of such a nature that we cannot get answers to them. I am not unduly disturbed by the way we deal with these questions. I might say that I have checked in other jurisdictions and find that our record of performance is pretty good.

Mr. Trotter: By way of supplementary, if the government neither intended to answer or did not want to answer some of the questions, why not say so rather than reprint and reprint day in and day out for months wasting time and paper? Why will they not say they will not answer them or either answer them?

Hon. Mr. Robarts: Mr. Speaker, it does not waste any time and paper to reprint a question in the order paper. Come on, let us be reasonable.

Mr. Trotter: It goes on for months.

Hon. Mr. Robarts: Let us display some of that reason the member is talking about.

Mr. Speaker: The member for High Park had a supplementary?

Mr. Shulman: Yes, a supplementary: In his efforts for the member for Parkdale, I wonder if the Prime Minister would also look into question 30 which has been there even longer?

Mr. Speaker: The member for Sudbury East.

LIVING CONDITIONS AT INCO STAFF VILLAGE

Mr. E. W. Martel (Sudbury East): A question of the Minister of Labour.

What action has his department taken to improve the deplorable living conditions which exist for the more than 800 men at the Inco staff village on Highway 17 west between Copper Cliff and Lively?

Hon. Mr. Robarts: The question is out of order.

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, the—

Mr. Speaker: May I just interrupt for a moment? I do not think the wording of that question is quite proper. There are some words in there that do not form part of a proper question. If the member for Sudbury East would rephrase his question I am sure the minister would answer it.

Mr. Martel: I said "deplorable".

Mr. Speaker: Well, the question was a matter of fact. The member said "deplorable conditions." Now that is a statement of fact and these things are not allowed. If he would say the living conditions there are—

Mr. Martel: No, "deplorable living conditions" because they are deplorable.

Hon. Mr. Robarts: It is out of order under the rules. It is that simple.

Mr. Martel: What action is his department contemplating to improve the living conditions—is that satisfactory?—which exist for the more than 800 men who live at the staff village on Highway 17 west between Lively and Copper Cliff?

Hon. Mr. Bales: Mr. Speaker, I have many responsibilities but that matter does not come under the responsibilities of The Department of Labour.

Mr. Martel: I would like to ask the minister, then, a supplementary question: In view of the fact that the Minister of Mines (Mr. A. F. Lawrence) says it does not come under his jurisdiction and the Minister of Labour maintains it does not come under his jurisdiction, would he mind telling me whose jurisdiction it does fall under?

Hon. Mr. Bales: This matter, if it is a matter of staff housing, might be in the collective agreement between—

Mr. Martel: Nonsense!

Mr. Deans: Does that not come under your jurisdiction?

Hon. Mr. Bales: —the employees and the employers. If this were a matter involving the recent storm in July—

Mr. Lewis: No, no.

Hon. Mr. Bales: —that would be a different situation, but it is not. This is a case of the company making arrangements for its employees if they wish to take advantage of them.

Mr. Lewis: Advantage of them? Has the minister seen staff village?

Mr. W. Newman (Ontario South): Yes, I have.

Mr. Lewis: How would the member describe it?

Mr. Speaker: The oral question period has now expired.

Interjections by hon. members.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The nineteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF ENERGY AND RESOURCES MANAGEMENT
(concluded)

On vote 507 :

Mr. Chairman: Estimates of The Department of Energy and Resources Management, vote 507. The member for Sudbury East.

Mr. E. W. Sopha (Sudbury East): I just have one short question I want to ask of the minister.

The minister last night indicated that it was going to take time to clean up the conditions in the Sudbury area. I agree with that, but I do not agree with the amount of time. However, the thing that disturbed me is that despite the fact there is going to be a considerable amount of cleaning up, the quantity of SO_2 emissions will still exceed the amount which Cominco had to clean up in 1929 and 1934. I wonder if the minister would be so kind as to tell us what we can expect, then, in the way of continued damages, because if there is going to be more emission than Cominco had to clean up and they were damaging, then we can anticipate more damage.

One final thought before I sit down: It has been suggested to me that probably the best way of starting to deal with the people who are polluting, or who are responsible for SO_2, is to take the top management and make them work in the plant for a year. That would be a better form of penalty than a fine or a jail sentence: just have them sentenced to work in the SO_2 exposure for something like a year. That would probably rectify it considerably.

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Chairman, I think we did discuss this to some degree last evening. The hon. member referred to the news release as a result of a ministerial order. I cannot help but repeat the information that is in that. This programme requires a 15 per cent reduction by 1974; 30 per cent by 1976, and 85 per cent by 1978. Reduction in sulphur dioxide emissions from Coniston smelter, which I think the hon. member will agree is probably the biggest problem there, will be 90 per cent by 1978. On top

of that there is a stack. We think that is part of the programme and that it will assist, particularly when there are inversion conditions, in dispersing the pollutants.

I do not think it will necessarily get over as far as North Bay, as has been implied in your written questions on the order paper, but it is an interm measure and, of course, the ultimate solution is removing the pollutants at the source. But as I mentioned last night, Mr. Chairman, to deal with a company of this nature, and of this size, with the problems they have as far as the emitting of poisons from their operation is concerned, is a complex one.

The ministerial order was drafted and completed after many months of study of that particular problem involving the latest technology. I mentioned last night it is going to cost many millions of dollars which this company is committed to spend, and that includes, of course, Falconbridge as well.

It is complicated, Mr. Chairman, by the fact that Inco has some substantial expansion plans for its operation in Sudbury and we do not want to inhibit that, but we are satisfied that new plants and new equipment and new machinery will certainly not cause the problem or be the problem that some of the older mills have been.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I wanted to ask of the minister: If an individual does contravene The Air Pollution Control Act, what action is taken by the department?

Hon. Mr. Kerr: Mr. Chairman, there is a penalty section under The Air Pollution Control Act. I believe the fine for an individual is a maximum of $2,000. Just going from memory, I think for a company the first offence is $5,000 and up to $10,000 for any subsequent offence.

Mr. B. Newman: Have you ever laid charges under the Act against any corporation?

Hon. Mr. Kerr: Oh yes.

Mr. B. Newman: Have you laid any charges in the Windsor area against any of the companies?

Hon. Mr. Kerr: I have a list here of prosecutions since the Act has been in force. I believe there is a total of 61. I will just quickly glance at this list to see if there are any companies in Windsor. Yes, a charge was laid in 1970, in April, against Westdale Shipping Limited. Apparently it was a smoke density breach of the Act and there was a fine of $350.

Mr. B. Newman: And you know the judge's report on that fine?

Hon. Mr. Kerr: Oh you knew about this?

Mr. B. Newman: I certainly did.

Hon. Mr. Kerr: No, I do not recall the judge's—

Mr. B. Newman: The judge did not think too highly of the penalty clause in there when you did levy the penalty because it was really a licence to pollute rather than a penalty.

Mr. D. C. MacDonald (York South): I wonder then why he did not fine them $1,000 when that is the limit he can go to?

Mr. B. Newman: I understand he fined them the limit.

Hon. Mr. Kerr: Mr. Chairman, I am advised that in this particular instance the charge was laid under The Canada Shipping Act. Air management branch enforces this legislation, but apparently their maximum fine is much less than under our Air Pollution Control Act.

Mr. B. Newman: In other words there have been no corporations in the city of Windsor that have been brought up for breach of The Air Pollution Control Act?

Hon. Mr. Kerr: Apparently that is right although, Mr. Chairman, we have issued ministerial orders in that city. I believe there are at least four against various sources.

Mr. B. Newman: Would you like to state the sources?

Hon. Mr. Kerr: I believe I have given that information by mail to the hon. member. I have not got that information here with me —or have I? Yes I have it. I know that Ford is involved and Chrysler Canada Limited; Auto Specialties Manufacturing Company Limited, Tecumseh Road in Windsor. How many have I given the hon. member—three?

Mr. B. Newman: Yes.

Hon. Mr. Kerr: It seems to me that there was some government installation there, either an incinerator or otherwise, but I will get that information for the hon. member.

Mr. B. Newman: May I ask of the minister why he does not first lay a charge against the company before he has a ministerial order to clear up the pollution, so that on the books the company has been officially charged?

Hon. Mr. Kerr: Mr. Chairman, you can imagine the situation immediately upon proclaiming our Air Pollution Control Act and its regulations. We could lay a few thousand charges the next day for companies that have been in existence for 50 or 100 years which, because of the nature of their industry, would be in breach of our regulations. Now what earthly advantage or benefit would that be? We know these companies have problems, whether it is the use of the type of fuel or because of a lack of technology in properly treating their emissions.

We feel that the best approach is to have trained people from our air management branch attend on these industries, advise them that they are in breach of our regulations and also advise them what they have to do to stop that breach. When they are aware of that, we then usually place these companies under a ministerial order. It means that they have to spend a substantial amount of money. It means it will take some time to comply with that order but as long as they comply with it and make the expenditures, then in our opinion there is no advantage in laying charges.

Mr. B. Newman: Mr. Minister, do you mean to tell me that the corporation does not know that it is polluting the atmosphere and it has to wait until you issue a ministerial order before it actually attempts to take any concerted action?

Just over the weekend I heard a comment from a labour leader in the community that one of the companies had no intention of proceeding any faster than they were going to be pressed to by this government. Surely, Mr. Minister, the corporations must know; they have the technical ability to analyse whether they are polluting the atmosphere; they get the flak from the residents in the community; they likewise get it from me that they are in breach of an air pollution control law, yet action does not seem to be taken by them as quickly as it possibly should.

May I ask of the minister at this time if there is any truth in the rumour that the only reason why air pollution indexes are not available in certain sections in the city of Windsor is because the air pollution index might even be higher than it is in the cities of Toronto and Hamilton?

Hon. Mr. Kerr: No.

Mr. B. Newman: I am very much pleased to hear that type of an answer from the minister. May I ask him if he has monitoring equipment in the vicinity of the Ford Motor Company, in the area of the foundry?

Hon. Mr. Kerr: I am advised that it is on University Avenue. I am not sure, but I believe there may be two monitoring devices in Windsor. It is a matter of locating the second one and as I indicated in an answer to a previous question, I hope that will be in operation before the end of the year.

Mr. B. Newman: Then you have one on University Avenue and you do not have a second one located or you do not know the location of the second one?

Hon. Mr. Kerr: That is right.

Mr. B. Newman: Well, Mr. Minister, that is not solving the problem of probably the prime pollutor in the area. The prime pollutor is the Ford Motor Company.

Hon. Mr. Kerr: We know that.

Mr. B. Newman: Yes, you know that, but Ford Motor Company do not admit they are polluting. They claim that they are within the limits of the law as set by you. They claim they have their emissions down to 25 pounds per day, I think it is, that is the particulate matter, and they claim they have two of the different types of odours under control and the third one, the phenol if I am not mistaken, not under control.

Surely, Mr. Minister, if you wanted to check anywhere and if you wanted to monitor air pollution in the community you would put your monitoring equipment close to the source of the major pollution, or one of the major pollutors, in the area?

Now let me just read to you, Mr. Minister, my own experience with it. On August 24, at 2:40, I happened to be driving along Seminole in the city. The two stacks from the Ford foundry were belching. At 3 o'clock they were still belching. I visited the Ford plant and discussed the whole programme with officials. They gave me a good reason, or what I accepted at that time was a good reason. I left the offices at 4:10 in the afternoon. I drove around the neighbourhood again at 4:20; two stacks were belching. At 4:55, they were still belching.

I visited people in the area and asked them to just check on the plant for the one or two days only. On August 24—that is that same day—at 8:30 in the evening, there were four stacks belching. That stopped at 9 o'clock. At 12:20 in the morning of August 25 they started once again with their emissions. They continued those emissions until 1 o'clock in the morning.

At 1:15 on Tuesday, August 25—that is 15 minutes later—there were the four stacks once again belching, two full blast and at times all four full blast.

Now I have checked on other days, Mr. Minister. You can drive by there practically any time and within every half hour or so, you will see one, two, three, four or five areas from which pollutants are being emitted from the foundry itself. I am not taking into consideration the powerhouse plant that is always in the state of emitting some type of fly ash. On September 11 I drove by at 8:15 a.m.—everything was going full blast; a blue haze over the whole area; a strong phenol smell. At 4:35 p.m. that day, exactly the same. On September 12, at 8 o'clock in the evening, the same thing. At 8:30 in the evening, the same thing.

Now these are personal observations. Just think of the people who live in the area and the complaints they could make concerning the plant.

I am asking you, Mr. Minister, what action are you really taking to overcome the problem with the Ford Motor Company?

Hon. Mr. Kerr: Mr. Chairman, the hon. member mentioned our air pollution index sort of as a preliminary to leading up to his statements. I would just like to remind him that the air pollution index is not our real monitoring system as fas ar dealing with individual industries is concerned. As far as monitoring emissions from various industries is concerned, we have monitoring systems located in a number of locations in a city like Windsor but it is difficult to set up an index to deal with only one industry. There is no question that the odours from the Ford power plant in Windsor are a problem. I am sorry —the foundry, I believe is the biggest problem. The power plant is under ministerial order—

Mr. B. Newman: Is the foundry under ministerial order, too?

Hon. Mr. Kerr: No, I understand that the foundry has to comply with our foundry regulations. We have what we call regulations on air contaminants from various foundries and this particular plant, like other foundries, has to comply with these regulations. We monitor as much as possible to see that they are complying with these regulations. The company is aware of the problem in Windsor.

The air management branch is satisfied that they are co-operating. They have lodged what we call applications for certificates of approval for their operations with the air management branch covering two major odour sources. We are still not in a position to issue those until the branch is satisfied that they are doing everything possible to eliminate or minimize these sources.

The powerhouse, as the hon. member indicates, uses pulverized coal as a fuel and, of course, this involves some emissions of fly ash. This fact is included in our ministerial order under section 8 of the Act and the company is on a firm abatement programme, which has to be completed by the end of this November. This will involve conversion of boilers to alternate fuels and also the purchase of some hydro from the Windsor PUC.

Mr. B. Newman: That is not this November. It is one year from this November.

Hon. Mr. Kerr: I am sorry. That is November, 1971.

Mr. B. Newman: May I ask then of the minister if he is satisfied with his requirements of the Ford Motor Company, and is he satisfied that the programme that they have outlined to him will be completed within the time limits that they have been given?

Hon. Mr. Kerr: As long as the company is in compliance with our ministerial order as far as the power plant is concerned, we have to be satisfied with its progress.

As far as the foundry is concerned, if they do not comply with our regulations—if they do not comply with our timetable—I can see no problem as far as dealing with Ford is concerned. There is no excuse, in our minds, for them not to comply with these regulations. They have the wherewithal to do it and if they do not we will close them down and prosecute them.

Mr. B. Newman: Is the minister aware of the feeling of the people in the area? They comment that the Ford Motor Company is too big for the government to affect. Now I am telling you what the people say. They do not think that you, Mr. Minister, are acting with the dispatch that you could in overcoming the problem.

I would like you, Mr. Minister, at this time, to tell me if any readings have been taken by your monitoring or checking equipment in the vicinity of the Ford foundry?

Hon. Mr. Kerr: Apparently, Mr. Chairman, it is not necessarily the reading from our monitoring system—as far as the plant is concerned, or the foundry is concerned—which indicates compliance with our regulations and the ministerial order. It is a matter of design. It is a matter of in-plant inspections and of observation of the plant and its emissions. In this way we can satisfy ourselves whether they are in compliance with our orders and regulations or not and we can, of course, take steps accordingly.

Mr. B. Newman: Why would you not ask for equipment to indicate to the residents in the area the actual extent of pollution from the Ford Motor Company?

You know, it is all right for you and even for the Ford Motor Company to say, "Well, there is no particulate matter being emitted," but when a man goes to his car in the morning after it has been out on the street only for maybe eight or nine hours and he finds it completely covered, surely that does not drop down from another planet? There is generally only the one source in the vicinity and it is pretty hard to sell to the people in the area that this could not be coming from the Ford Motor plant.

I think, Mr. Minister, that you should insist on readings in the area of the plant, if only from a public relations point of view.

I have a short letter that I would like to read into the record concerning what actually does take place. This is written by Mr. R. C. Quittenton, president of St. Clair College, in the city of Windsor who lives maybe half a mile away, as the crow flies, from the Ford plant. I am not saying that the Ford plant is responsible for the pollutants that he talks about, but I would think that it would be one of the sources that would contribute to this pollution. The letter reads:

> FORGET THE PAST—ACTION NEEDED NOW!
>
> Sir:
>
> As reported by you in your September 9 issue, lately I have taken to driving a white car. On the night of September 8, parked outside of my home at 2107 Niagara Street, it was spotless. In the morning, in the same place, it was covered by a thick layer of grimy, grey, revolting crud.
>
> On my car, I can wash it off. In my children's lungs and in my home, this is not so easy. Perhaps this is why my youngest son has developed asthma since we moved into Windsor.
>
> On taking the vehicle to the provincial air management branch on Wyandotte Street I was advised that the material was boiler fly ash, probably from nearby industrial plants.
>
> As soon as the boiler efficiency falls a whit,—poof, out goes the crud into the neighbouring lungs and homes. 'Tis better there by far than in the pristine boiler flues and how much better if the crud can be blasted out in the stealth of night rather than in the honest light of day, when it can be marked.

The gentleman goes on and he makes a case for more rapid action in the controlling of the pollutants in the industrial area close to his residence.

Mr. Minister, how much longer do these people have to wait before this is taken care of? How long do we have to expect industry to be honest with us—to come along and, if they are going to emit fly ash, emit it in the light of day rather than sneakily in the evening and emit it so that you could not point the finger of guilt at any one of them?

Why, Mr. Minister, would you not indicate to the community the various concerns that are prime sources of pollution, so that the residents in the community, so Pollution Probe and so forth, could take some type of concerted action in an attempt to force industry to move a little faster?

I know the answer is always given that the technical knowhow is not available. Maybe that is partially true, but the pollution problem is a long-standing problem. Industry knew it would have to clean it up sooner or later, but why is it later rather than sooner? It always should be sooner. There is no problem of enforcement with the 1974 or 1975 car models, but I think if they keep polluting the atmosphere the way they have in the past they are not going to have people to be able to buy those 1975 models. They will not be on the face of God's earth.

This happens to be Survival Week. Surely the people in the vicinity of the Ford Motor plant would like to survive?

In fact, Mr. Minister, I have written the Ford Motor Company people and I have asked them—not only written, but also visited—to allow me to call a public meeting at which I would give them an opportunity to present their whole programme to the community. I asked them to state just exactly what had been done, what is being done,

what remains to be done, when various projects should or could be completed. I asked them to come along and level with the people—not through the press, but through a public meeting—to tell them what they plan on doing. So, once and for all, the cards would be on the table and, within a specified period of time, the residents in the area would know that this problem will be taken care of and they can sleep peacefully, rather than struggle for breath as some of them practically have to do, especially those who live in the immediate vicinity of that plant.

Mr. Chairman, I could go on endlessly at this one source of pollution. You know, we talk about the pollution coming in from our American counsins across the river. We object to that very strongly, but we do not look into our own backyard to see what our own industry is doing to our own people. Surely we want to correct all of the problems, the trans-boundary pollution, but we have got one right here that needs correcting quicker than it is being corrected today. And I would urge and appeal to the minister that he lay a charge against one of these companies so that he has it in the books that on this date they had actually broken the air pollution laws of the Province of Ontario and so that if they break them a second time, the fine is by far more substantial that it is the first time or that more serious action be taken on the part of this government.

But the minister is going to have to get a little firmer than he is now or he will never solve the problem. Industry will always come along and only work as fast as pressure is applied. Industry is like a sailboat, it needs some external force before it takes action.

Mr. Chairman: The member for Middlesex South.

Mr. K. C. Bolton (Middlesex South): Mr. Chairman, I understood the minister to say yesterday, in response to a question or statement by my colleague from Sandwich-Riverside (Mr. Burr), that the probable reason for the compulsory annual cleaning of chimneys in Montreal and in Europe was the more general use of coal there. I further understood him to say that where oil is used in Ontario, the usual contract with the dealers is for the annual cleaning of the chimneys.

I should like to cite a personal experience to the minister which is germane to the question and may be of some assistance in this matter. Our house in London is heated by oil; we have a contract which includes annual cleaning. We also use a small amount of gas for a water heater and the operation of a small heater in the basement. When I was at home last weekend we noticed the smell of gas. When the gas company came to inspect and to locate the trouble, they found that the gas was backing up because the chimney was blocked. It appears that the oil company cleans the operating oil equipment but does not accept responsibility for the total cleaning of all flues and chimneys.

I think perhaps the minister was misinformed in this area. So there is danger of either fire or gas fumes unless there is specific provision for regular chimney cleaning. May I therefore ask the minister to reconsider the advisability of instituting procedures to require annual cleaning of all flues and chimneys, not only commercial but domestic?

Mr. Chairman: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, the instance just quoted of the Ford Motor Company is dramatic and certainly needs looking at, as well as a speedup of the total process. But there are a couple of other sources which, while not so dramatic, are certainly important in the consideration of this whole subject of air pollution. I am thinking of the oil burners in the homes of our people, thousands upon thousands of them, and the incinerators in apartment blocks and of course the emissions from motor cars.

In respect to the first, my information is that over the past decade or more there has been very little research into the effectiveness of the burners on the part of oil companies. I am wondering if the minister has any recent information in respect to this, as to whether or not any pressure has been brought to bear upon the oil companies to produce and install more efficient oil burners? In the same way, has he any information in respect to the incineration of garbage in apartment blocks? Certainly the old incinerators are pretty inefficient. Some years ago the triple-chamber one came out, and that was supposed to be a big advance. But since that time has there been any real research and any real pressure in this field? These are two areas where much pollution originates and perhaps a great deal of the pollution in all of our cities comes from these two sources.

The third one, of course, is the motor car, and we have heard a great deal about how in recent years certain steps have been taken in setting up standards for emissions. I am wondering if the minister has any information for us in respect to certain experiments that have been carried on here and in other places, in regard to chemical mufflers, which have been much touted by their inventors—the

Dopp system, the one that Dupont and others have—where the chemical content of these mufflers is supposed to remove even the oxides of nitrogen, as well as the hydrocarbons and the carbon monoxide, and bring the quality of the emissions right down to an absolute minimum?

If these are proving satisfactory then there is a major breakthrough. I understand the minister has been doing some experimentation in this field, and I would appreciate it if he would let the House know what the results of these experiments might be.

Hon. Mr. Kerr: Mr. Chairman, as far as oil heaters are concerned,, we are working continuously with the manufacturers to build burners. The research is going on continuously in this area. For example, the federal combustion research labs are working continuously on this type of heating equipment as well as other types of heating equipment that are used mainly domestically or in apartment buildings, to improve their efficiency and, therefore, minimize them as a source of pollution.

As far as mufflers are concerned, chemical or catalytic mufflers, as the hon. member knows, there has been a number of firms that have been testing mufflers and have been submitting mufflers to us and to other authorities in order to gain some form of approval. This research is going on. Some of them are quite effective and some of them are really not too effective. We have a situation in one or two cases that I know of where they will eliminate a great deal of smell—for example, the use of diesel trucks, where diesel fuels are being used—but they materially reduce the combustion or the power of that engine to the level that we know they would not be a marketable product.

We, of course, hope that by the process of elimination and, in view of the fact that we have had some controls starting in 1969. this type of attachment may not be necessary. Certainly in the very near future they will not be necessary. The research is going on in this area and we are impressed with one or two that have been shown to us in an experiment. We tested them in our mobile lab, the air management branch's mobile lab. They are effective; there is no question about this and all we can do, really, is say to these companies, "Deal with the automobile manufacturers; try to market this product in some way". We cannot specifv a particular product being better than another.

We are considering the idea of possibly requiring some type of attachment in order to meet our regulations even on the older models, but we still feel that the degree of perfection is not quite enough in order to make the product marketable and achieve the results that we are looking at, rather than the installation of emission controls at the manufacturers' level.

Mr. Young: Mr. Chairman, I thank the minister for his reply. I do not know whether he is prepared to inform the public of the brand name of the particular product that he is finding satisfactory because I think this is perhaps important so that we know which products are good and which ones are not —at least which ones are good; perhaps the others can go by the way by inference.

The minister has not yet indicated whether there is any kind of a breakthrough in the development of more efficient oil burners. He said the research is going on. How much pressure is being applied here? How soon are we going to set standards for these emissions? Also, I think the minister did not say anything about the incinerators in apartment blocks. Perhaps we could have some comments on those? I do think that unless we set standards, the real pressure is not on the companies for development, unless the government itself is participating in this development to a degree sufficient to give reassurance to the public and to all of us that real results are being looked for and are expected.

Hon. Mr. Kerr: Mr. Chairman, I am not aware of any great breakthrough in the efficiency of burners that are at present on the market. With respect to oil burners, I think the hon. member will agree that as each new model is developed and is on the market it is an improvement over an existing one. I think, although the hon. member may not agree with me, that through the process of competition between oil burners and maybe the gas companies and some other form of energy and heat, that there is pressure on the oil burner industry to improve its products.

We have not got regulations, really, as far as the type of burner is concerned. Again, our regulations deal with emissions and the results that come from heating plants. Maybe we should consider regulations at that level.

Mr. Young: I think the minister must set certain standards. I am not saying that he has to deal in brands or anything like that. But he must say, I think, that by 1975 or 1974 or whatever the time may be, that the standard for emissions from oil burners must

be such and such. Otherwise I do not think the pressure is there. I have very little confidence in this matter of competition between the oil and gas companies to do anything significant and to spend the amount of money necessary for research, unless that kind of pressure is applied.

The oil companies themselves have not made any significant contribution here, and they are not going to, as long as they can pour out in the atmosphere the kind of emissions which are being poured out today. After all, it sells more oil, if they are allowed to shoot a certain amount of it up into the atmosphere. So the profit pressure is on the side of more emissions rather than less. The more effective the combustion, the less oil that is sold. So I think the minister must consider very carefully the whole matter of setting standards and by this or that year—and name the year—emissions must reach a certain standard.

This is what we have had to do with the motor car companies, and I believe that only that resulted in the kind of development that has taken place in that field. Until we do the same with the others, we are not going to get anywhere. I still do not know whether the minister has any information about the garbage burners in the apartment buildings.

Mr. Chairman: The member for Hamilton East.

Mr. Young: I guess we are not going to get it, eh?

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I want to say a few words on the air management branch of the department. I have to agree that the minister put his finger on the nub of the problem in his reply to questions from the member for Sudbury East, that we not only have to find the source of air pollution but we have to go in and control it or eliminate it. That is the point that I want to deal with at this time. We have to agee that there have been millions and millions of words printed and said about the existence of pollution and what caused it but very little about the action to control or reduce it so that we can live safely in the future—the immediate future and the long-term future.

I was reading a speech made by Mr. Boyer, the meteorologist in the air management department, which he made in Quebec. He outlined the very elaborate monitoring systems that are going to be developed, the data systems that would be used to tell us about the sources of pollution, and I think this is very good.

I am very pleased with the tabling by the minister last Tuesday of the names of the firms that were responsible for the air pollution in Hamilton. The monitoring system is working, and is effective. It provides, of course, an index to the officials of the air management department as to when they should be concerned about the amount of pollution and should start cutback procedures. Of course, it also gives the public an idea of what is going on. But I criticized the work of the Hamilton branch two or three times because I did not think we were getting sufficient information as to what they were doing after a couple of years in Hamilton.

I think the tabling of the names of the 27 firms in Hamilton that were put on cutback procedures recently, when the index moved from the alert situation of 32 to 50, which caused some alarm, indicates to me that the Hamilton branch have been doing some work because they set out not only the names of the firms, but some specific instructions on how they should cut back to reduce the pollution.

I think that this brings us to the point of moving a step further, to eliminate or control the sources. I am sure that if the minister reads the instructions, the methods of cutting back and to what degree they should cut back, it gives us a broad area to move in. If we take, for instance, the two brickyards which have been operating for as long as I can remember—a great number of years—in the Hamilton area, they were a source of pollution with the emission of the soft coal effluent that they burned for these many years.

In one case they were instructed to shut down those kilns that were still using coal and continue with the gas-fired kilns, which indicates that the gas-fired kilns are more efficient and do not provide the effluents. The thing to do there was to give them a certain length of time to convert to gas. Those companies do not have to continue to use coal.

Of course, when we deal with the steel companies—we can take Burlington Steel for instance—they were asked to reduce emissions by stopping oxygen lancing on all three furnaces. Of course, the use of oxygen lances was a new thing a few years ago in the steel industry to increase production. It boils the steel much faster and, of course, was beneficial to the production of the company. This became a problem because when they first

started to use the forced oxygen lances in the steel industry it was so obvious that almost every employee and many of the general public knew that there was a new process going on. It was frightening because the effluent would almost inundate the city; it would cover the area as though we had a real bad storm coming up. But with that kind of pressure, they started to use some common sense in their procedures and they would not use the oxygen if the wind was in the wrong direction.

What we meant by the direction was if it was coming from the northeast—if you imagine the geographical situation of Hamilton—it would blow that emission across the city. But they would use it with less fear if the wind was coming from a southwest direction.

I would hope that a strict perusal of the minister's statement and the many areas of cutback procedures that can be used in an alert situation, should be now followed up with a strict comprehensive programme of elimination at the source, because the monitoring system is not going to be effective as such if it only provides an alert. We have to move in again and convince them that they have to cut back. I would think that in 90 per cent of the instructions of procedures to cut back, with cost, of course there would not be enough to damage any of these industries. They could be eliminated by new technological changes. In the case of the use of the oxygen lance, of course, they have to use precipitators or replace their stacks, their draft stacks, in construction.

I want to deal in particular with the situation in Hamilton. I think that in general we are concerned about air pollution and the emergent situations that arise with atmospheric smog conditions. We may have that in control now, but I think when one segment of society is affected more drastically by air pollution, then it is the responsibility of this department to give it consideration.

I want to talk about that part of Hamilton, the isthmus portion called Hamilton Beach, where the residents suffer from the air pollutant emissions from the Hamilton industries continually, and more drastically at the time of the alert, and, particularly, when the wind prevailing is a southwest wind when industries become a little careless and will blow out their stacks and their furnaces. At peak loads, which is a usual thing to do for efficient operation, they get the effluence to a great degree. The residents have tried everything to bring their situation to the attention of the authorities.

I just want to quote three sentences of a brief that they presented to the city officials. Unfortunately, the regional engineer for the air management branch did not attend that evening for some reason. He was away, but they tell us, and I quote:

> In June the volume of particles in the air was 190 per cubic foot of air, compared to the government's acceptable standards of 90. In January, that figure for Hamilton reached more than 300. The acceptable level for dust-fall is 20 tons per square mile in one month. In Hamilton their rating for July was 28 tons.

I want to read a letter that will put it more clearly that I can in making this appeal. I want to conclude with this. It is from a longtime resident of the beach who is active in the community council down there. She says this:

> Dear Sir:
>
> For three years we have suffered dirt, soot and smells that have been unbearable. We are fed up with what is being done for us—nothing. My laundry is permanently stained with iron and lamp-black marks from industry. My floors are ruined and you cannot eat the food that grows in your garden. Air pollution is trying to clean this up but it will take another two to three years and, in the meantime, we suffer.

There have been court cases over property damages at this area. I am not sure of the outcome but they have been costly. I know that the properties have been devalued. The people have no way of getting out unless something is done.

I think that there has to be a joint effort by the municipal authorities. This minister's department, and maybe the federal government, will have some responsibility if we decide that we cannot rectify the serious problems. I think the minister should make a specific investigation or have one taken in regard to the property on the beach. I would suggest that the first thing we should try to establish is a compensation fund, developed by all of the industries in Hamilton for obvious damage to property.

There is on record the damage to homes where brand new tile flooring has had to be re-covered or taken up because they could not remove the lamp-black type of emission and soot that comes from some of those industries. I would like the minister to take that into consideration. I think that it would be very easy for the industries on the bay

front to establish a fund to look after these extraordinary particular problems.

I do not think this group of people should have to suffer this kind of imposition any longer. I know they have not received much satisfaction from their municipal authorities. Also, these taxpayers—I will just take two minutes to mention this—are classed as second class citizens in this regard as well as transportation. This is particularly an area that should fall within this minister's department—that is the impossibility or lack of will for financial reasons to give them the same kind of sewage system that the rest of the city enjoys.

Engineers have declared that it is almost an impossibility mechanically—if not one of impossibility financially—to put the regular sewer systems in that area. Something has to be done. If this is an impossibility, we would have to decide whether or not that particular area is going to exist as a residential area. I think it is time someone came up with the answer. I think this department, through the OWRC division, should investigate whether they have the authority to tell the cities that they must provide sewers, a proper sewage system in this area; some 1,000 homes are all operating under septic tank operation.

I have never heard it mentioned whether the septic-tank situation has anything to do with the pollution on the lakeshore where, as the minister knows, the water has been condemned for swimming several times in the past few years, but something has to be done. There is a situation there that deserves particular attention for the present and future welfare of these people. They have properties that are deteriorating because of a problem over which they have no control. They are at the mercy of the elements.

The only people who can help them are the government, and I think it is about time they be given some direct recognition. I would ask the minister to make a personal effort to see that his department engineers confer with the city officials as to those two problems on the beach strip.

Hon. Mr. Kerr: Mr. Chairman, regarding the hon. member's suggestion that along with the index there should be a strict comprehensive programme to eliminate sources, I might just mention that the majority of those industries that were listed as being ordered to curtail their operations last week are under a ministerial order and on a programme. Certainly the large ones—it is not necessary to point out again—are all under a programme. Of course, this is our objective. The index is only a monitoring public information vehicle. We are constantly trying to eliminate the source of this pollution and deal with the industries that are a problem.

As far as Hamilton beach is concerned, of course this is an area that is, I think, suffering from air pollution more than any other specific area in the city. The beach strip is more or less in the direction of the prevailing winds to a great extent and, being adjacent to your major heavy industries, this is why the situation is worse on that strip and the people do suffer more.

The hon. member mentioned that there should be a joint effort by the municipality and by the province and by the federal government. I am hoping, Mr. Chairman, that the passing of the proposed Clean Air Act by Ottawa, which will be guided through the Commons by a Hamilton minister, will eventually assist in this particular type of problem, that is, air pollution over a section of Hamilton, and whether this takes more stringent regulations, whether it takes more money, or more co-operation among the three levels, this may be another angle to bringing about an earlier solution to the problem.

The idea of a compensation fund from industry in Hamilton for that particular area —I am not sure but I think it has also been suggested by the alderman for that area—is a good suggestion. The only problem may be the difficulty in measuring just what industries are contributing to the contamination over the beach strip and to what degree. It would have to be a voluntary thing and it may be, in view of certain recent settlements, that they may feel, at least from a public relations point of view, that it would be a good idea. But we must remember that all of these industries have been put to some expense by my department, both from the point of view of water pollution and air pollution and waste management, and this, of course, is an expensive programme for some of the smaller companies particularly. This would have to be considered in setting up such a fund but the idea is a good one.

I must say I was surprised when the hon. member said there are septic tanks on the whole beach strip. I must admit I did not realize that. I know that on the west side of the canal, which is now part of Burlington, the sewers are being installed and I believe most of those people now are connected into our Skyway plant, but certainly if every home in Hamilton on the beach strip has a septic tank, this should be corrected. This should be a priority programme. I would be happy to

discuss this with the Ontario Water Resources Commission, but certainly the saturation there is to such an extent that it is contributing to the condition in the bay and the lake.

Mr. Gisborn: I would just like to elaborate a bit on what I meant. You see, in your instructions—take Canron Limited on Burlington Street—to reduce emissions by 25 per cent through selection of scrap as free of organic material as possible, the simple thing there is to say they can only burn clean scrap. There are methods to clean scrap before it is melted.

Again at Dofasco they were instructed to wet their coal piles. This should be done at all times, not just when we have a smog or an atmospheric situation. They should always be dampened, because this was the solution to stop combustion in coal piles from burning some years ago.

There are several things in the cutback instructions that could be permanent instructions and could be implemented very quickly.

Mr. Chairman: The member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Chairman, I do not want to take very long. My colleague from Hamilton East has covered almost everything that can be said, but I want to ask the minister two questions in particular in regard to his statements.

1. What is it that he thinks can be done by The Clean Air Act that cannot be done by his department now?

2. He made the statement that the beach strip is perhaps one of the worst air-polluted areas in Hamilton, the reason being that it falls in the direction of the normal wind direction. It is north of Hamilton and the wind is prevailing in that direction.

Why is it, then, that the monitor is put in the entirely opposite area? Why do we monitor the air in an area where it is not nearly as bad? When you get to a point of 52 or 54, that we had last week where the monitor is situated, what must it be like in places like the beach strip? What must it be like in places like Beach Road that is surrounded by industry?

Surely the location—I asked the minister this at the time of the determination of where it was going to be—surely the place to put the monitoring device is where the pollution is the worst, so when it gets to the point when pollution is registering at a point that is injurious to the health of the citizens in the worst polluted area, they deserve the protection of the Act and deserve the protection of the government in protesting that the industries involved cut back.

It has never made any sense to me to locate the monitor in the Eastwood Park or the Woodlands Park area of Hamilton in the shadow of the Canadian Westinghouse plant, which is not one of the worst polluters, and to leave unmonitored areas around Beach Road and McNulty Boulevard and Ottawa Street North and down into the areas of Parkdale, the northend of Parkdale and Burlington Street, where pollution is at its worst, or to leave unmonitored areas like the beach strip that my colleague talks about, and that the minister admits is one of the worst polluted areas.

If you are going to do the job properly and if all of the citizens are to expect to be treated equally by the government, and if the citizens of Hamilton are to expect that the government is concerned about them individually, then surely it makes sense to monitor the pollutants in the areas where they are at their very worst.

I want to ask the minister, though, in regard to the monitoring, I tried for some time to understand exactly what it is we are monitoring and I am yet at a loss. I am not convinced that at this pooint the matters or the pollutants that are being monitored are necessarily the pollutants that are the most injurious to the health of the people of the city, and I am not at all convinced that because the monitor says it is 32 that the actual injurious pollutants in air are not considerably above the 32 level. In fact, I do not really know what we are supposed to derive from the statements every day on the news of the air pollution index reading. I frankly do not understand what is is supposed to convey to the people in Hamilton.

When the minister says that at 32 he can take some kinds of action that will assist in reducing pollution and, when it gets to 50, he can order cutbacks and stoppages in the manufacturing processes, this does not mean anything to me. I want to know what is happening to people's lungs when it gets to that point. I want to know what effect this has on the emphysema rate, for example. I want to know what effect this has on the lung diseases that are prevailing throughout the Hamilton area.

I am sure the minister is aware of the report put out by Dr. Sicilione, pointing out the health hazards in the areas of Hamilton surrounding industry, and I do not see any conscious effort being taken by this government to ensure that the facts of the effects of

pollution in the Hamilton area are being brought to the attention of the people.

One final point, because time is limited today. For some time I have been convinced that industry in Hamilton can and does emit more pollution overnight. I drive home occasionally at night and goes across the Skyway bridge and I am firmly convinced that there are more pollutants emitted during the dark hours than there are during the day.

I have confronted the Steel Company of Canada and Dofasco with this and they say it is impossible. It is not impossible. It cannot be, because it is happening. The proof of it is in the fact that the people who live in the immediate areas park their automobiles outside, and if they leave them there during the day they do not become covered with iron oxide, they do not become covered with dust from the industry, but if they leave them overnight they do become covered.

There must be a way that is being used by the industry in Hamilton to circumvent the law during the night period. I want to ask the minister what action is being taken by his department in regard to having a constant surveillance of the waterfront area where the major industrial pollutants are located, and assuring that industry is not permitting its pollutants to be freed into the air between the hours of, let us say, 10 p.m. and 6 a.m.

There are many other things that I would like to discuss but time is of the essence and I want to allow others to enter the debate. I would like to get the minister's comments.

Hon. Mr. Kerr: Mr. Chairman, regarding the first question on The Clean Air Act, I think that my remark is obvious. If the federal government finally gets into the area of air pollution control, there would be more supervision. I would assume there would be more money available. Certainly there would be more research and there would be more concentration on the problem. Particularly in those areas where the problem is the greatest, and particularly in those areas where you have the minister who deals with that particular Act living in the community, there is bound to be more concentration.

Right at the persent time in the drafting of this legislation, there is constant communication between my department and The Department of Health. Assuming this is transferred to the new department proposed in Ottawa, the situation of course would be the same. In any event, where you have duality in all this, particularly in research and in enforcement, there is bound to be an improvement.

This is getting to be a real old, flogged issue, this business of the location of our air pollution index in Hamilton. Of course when the index is low, when it is around five or 10, the excuse is that it is not located in the proper place. Then, like last week, when we go over 50, you know—why are we not doing something about it? Why are we not curtailing industry?

Mr. Deans: Why is it not located where it will be most useful and effective?

Hon. Mr. Kerr: The idea is not to put an index in a particular part of the city to get the reading in a particular part of the city. The idea is to put indexes in a city to get a reading for that city, for Hamilton. When we issue a reading for Hamilton it is for Hamilton, not for the beach strip or for Ottawa Street. That is why we feel we are getting an average, a total picture, of the situation from our present setup there.

I will say to the hon. member that we only have one location at the present time. We intend to have three in Hamilton, as we enlarge our monitoring system, that will go through the air pollution index, and one of those locations will be on the beach strip. I would assume that this may or may not mean higher readings for Hamilton, but, as I have said over and over again, this is a new programme. We intend to enlarge and not only include different municipalities and other urban centres; we also intend to increase the reading facilities in Hamilton and Toronto.

The hon. member mentioned, I guess I can use the phrase, night pollution. All I can say is that we have monitoring equipment—and again this is separate and apart from the air pollution index—which is continuously in operation and which shows, if there is a regular system of readings, whether night is higher than day. In other words, if for a week or two or even on the weekends, our monitoring systems shows continuously higher readings at night than in daytime, of course we know that there is some dumping going on; or emissions that are irregular or unnatural, more at one time of the 24-hour period than at another. In some industries we provide collectors which will catch these emissions and of course by surveillance and by inspection we can tell if there have been more emissions up to 6 o'clock in the morning as compared to up to 6 o'clock at night.

A programme of regular, constant surveillance on the waterfront in Hamilton may be difficult to do. We feel that using some form of mechanical check and surveillance, does not tie up a number of staff people in a particular area, and may be even more effective than just a sort of raw view of emissions from a smoke stack.

I do not know if the hon. member raised anything more outside of the fact that he was talking about our system.

He asked the question, "what are we monitoring?" As the hon. member knows, we are monitoring SO_2 and particulate matter; these are the things that are more injurious to health than other forms. In other words, when we get an index reading of these particular matters, we get a fairly accurate reading of the total pollution in that particular community. When the index goes up, the total pollution goes up. There is no question that these items that are included or being monitored in our air pollution index system are the most injurious to health. For example, when the reading goes up to 100 to 150 to 200, we know that people who suffer from asthma or respiratory diseases will be affected by the various particulate matter that is included in these readings.

Mr. Chairman: Does this conclude vote 507?

Mr. Deans: I just want to ask the minister a couple of questions in regard to his answers.

Am I to understand from your answer that there are occasions when you discover that in fact companies do emit at night more than they do in the daytime, or are there no occasions? Are they frequent or infrequent? Are they then handled in a particular way or are they just warned? How many companies are involved in this particular thing? And do you accept a higher reading at night than you do in the daytime with certain companies?

Hon. Mr. Kerr: The answer to the last question is no, not if it is done on a continuous basis.

Mr. Deans: What do you consider to be a continuous basis?

Hon. Mr. Kerr: Well, for example, for seven days. If we are aware that the emissions at night, or for say a 12-hour period, are greater than the emissions in the daytime, I think we would have every reason to believe that there is something intentional in respect to this industry. But I am not prepared to say that industries regularly emit more at night than in the daytime.

Mr. Deans: Well are you prepared to say they do not?

Hon. Mr. Kerr: No, I would not say either way. You see, this is a rather complicated thing. I do not think that the times for emissions are necessarily completely up to the people who are in some way responsible for the emissions. I think there are certain times in the operation of the shift that they have to have an emission. Whether or not that is possible more at night than in the daytime is, I suppose, a question of the industry in many respects. Foundries, I think, are different from refineries and vice versa.

Mr. Deans: Let me ask you then if, in determining the emissions at night in the overall picture in the city of Hamilton, do you consider the fact that there are any number of industries not operating overnight and therefore their emissions are considerably reduced, perhaps even eliminated, and this permits others to emit more because that will not then affect the quality of the air adversely in relation to what it would be in the daytime? Did you understand the question? It had difficult wording. All right, do you know what I am saying?

We have 100 companies emitting in the daytime and we have an emission level throughout this city that we consider to be tolerable. Overnight, of about 100 companies, perhaps 80 of them do not operate and therefore they are not emitting. There should therefore be a reduction of some 80 per cent in the total emission reading in the city of Hamilton when those companies are closed. Is it true or is it not true? Is there a reduction in relation to the number of the companies that are not operating or do you permit of the companies that continue to operate to emit at that point in excess of what you would during the day?

Hon. Mr. Kerr: No, I think what I can say to that, Mr. Chairman, is that our readings are normally lower at night than in the daytime. There are, as the hon. member said, some plants that do not operate during a total 24-hour period. Our readings show that the general atmosphere condition is better at night.

For example, recent experience of the air pollution index showed that when we had a decrease in the index it was during the night, usually during the early hours of the morning. It may be 50 at 7 o'clock in the evening; it may be lower during the night. I think, as the hon. member knows, our recent experience, particularly the one last

week, showed the reading at 12 o'clock or 1 o'clock and at 4:30 o'clock was much higher than 7 a.m. that day.

I think the hon. member, or his colleague from Hamilton East, mentioned automobiles parked in driveways overnight. And I think this is because the big plants—the most polluting plants—are on a 24-hour basis; and I would be willing to bet that if that car sat there from 7 a.m. until 4 p.m. the situation would be the same.

Mr. Deans: You may be willing to bet, but you are going to have to bet with the people who tell me that that is not the case.

Hon. Mr. Kerr: They do not need their cars during the day then.

Mr. Deans: Ah yes, but you see they work shifts. And so they do need their cars during the day. How about that?

I want to ask you, in the area immediately around Dofasco, in the area Dofasco encompasses, have you done any monitoring or testing in that area to determine the effect of the pollutants coming out of the mill on the people who live right there?

Hon. Mr. Kerr: Oh yes, we have for Hamilton. Yes we have monitoring devices generally in the area of Dofasco.

Mr. Deans: Generally in the area.

Hon. Mr. Kerr: In fact, it is broken down—yes we have, somewhere here, broken down readings of monitoring the situation in Hamilton. Toronto—here we are, that is it.

Mr. Chairman, we have annual average dust-fall readings, annual average iron oxide dust-fall readings, annual sulphation rate readings; and also on a daily basis. Now I do not know if these figures will mean anything to the hon. member, outside of the fact that I can say they are going down.

For example, in the Burlington-Ottawa area—that is streets—1968, the annual average dust-fall—this was tons per square miles—the 30-day basis was 116; it went down to 110. Not very much. But the annual average iron oxide dust-fall—this is tons per square mile on a monthly basis—in that same area was in 1968, 12.5 and in 1969 down to 9.8.

Mr. Gisborn: That is where the Dofasco office is.

Hon. Mr. Kerr: Now give me an idea. Give me some streets.

Mr. Deans: All right, I will give you some streets. Tell me what the readings would be on Beach Road at Ottawa Street; on McNulty Boulevard; on Ottawa Street; on—

Hon. Mr. Kerr: I have some. I can read the streets I have rather than—

Mr. Deans: Okay.

Hon. Mr. Kerr: Fine. I have Houston-Hunter—that would not be it—Burse-Main, Province-Main, Queenston Road-North Park, Burlington-Ottawa, Burlington-Gage, Burlington-Wellington, Chatham-Frid, Broadway-Main, Fennell, Sherman and Woodward.

Mr. Deans: You see, you are monitoring the wrong areas. I hate to tell you, but there are no people living in most of those areas, or else they are so far removed from the industrial section that it does not reflect anything. Along Burlington Street, in the area that you are talking about—

Hon. Mr. Kerr: That is where the industry is.

Mr. Deans: All right, of course that is where the industry is, but that is not where the people live.

Hon. Mr. Kerr: Oh, you want the readings by the industry?

Mr. Deans: No, no, no. What I want to know is—

Hon. Mr. Kerr: You are reversing it.

Mr. Deans: —the effect of the pollution on the people, where they live. There is no point in telling me that in the heart of the Steel Company of Canada the pollution reading is high.

Hon. Mr. Kerr: Naturally, Mr. Chairman, the member is contradicting what he has been saying about the air pollution index. We should have it next to the industry. Now he is saying that it should not be next to the industry.

Mr. Deans: All right. You should have it located in the residential areas immediately adjacent to the industry. Let us not monitor at the corner of Fennell and Gage. There is not an industry within five miles.

Let us, for goodness' sake, monitor at the corner of Ottawa and McNulty where people live, or try to live, where they are living right in the shadow of the Dominion Foundries and Steel operation that is being expanded day by day, that is producing more and more pollution, that is producing a greater hazard

for those people. You are monitoring, there are no homes right there. For goodness' sake, find a place where you can monitor where there are people living.

Mr. Martel: They do that all over.

Mr. Chairman: Vote 507?

Mr. B. Newman: Mr. Chairman, I wanted to ask of the minister if he requires industry to provide him with statistics as to the amount of particulate matter that is actually collected in a plant from the operations of the plant on a daily basis or a weekly basis so that there could be definite proof that they are not putting some of this particulate matter, fly ash and so forth, back into their flues and blowing it out at night?

Mr. Chairman: Vote 507?

Mr. B. Newman: Well, I wanted the minister's answer for that.

Hon. Mr. Kerr: It is getting to be repetitious and the hon. member has been moving in and out of his seat. We have talked about this night pollution now on two or three occasions.

As I mentioned, in many of these industries, they were able to provide collectors to catch the emissions and therefore gauge whether or not there is more emission at night than in the daytime. In many plants, the option of when emissions can be released is not entirely up to the operators of those plants. It depends on the plants. There are certain times when they can allow greater density in their emissions. Most of these plants—for example, the Hydro plant—include a smoke density meter in their stack and, when we investigate that, we know generally what times these emissions are being allowed to be poured out into the air. We have what we call blow tubes. This is done usually about three times per shift, that is to say, nine times on a 24-hour basis.

There is no question, Mr. Chairman, it is possible in many industries, and on occasions if there is this clandestine intent, shall we say, to open the valves at night or the early morning. This can be done from time to time and I know that our people have found that this is being done. There is no question about that and it may be that we should amend our Act so that employees, as well as the officials of that company, can be prosecuted. In many cases this is an order that is handed down from management to an employee, but in my opinion, if the employee refused to do that, knowing in some way he was breaking a regulation or a statutory provision, the employer would be very unwise indeed if he tried to discipline that employee for not following his instruction.

But I think it would be a good idea if we made it less attractive for companies to try this if they are doing it and, at the same time, of course, we could take steps to step up our surveillance.

Mr. B. Newman: Mr. Chairman, I asked this question because, before the Chrysler Windsor foundry was shut down because it was no longer economically feasible for it to operate I was told by employees that they were under instructions in the late evening hours to dump some of this particulate matter, so it could be dispersed into the neighbourhood without anyone noticing it. And it did spread into the neighbourhood and it did cover cars and cause inconvenience as well as material damage.

Mr. Chairman: May I point out we are being quite repetitious? There is very valuable time being used up here which I am sure you will want for other parts of our consideration. Can we consider 507 as carried?

Mr. H. Peacock (Windsor West): Mr. Chairman, on one point—

Mr. Chairman: On 508?

Mr. Peacock: On air management.

Mr. Chairman: On air management? Is it something new?

Mr. Peacock Yes, Mr. Chairman. On June 19 a group of citizens in the west end of Windsor launched a suit in the Michigan courts against major industrial polluters on the Michigan side of the Detroit River. Following that, I wrote to the minister to ask what assistance he could provide. I suggested four specific points to him. His reply, which came only in August, indicated that he would discuss this with his counterparts in the neighbouring jurisdiction to Ontario.

I would like to ask the minister now if he has been able to establish, by monitoring the particulate matter, which companies have been the source of damage to the people who have filed the suit? If the minister wishes to wait for me to complete all the questions, I would like to ask him if he is prepared to turn over the information which he may have received from the monitoring so that those residents may use the information as evidence in their suit in Michigan against the companies.

Hon. Mr. Kerr: Mr. Chairman, I recall the correspondence to which the hon. member refers. The problem here is for us to develop a pattern or establish in some definite way, sufficient for prosecution in any court in the US, the extent to which a particular industry contributes to air pollution or the condition of the air on a particular day.

Really, I think if citizens in Windsor are launching a suit against industry in the United States, the logical place to get the information for such a prosecution is in the United States, assuming there is a monitoring system there. That is where the prime information would come from.

I think it would be very difficult for us in Windsor, or with our monitoring system, to be able to say with any degree of conclusion that a specific industry in Detroit contributes to the condition or certain reading on a particular day. And under whose law are you prosecuting? I assume if you are prosecuting in the United States, you are prosecuting under US law, so your evidence would have to be gathered in the United States.

Mr. Peacock: With respect, Mr. Chairman, the evidence cannot be gathered in the United States because the prevailing winds carry the fallout—particularly that of the Great Lakes Steel Company—directly from its source on the border of the river on the US side, across the waterway and deposit it on the Windsor side. Therefore, the analysis must be carried out on the particulate matter which falls on the Windsor side.

I agree with the minister that to trace the source is another question altogether. But at least part of the evidence must be just what kind of particulate matter is causing the damage to health and to property on the Windsor side.

The minister has offered no other assistance to these people. The Attorney General (Mr. Wishart) has offered no assistance. They are entirely on their own and it is only because of Michigan law, which permits them to retain an attorney who will take his fee from any award for damages made by a court there, that they can possibly finance this action. If they were to undertake such an action in Ontario against an Ontario polluter they would have to pay the entire amount of the costs themselves unless fees were awarded by the court in a successful action.

That brings me to my third point. Will the minister introduce in Ontario, legislation similar to that enacted by the Anderson law of Michigan this year? This provides for the launching of court actions against a polluter, whether it is a public agency or a private industry, thought to be damaging the environment.

Hon. Mr. Kerr: I will answer the last question first, Mr. Chairman. Yes, we are considering this. As the hon. member may know, similar legislation is being proposed in Manitoba.

Getting back to the particular incident to which the hon. member referred. As I indicated before, our monitoring system in that area would measure total particulate matter only. I would think that, if in the future there are a group of citizens who are desirous of laying a charge against a particular company, even if that company is in the United States, it should call in the authorities. It should call in representatives of my branch in the Windsor area and possibly call in the Crown attorney in that area, in advance. Then we can measure and monitor on a specific day when the pollution from that plant may be high.

Certainly I would assume that the particular plant to which the hon. member refers has been a source of pollution for a long time on a pretty well continuous basis. So do not lay the charge and say, "Yesterday this is what happened," and then ask for information.

I think the best thing is—you are bound to get another good day as far as they are concerned—I would say bring in the authorities first. We can quietly gather the information, as we do certainly under The OWRC Act, sufficient to obtain at least a conviction in our courts. Then, as to whatever machinery or procedure we need to prosecute in the United States, I am hoping that this is one of the things that our meetings with American states will iron out, so there can be this type of class action across the border, as well as some form of uniformity in respect to pollution control.

Mr. Peacock: One last question, Mr. Chairman. Was any progress, in fact, made at the recent conference by the minister in winning agreement on transboundary prosecutions and settlements of damages? It is not a charge these people are proceeding with, it is a civil action for damage. Was any such progress made at the last conference?

Hon. Mr. Kerr: No, at our last committee meeting, the ad hoc group, we did not get into specific legislation or specific types of enforcement procedure to which—

Mr. Peacock: At the governors' conference in September?

Hon. Mr. Kerr: In September at the governors' conference, yes. There was general reference to not only some uniformity of standards and criteria, but also there was discussion about the fact that in some states there were few or no penalties for certain breaches of acts dealing with the environment and some were quite high. So that dealing with the whole aspect of some form of uniform programmes, of course, enforcement procedures as well as civil actions were discussed.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: I have a couple of short points similar to those of my colleague from Windsor West. Mr. Minister, I have written you two letters about two different cases. One was involving the emissions of iron oxide from Falconbridge which paint one side of the houses in Wanapitei red. Who is responsible for this source of damage?

The only place the iron oxide can come from is Falconbridge. It not only covers houses; it covers cars, trees, shrubbery and so on. The company is responsible, but no action has been taken to my knowledge by your department to force the company to pay the damages that these residents are suffering. We can anticipate at least another year and a half, at minimum, of the continuance of this problem.

The second problem relates to cars, Mr. Minister. I wrote to you regarding a Mr. Hans Derner of Markstay who, when he parks his car at work, which is near Inco's property, he has subsequently had to pay $160 to get a new paint job. Is it the responsibility of your department to determine what, in effect, is causing the paint to blister and peel? If so, are they doing anything about this? And if the company is found wrong or responsible, rather, for this sort of damage occurring, is it the intention of your department to force the company to pay for these improvements that are necessary?

Hon. Mr. Kerr: Mr. Chairman, I do recall the correspondence from the hon. member. As a matter of fact, we are becoming penpals. Between him and the colleague he has in Pollution Probe in Sudbury, I had to hire a girl specifically for the Sudbury area.

Mr. Martel: Will you get me one in the process?

Hon. Mr. Kerr: She happened to be from Burlington, you know, we have to—

Mr. B. Newman: Because that is the only place where there is fresh air.

Hon. Mr. Kerr: But in any event I suppose one of the reasons that paint would blister would be from iron oxide. All I can say is that in Falconbridge's programme regarding its emissions under the ministerial order there has to be a substantial reduction not only in sulphur dioxide, but also in iron oxide. I think that—I notice that Falconbridge's cutoff date is 1974. I guess we were talking about Inco before. This is down to about 10 to 15 per cent, where now it may be 85 per cent. On the five-year programme, I am hoping that the problems that the hon. member refers to will be pretty well eliminated.

Mr. Martel: Can there be action taken against them by your department at the present time? Because these people are encountering considerable difficulty and you have failed to mention the responsibility for the SO_2 damage to the cars. I am just wondering if you would be a little bit specific on both of these?

Hon. Mr. Kerr: There is only one answer, Mr. Chairman, and that is that this is really outside of our programmes. We know that these emissions are taking place—and anybody who suffers such damage, of course, has recourse to our courts.

As I have said on many occasions, if any citizen wants particular evidence from us, data from us, technical information from us for such prosecutions, that is available.

Mr. Chairman: Vote 507 is now carried.

Vote 507 agreed to.

On vote 508:

Mr. Chairman: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I have several short questions. They will not take long. All of them are related to the banning of the non-returnable bottle. I want a bit of a progress report from the department with respect to this matter.

Firstly, is the department—I presume it is —still studying this matter and how far have these studies gone? Are there any results of those studies? What do you intend to do?

Hon. Mr. Kerr: Mr. Chairman, I am happy to advise the hon. member that since we adjourned last June there has been a great deal of study into this whole problem, not only non-returnable bottles but the non-returnable container generally.

We have met with the industry on a number of occasions, with people like the Glass Production Council. We have met with the unions that are working at plants that produce the non-returnable bottle. We have compared the legislation in British Columbia and we have also had some indication of what success has been enoyed in that province as the result of their legislation.

However, as the hon. member knows, that does not ban the non-returnable bottle. It is a levy or a tax on the bottle and requires that all companies, all bottlers, all retail outlets pay a deposit.

One of the resuts of meeting with industry has been the formation of a committee. The committee is to answer certain questions that we put to it as to the effect of banning the product; of the effect of a tax on non-returnable containers or the requirement of a substantial deposit; what educational programmes and research programmes can be carried out as far as recycling and reprocessing is concerned; whether or not more depots, such as have been set up in Hamilton and Toronto, for the collection of non-returnable containers would assist the programme, would alleviate the litter problem.

There has been a continuous concentration on this problem ever since June. As the hon. member knows, there has been a substantial amount of publicity given to this problem by the industry and by government. There has been television, newspaper, radio clips and ads and publicity telling people to: "Stow it, don't throw it"; and this type of thing, trying to tell people that we have a problem with non-returnable containers because of people, not because of the product. The sooner we get that across by our educational programme I think the sooner the problem will be greatly minimized.

The hon. member has submitted some legislation and, as I have indicated to him personally, I do not think that this will entirely solve the problem. It is another way of easing people's conscience. I am convinced, from my limited travels throughout the province to our beaches and our parks, that there are as many returnable bottles as non-returnable bottles broken in those areas. They are just as much of a danger to children, to people, to health as non-returnable containers.

One of the greatest worries, however, and possibly one of the greatest reasons why there has to be some control—why there has to be more regulation than we have now—is because of the proliferation of the non-returnable container. The mountains are growing bigger and bigger and the problem of disposal is becoming complicated, so it is a matter, as I say, of better research, more answers, more recycling.

There is a group in Burlington, a very active citizens' group, which is talking with town officials right at the present time requesting regulations making it mandatory to have garbage separate. In other words, non-returnable containers go in a separate can, so that, rather than finding their way on to a sanitary landfill site, they can in some way be recycled. This is what we are doing and I would not be surprised if sometime before the end of the life of this Parliament, we are going to have some sort of legislation. I hope so.

Mr. Gaunt: Mr. Chairman, if I may just pursue this for a moment. What, by way of research, has government done? Or, alternatively, have they encouraged the industry itself to do more research with respect to finding other alternative containers whereby these containers will actually dissolve after a period of exposure to some light and air or some other more suitable type of container?

Secondly, has the department pursued with vigour the matter of raising the deposits on the returnable bottles? In my opinion, the deposit on the returnable bottle would have been raised to five cents way back in June had it not been for Coca-Cola.

I think Coca-Cola vetoed the whole idea, and there were a number of people in the industry who were prepared to raise their deposit on these bottles at that time. But Coca-Cola, because of their strength in the market place, said, "No, we are not having any part of that at all." The rest, of course, more or less followed suit, as is their wont.

I am wondering if the department has actually pursued this, because I think it is a multi-pronged attack. I do not think we can just come along and say, "Okay, we have got to ban the non-returnable bottle and our problem is solved." I do not think it is that simple. I think there are a number of other areas that have to be attacked in conjunction with that. As far as I am concerned, the raising of the deposit on the returnable bottle is one of those attacks.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman: May I ask the minister, Mr. Chairman, if he is giving any thought, or if the department is giving any thought, to the new home gadget, the refuse compacter, and its implications in the whole field of waste management?

Hon. Mr. Kerr: Mr. Chairman, I am aware of the refuse compacter. It is of some benefit; there is no question about that. We are suggesting that in some of our own provincial institutions and buildings, that this is a better method of garbage disposal, and where this can be done, it is being done. It is the same as using propane gas in certain government vehicles.

Whether we should be into the area of legiislating or regulating on a domestic level or an apartment level is another question until things are a little more perfected. I cannot but help feel that this type of equipment will be used naturally by people as they see the advantage, assuming that it is marketable and it is competitive and reasonable in price. This type of convenience equipment, such as the Garberator, although it is banned in many municipalities, is a convenience. I am hoping, of course, that technology and research will come up with something even better.

Mr. Gaunt: Would you care to answer my observations?

Hon. Mr. Kerr: Yes, Mr. Chairman, there has been research. A great deal of research is being done by the industry. I think we can compare the container industry with possibly the soap and detergent industry of a few years ago.

They can see a spectre of government regulations and control hanging over them and they are doing a great deal of research on the whole matter of biodegradable containers, of recycling and reprocessing. This is now a project of the Ontario Research Foundation. The University of Toronto, as the hon. member knows, has come up with something that will disappear and I hope it will exclude the wine bottle.

There has to be, I think, a programme to raise the deposit on returnable bottles. There also has to be some provision I think, a mandatory provision, to reqjuire retailers and wholesalers to accept these bottles and pay a deposit. In spite of the inconvenience, surely there is something that can be arranged, whereby their time and trouble is rewarded. To get back to the original question; there is quite a great deal of research going on, particularly in the United States.

Mr. Gaunt: One final question, Mr. Chairman. Has the minister or any official within his department indicated to Coca-Cola that the department does not view with any great agreement their actions last spring with respect to the deposits?

Hon. Mr. Kerr: Well, I think it started mainly in the Windsor area. This is where it started and subsequently to that it happened that a Coca-Cola and the rest of these companies—Pepsi and others—were in my office discussing this whole problem of the non-returnable bottle. At that time that issue was raised, I might say, quite vehemently.

Mr. Gaunt: You told them that you were not very happy with what they had done?

Hon. Mr. Kerr: Right!

Mr. Gaunt: What did they say?

Hon. Mr. Kerr: They tried, very generally, to sort of educate me in the whole business of marketing, particularly as it affected the international boundary as well as that part of the province, and the fact that the situation may be different in Kitchener from what it is in Windsor and this type of thing. In other words, that they would be put at some disadvantage by their competitors as well.

Mr. Gaunt: I hope you told them you did not believe them.

Mr. Chairman: Is vote 508 carried?

Vote 508 agreed to.

Mr. MacDonald: It is obsolete.

Mr. Chairman: This concludes the estimates of The Department of Energy and Resources Management.

I might just point out to the committee for your information that there are approximately 25 hours left for study in this House, and that is not counting the time left for concurrent debates. This is to cover the rest of The Department of Education, all of The Department of Financial and Commercial Affairs, The Department of Labour, the Lieutenant Governor, The Department of Municipal Affairs, The Department of Revenue, the auditor and a couple of others.

Hon. Mr. Welch moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before the House adjourns, during the question period I said that if I were able to get a little more information concerning the extent and breadth of the order made under The War Measures Act, I would do so.

I am able to report that the order, by the definitions in it, directs itself to the FLQ and any successor organization, or similar organization, or any persons advocating a governmental change by criminal means or by violence. So members can see by the restriction, it is a fairly narrow order.

In essence, the order-in-council abrogates for such persons their right to bail and permits their arrest on suspicion without warrant, and they may be held without charges being laid. There are certain time limitations, of course, built in, so that this is not an unlimited right. In effect, it removes such persons from the ordinary protective devices which are found in the Criminal Code as far as arrests and detention are concerned.

Also, there are some rather broad powers of investigation in order to permit the police to carry out investigations. The order itself goes into some detail in spelling out matters which might be described as being the general law relating to treason and sedition.

I think we can fairly say it is directed toward the FLQ, or organizations of similar type and to people, as I say, who are trying to bring about changes in governmental structure and function through criminal means or through violence. I presume all violence is going to be by criminal means.

Mr. H. Peacock (Windsor West): That is nation-wide?

Hon. Mr. Robarts: And it is nation-wide. But the restriction in it is to these groups.

Mr. S. Lewis (Scarborough West): The Premier would not use it in Ontario unless he were pushed into it?

Hon. Mr. Robarts: No, I would not use it unless there were people carrying on activities to which it is directed. You see, what I mean is, the limitation is not on a geographic basis. It is to the organizations and to the activities of those organizations and the individuals who make them up.

Mr. Lewis: If I may make a comment, could we have an undertaking or a statement by the Prime Minister that, if for whatever reason—I have no idea under what circumstances—such powers were exercised in the Province of Ontario, that a daily statement of the individuals to whom those powers had been applied would be given to this Legislature?

Hon. Mr. Robarts: A highly hypothetical question. I could not give any undertaking because I really do not know what particular circumstance the member is referring to. Frankly, until the event occurs, you do not know what you are dealing with. So such an undertaking would be impossible for anybody to give, and I think it would be quite meaningless anyway.

Mr. Peacock: Mr. Speaker would the—

Hon. Mr. Robarts: Oh, I was just going to move the adjournment of the House. Any further—

Mr. Peacock: I wish to ask the Prime Minister if the Ontario Provincial Police are bound by the order—that is to carry out its special powers—or any other civil police force in the province?

Hon. Mr. Robarts: Yes, I think it applies to the police forces, but as in all police forces they have to be directed. The powers are given here and they would have to be directed to exercise these powers.

Mr. Peacock: By the federal minister or Ontario?

Hon. Mr. Robarts: It would be done, for those police that are controlled provincially, by the provincial authorities; and it could be carried out by the Royal Canadian Mounted Police who get their jurisdiction from the federal government.

Mr. W. G. Pitman (Peterborough): I wonder if I could ask the Prime Minister whether there is any possibility there might be checkpoints placed on roads leading from Quebec to Ontario, in view of the fact that

there might well be a flight of FLQ from that province into this province? Has the Prime Minister any expectations of this?

Hon. Mr. Robarts: I would say that we would have to have some indication that there was some sort of need. The mere idea of setting up a barrier between this province and the Province of Quebec holds little appeal for me, nor do I think it would so hold for anybody else in Ontario. If we reach that stage, which I am quite certain we have not reached, where it appeared to be necessary, I presume we would then have to consider doing it. But I do not think it is necessary now, and one would approach such a thing with great reluctance.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12:55 o'clock, p.m.

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No. 127

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Monday, October 19, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, OCTOBER 19, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon in our galleries we have as visitors, in the east gallery, personnel from the Lakeshore Hospital, New Toronto; in the west gallery, students from St. Lucy's Senior School in Toronto; and in both galleries from St. Joseph's Senior Separate School in Toronto. This evening we will be having with us the 19th Bendale Cubs from Scarborough.

Statements by the ministry.

Oral questions.

ONTARIO REPRESENTATION AT FUNERAL FOR HON. MR. LAPORTE

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I wonder if the Prime Minister has given any consideration to the possibility of forwarding a resolution of this House to the government of Quebec, to express our sympathy in the loss of Monsieur Laporte; and if he intends to send a delegation to the funeral to be held there tomorrow?

Hon. J. P. Robarts (Prime Minister): Yes, Mr. Speaker, we spent some time this morning making arrangements such as the hon. Leader of the Opposition mentions. We first had to ascertain just what form the funeral was to take. There will be representation from the government and from this assembly there.

I would also be happy to give the Leader of the Opposition's suggestion about a resolution of this House some consideration.

ENFORCEMENT OF WAR MEASURES ACT

Mr. Nixon: Mr. Speaker, a question of the Attorney General. Can he report any incidents relating to the surveillance carried out by the Ontario Provincial Police with extraordinary powers over this weekend, since those powers were introduced into Canada in the morning on Friday last?

Hon. A. A. Wishart (Minister of Justice): No, Mr. Speaker, there are no incidents to report. Perhaps I might enlarge that a bit.

Certainly in the form which the question was asked there are no incidents. I think perhaps I should tell the House, the Ontario Provincial Police have increased their security in certain areas and with respect to certain matters. There is the fullest co-operation with the RCMP, with the QPP—the Quebec Provincial Police—and with the policy of the national government generally. Everything is being done to co-operate to the fullest extent of what we regard as a law proclaimed by the federal government with its responsibility to maintain order in the situation which faced it. Those things are being done, but there have been no incidents.

Mr. Speaker: The member for Scarborough West has a supplementary?

Mr. S. Lewis (Scarborough West): By way of a supplementary, Mr. Speaker: Can the Attorney General inform the House if there have been any persons detained under the regulations of The War Measures Act in the last 48 or 72 hours?

Hon. Mr. Wishart: As far as I am aware, Mr. Speaker, there were three persons who were detained under the regulations bringing into effect these provisions. I believe that two of them have been released. I understand that a habeas corpus application is presently being made with respect to the third one.

Mr. W. G. Pitman (Peterborough): A question, Mr. Speaker: I wonder if the Attorney General would comment on the statement made by the Prime Minister on Friday that the existence of a barrier between the provinces of Quebec and Ontario would "hold little appeal for him and for the people of Ontario." Could he indicate why these barriers were put up, on whose orders they were put and what the purpose of this particular barrier is?

Hon. Mr. Wishart: There is no barrier, Mr. Speaker. There are check points along the border between Quebec and Ontario set up by the Ontario Provincial Police.

These check points are manned by the Ontario Provincial Police at the request of the Royal Canadian Mounted Police. It is done at their request to check the possibility of certain persons coming out of Quebec into Ontario. It is being done in a most friendly manner, but it is being done very thoroughly.

Mr. Lewis: A further supplementary, Mr. Speaker: Does the Attorney General feel it would be appropriate for him to indicate those persons who are detained under the regulations of the Act?

Hon. Mr. Wishart: I would think, Mr. Speaker, there would perhaps be a time and place to do that. It is not usual in our ordinary enforcement of the criminal law to call for an announcement of who has been arrested across the province or anywhere in the province.

I would think that in this particular situation, Mr. Speaker, the considerations of security would perhaps not make it the time or the place here today to give those names, but I think there may be certainly a time when that should be known to all.

Mr. Speaker: The Leader of the Opposition.

GOVERNMENT PARTICIPATION IN SURVIVAL DAY ARRANGEMENTS

Mr. Nixon: A question on another subject, Mr. Speaker, that I would like to put to the Minister of Energy and Resources Management. Was his office involved in any way in the co-ordination of the efforts of the community colleges and the federation of labour in establishing the Survival Day discussions and meetings that were held on Saturday across the province? If so, I wonder if he could indicate to what extent his responsibility as minister in charge of anti-pollution measures in the government were called into play?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, we were involved to the extent that we supplied material—substantial material—and information to the various organizations that were involved in arranging the whole week. Various meetings that were laid on for the past week including Survival Day. A number of our people, as the hon. member knows, took part in panel discussions, in making speeches and generally contributing in that way.

In view of the fact that one of the organizations—I think it was Pollution Probe—has requested financial assistance, we are now considering that. Apparently their drive for funds was not quite as successful as they thought it would be and their expenses were much more than they thought they would be, so we are considering assisting them in a financial way as well.

DREDGING MERCURY FROM LAKE ST. CLAIR

Mr. Nixon: A further question to the same minister, Mr. Speaker: What is the status of the minister's efforts to get professional advice on the dredging of mercury from the Lake St. Clair pollution centre? Has he, in fact, given the order that they should proceed?

Hon. Mr. Kerr: Mr. Speaker, we have hired counsel: we have had counsel attached to Ontario Water Resources Commission now for about six weeks. The counsel is Frank Callaghan, QC, who is also now, as you may know Mr. Speaker, in private practice. He has been working with our solicitors, with Ontario Water Resources Commission and with The Department of Lands and Forests to formulate a plan of action regarding any dredging in the Lake St. Clair area.

Mr. Nixon: A supplementary question: Would the minister not agree that perhaps even more important than the legal aspects are the technical aspects as to the results of such dredging? I think he himself has indicated there is a substantial technical question as to whether this might make the problem worse rather than better.

Hon. Mr. Kerr: Yes, Mr. Speaker, we have also consulted with some Swedish scientists who are involved in this particular type of research, in particular Messrs. Jernelov and Bouveng. Whether it is on a per diem basis or what arrangement will be made, we hope to actually have them advising representatives from both Ontario Water Resources and Lands and Forests.

Mr. Jernelov is, I believe, now attached to the University of Michigan, so he is available on almost a daily basis. We hope that the other gentleman will be in Canada within the next week or so to consult further with our people.

Mr. Nixon: Is the minister consulting with the federal authorities in Winnipeg, who did the first mercury analysis for Ontario when this first came into importance?

Hon. Mr. Kerr: Yes, Mr. Speaker, Mr. Davis' department, The Department of Fish-

eries, is involved and working with both of our departments, and has been ever since last spring.

Mr. Nixon: I have a question of the—

Mr. Speaker: The member for Sandwich-Riverside has a supplementary.

Mr. F. A. Burr (Sandwich-Riverside): A supplementary, Mr. Speaker: Has the minister investigated the method, reported to have been used in Japan two years ago, of using some kinds of bacteria which are mercury-consuming in cleaning up this mercury pollution? Is this a valid method?

Hon. Mr. Kerr: Mr. Speaker, I might say that this is one of the methods that was also being considered by the Swedish authorities. They were aware of the experience in Japan, and therefore this was one of the reclamation recommendations, you might say, for dealing with mercury contamination at the bottom of the lake—this, as well as dredging and some other methods.

Mr. Speaker: The Leader of the Opposition.

PUBLIC ACCESS TO CREDIT INFORMATION FILES

Mr. Nixon: A question of the Minister of Financial and Commercial Affairs—I am sorry to disturb him this way: Is it customary for him to announce his intent to bring forward legislation before he has discussed matters with his cabinet colleagues? I refer, of course, to his announcement in London that legislation would be brought forward, he hoped, to make public credit information on a person's personal file held by credit institutions?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Mr. Speaker, the general intent is something I felt there would be no conflict over. Certainly, from a political, partisan point of view, I would think all the members are concerned with the accuracy of information that relates to them in their credit files.

The particular intent is one, of course, that has to be spelled out by statute and proceeded with through the normal channels.

Mr. Nixon: A supplementary question: Can the minister now assure the House that such legislation will be forthcoming?

Hon. A. B. R. Lawrence: No, I cannot, Mr. Speaker, but I can assure the House that my general intent is the same. I would think in this regard I would have the co-operation and the support of all members.

Mr. Lewis: By way of supplementary, is this, in the tradition of the insurance legislation which the minister intends to introduce, to be expected if possible this fall before this House rises?

Hon. A. B. R. Lawrence: It is not particularly complicated legislation, Mr. Speaker.

Mr. Lewis: I know that.

Hon. A. B. R. Lawrence: I cannot say. A department such as Financial and Commercial Affairs is so various in its activities that the platter gets rather cold, so it is hard to commit myself or suggest, from a government's point of view, that any piece of legislation will be brought forward within the next two weeks or next two months.

Mr. Speaker: The member for Scarborough West.

ISSUE OF OVERTIME PERMITS

Mr. Lewis: A question of the Minister of Labour: When will the minister resolve the question of the issuance of overtime permits in Ontario, given the present level of unemployment in the province?

Hon. D. A. Bales (Minister of Labour): Mr. Speaker, there are provisions under The Employment Standards Act for the issuance of those permits. We are endeavouring to comply with the provisions in these laws as they stand.

Mr. Lewis: By way of supplementary, Mr. Speaker: Is the minister aware that at the De Havilland plant in Toronto, 25,000 man-hours of overtime work permits have been granted from June to September, while the work force has suffered an attrition over the last couple of years from 3,500 to 1,100 men? Can he possibly excuse that pattern in his department, which is true of many other plants?

Hon. Mr. Bales: Mr. Speaker, the permits are calculated and worked out by our senior staff on the basis of the regular requirements. The member is giving certain figures which I do not necessarily accept.

Mr. Lewis: By way of supplementary, Mr. Speaker: Does the minister not think he should amend his regulations at a time of unemployment and so the called anti-inflation war, to remove overtime permits in those plants where men are systematically laid off?

Hon. Mr. Bales: Mr. Speaker, there are many occasions in plants when overtime is required in one section of the plant and not necessarily in other sections. That is what prevails in industry—we must keep industry moving ahead—particularly in the automobile industry. There are certain sections of that industry that require extensive overtime which other areas do not require. Part of that is the business of keeping the plant running properly.

Mr. Lewis: By way of a final supplementary which bears on this. Will the regulations on layoff and shutdown ever emerge from this government, Mr. Minister? Are they now out?

Hon. Mr. Bales: On the first question, the word is yes. They are not out as yet but they will emerge as quickly as possible.

DRUGS AND COMPANIES LEFT OFF THE PARCOST LIST

Mr. Lewis: A question of the Minister of Health, Mr. Speaker: On reflection, has the Minister of Health decided to release the names of the drugs and the manufacturing companies which he felt he could not include in his own list for the government plan?

Hon. T. L. Wells (Minister of Health): Mr. Speaker, I gave a very full and complete answer to this at the health committee estimates last week and indicated that there was, perhaps, some merit in the suggestion from the hon. member for High Park (Mr. Shulman) in making these names available to the doctors of this province. I wish to pursue that with the Food and Drug Directorate. This we are doing.

Mrs. M. Renwick (Scarborough Centre): Supplementary: Would the minister then inform the pharmacists, as well as the druggists, of the drugs which have been withdrawn or at least rejected?

Hon. Mr. Wells: This will all depend on my discussion with the Food and Drug Directorate.

Mr. Speaker: The member for Humber.

MISLEADING STATEMENTS ON FOOD PACKAGING

Mr. G. Ben (Humber): A question of the Minister of Financial and Commercial Affairs: In the absence of the Minister of Agriculture and Food (Mr. Stewart) would the minister please comment on this packaging, which is used by the Loblaw company, which has, in large letters on the top "Canada Number 1 Grade New Table Potatoes, 10 lb." Then, in letters one-third the size of the "Canada Number 1 Grade" letters, the words "Produce of USA." Is this not false and misleading salesmanship?

Hon. A. B. R. Lawrence: I will not assess this at this moment, Mr. Speaker. I will certainly be pleased to receive the package from the hon. member and, I believe, forward it immediately to the hon. Mr. Basford whose legislation deals directly with this kind of packaging and advertising problem.

Mr. Ben: A supplementary question: Is the minister aware that this bag is being used in Ontario, the product is being supplied here in Ontario and the product is being sold here in Ontario; and people buying the product are under the misapprehension that they are buying Canadian potatoes?

Hon. A. B. R. Lawrence: I am not aware; I am now and we will act immediately, Mr. Speaker.

Mr. Speaker: I would like to draw to the attention of the member that the manner in which he began the question is not one which I shall in the future be able to accept. The member began: "Would the minister comment." The member, fortunately, then asked the question at the end of his speech. Perhaps in future the members would ask the ministers questions rather than ask if they would comment on any matter.

Mr. Ben: Mr. Speaker, I trust that in the future I shall have no occasion to ask such a question again.

Mr. Speaker: The member for Brantford.

LAYOFFS AT WHITE MOTOR COMPANY, BRANTFORD

Mr. M. Makarchuk (Brantford): I have a question of the Minister of Labour.

Has the Minister of Labour had any discussions or consultations between his department and White Motor Company in Brantford regarding the possible layoff of over 500 men?

Hon. Mr. Bales: I have had no direct discussions with reference to that matter; no.

Mr. Lewis: The minister could issue some overtime permits for those who remain.

Mr. Speaker: The member for Essex South.

SHORTAGE OF BUNKER C FUEL OIL

Mr. D. A. Paterson (Essex South): Yes, Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Is the minister aware that major oil dealers in southwestern Ontario are advising their local distributors not to take any new contracts for bunker C fuel oil, due to an apparent shortage? This is especially true in the greenhouse industry. What can the minister do to assure those persons using bunker C fuel oil at the present time of the continuous supply and in fact is there a shortage of this particular fuel?

Hon. Mr. Kerr: Mr. Speaker, this question really should be more properly directed to the Minister of Mines and Northern Affairs (Mr. A. F. Lawrence) who now has the responsibility of the energy branch. However, in view of his absence for the next few days, I will be happy to get the information for him.

Mr. Speaker: The member for Sandwich-Riverside.

USE OF PCB IN MANUFACTURING PROCESSES

Mr. Burr: Mr. Speaker, a question of the Minister of Energy and Resources Management.

What has the minister done to eliminate or reduce the use of polychlorinated biphenyls, PCBs, in the manufacturing processes in Ontario? Is the minister aware that the Monsanto company, which is the sole United States manufacturer of PCBs, announced in April that "steps have been taken to replace those grades of PCBs which linger in nature" and that they now acknowledge that they are continuing to manufacture all grades of PCBs but are selling them only to customers who, in their opinion, would not release them into the environment? Is this a satisfactory policy?

Hon. Mr. Kerr: Well, Mr. Speaker, we are of course aware of the use of PCB in Ontario; and we are also aware of Monsanto's role in being the major, if not the sole distributor of this product. The steps to which the hon. member refers were taken as a result of consultation with OWRC, this was a requirement. Monsanto finally give us the information as to their customers who are using PCBs and in what form it is being used, such as lacquers, paints, varnishes and things like that. The request at that time was even more stringently put, as indicated in the hon. member's question.

As to any further regulations regarding PCB, such as we have done with DDT, we are awaiting the results of a conference that took place in Sweden just last month. Representatives of this government attended with the idea of finding out just how dangerous this product is and what the future regulation regarding its use should be.

Mr. Speaker: The member for Etobicoke.

DUMPING JET FUEL OVER ETOBICOKE AREA

Mr. L. A. Braithwaite (Etobicoke): A question of the Minister of Energy and Resources Management: Can the minister assure this House that excess, or any, jet fuel is not being dumped over Etobicoke to make room for last-minute passengers on international flights? This question is asked in the light of the fact that a jet pilot was recently fired for refusing to dump fuel over Miami.

Hon. Mr. Kerr: Mr. Speaker; yes, I saw the same press release to which the hon. member refers. My information is that this is not done over Etobicoke or by planes using Malton Airport.

I am also advised, however, that there have been instances of dumping in an emergency. For example, when a plane has taken off loaded for a fairly long flight, and it has had to return, it may have dumped some of its fuel in the lake. But it always does this over water—this is my information—and only in an extreme emergency.

Mr. Braithwaite: A supplementary, Mr. Speaker: Is the minister aware of the fact that, because of last-minute occurences, I understand this is done at Malton? And would the minister, if he thinks that this is outside his area of responsibility, make strong representations to Ottawa on the matter?

Hon. Mr. Kerr: Yes, Mr. Speaker, I will. But I would be very surprised if there is any fuel dumping under the circumstances that took place in Miami, where a pilot would be fired because he did not dump his fuel over a place such as Etobicoke, because he might delay a flight. I would be quite surprised if that would be allowed to happen here.

Mr. Speaker: The member for Welland South. Supplementary?

Mr. Braithwaite: As a further supplementary, is the minister aware that there have been representations from elected officials in Etobicoke to the fact 15 tons of jet fuel are jettisoned almost daily over Etobicoke? Is he aware of this?

Hon. A. A. Grossman (Minister of Correctional Services): What does the federal Liberal member say?

Mr. Lewis: He is doing the jettisoning!

Mr. MacDonald: That is an irrelevancy. Let us deal with the issue instead of such interjections.

Mr. Speaker: The member for Welland South.

LOW-SULPHUR COAL SUPPLIES FROM U.S.

Mr. R. Haggerty (Welland South): Yes Mr. Speaker, a question to the Premier: What assurances do we have that Hydro's low-sulphur coal supplies will be safeguarded through the winter months of 1970-1971, in view of the widespread contract problems between United States suppliers and United States power utilities?

Hon. Mr. Robarts: Mr. Speaker, I do not know that I can give the member any iron-clad assurance. All I know is that this low-sulphur content coal comes from the United States and Hydro has to enter that market. Of course, this whole problem of pollution is of concern to every thermal power plant in the United States as well, so that there is great pressure on the available supplies.

But I can assure the member that Hydro is aware of these matters and will do everything in their power to ensure they do have an adequate supply.

Mr. Haggerty: A supplementary question to the Premier. Will the Premier table Hydro's actual contract for the next two years?

Hon. Mr. Robarts: Oh I rather doubt that. I can give that some consideration, but I do not know that we need to table in this House a contract Hydro enters into. They have many contracts of all kinds. I can tell the member they are very aware of the situation and they are doing their best.

Mr. Speaker: The member for Sudbury East.

ANNUAL MEDICALS FOR SINTERING PLANT WORKERS

Mr. E. W. Martel (Sudbury East): I have a question of the Minister of Health. In view of the fact that the employees—or former employees—who had more than three years' service at the sintering plant in Copper Cliff are now receiving annual medicals, would the minister have this policy applied to the men working at the sintering plant in operation at Falconbridge at the present time?

Hon. Mr. Wells: We will be glad to take that under advisement, Mr. Speaker. I am sure the hon. member is aware that many discussions have been going on between the doctors in our department and members of the union and of management at Copper Cliff. All aspects of this problem are being very thoroughly looked into.

Mr. Martel: It is Falconbridge. I did not say Copper Cliff.

Hon. Mr. Wells: I am sorry, Falconbridge.

Mr. Martel: A supplementary question: Would the minister concede to have examined one of the men at Falconbridge who is presently extremely ill; none of the doctors in the Sudbury area can diagnose the illness? Will Dr. Sutherland examine this man?

Hon. Mr. Wells: I will be glad to take that under advisement, Mr. Speaker, to see what the situation is all about.

Mr. Speaker: The member for Kent.

ASSISTANCE TO MARINA OPERATORS SUING DOW CHEMICAL

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question for the Minister of Energy and Resources Management. Is the minister aware of the article in the London *Free Press*, October 14, about the marina people who sued Dow Chemical for mercury pollution in Lake St. Clair and St. Clair River? Is the minister aware that these people were refused loans? Will any assistance be given to these men? What assistance will be given to these people, being the first to sue Dow Chemical for polluting Lake St. Clair and St. Clair River?

Hon. Mr. Kerr: Yes Mr. Speaker, I did have some very brief, limited information of

what action was being taken by some of the people in the area who have suffered because of the problems in the St. Clair area.

As the hon. member knows, our loans are restricted to commercial fishermen. We have not enlarged on that because of our arrangement with the federal government to share these loans. Naturally, we hope that the marina people will be successful in their action against Dow and we are watching that very closely.

Mr. Speaker: The member for High Park.

CHARGES AGAINST PHILIP WINN

Mr. M. Shulman (High Park): A question of the Attorney General, Mr. Speaker: Why has his department not laid any charges against Mr. Philip Winn for refusal to repay security deposits and tax rebates, despite the fact that Inspector Waddell of the antiracket squad of the OPP recommended, in OPP file ARB2207, that over 200 charges be laid?

Hon. Mr. Wishart: Mr. Speaker, I would have to look into this matter and learn the details before I could give an answer. I will take it as notice.

Mr. Speaker: The member for Etobicoke.

COMPLAINTS RE OPERATION OF HEAVY CONSTRUCTION EQUIPMENT

Mr. Braithwaite: A question of the Minister of Highways, Mr. Speaker: Is the minister aware that heavy construction equipment is operating day and night in the vicinity of Highway 27 and Willowridge Road, in the removal of dirt and other materials, and that the complaints of the residents who live in the area over the noise and dust and dirt, particularly at night, have been to no avail?

And, is the minister prepared to look into this matter to see whether the night work, in particular, can be eliminated?

Third, Mr. Speaker, is the minister prepared at this time to tell this House what steps his department has taken with reference to the complaints of the residents in this area over the noise and the dirt and pollution which have arisen due to the widening of Highway 27, between Dixon Road and Richview Side Road?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I do not know whether I can answer all the questions or not; I do not recall them all.

First, I am not aware of the equipment working night and day, but I will look into that. I think the other question had to do with the noise, and this is a continuing investigation with us. We will have further reports shortly on this.

Mr. Braithwaite: A supplementary: Could the minister assure this House that some sort of report would be available before this House adjourns sometime in November?

Hon. Mr. Gomme: No, Mr. Speaker, I cannot.

Mr. Speaker: The member for Thunder Bay.

EXTENSION OF DIESEL-GENERATED ELECTRICAL POWER

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. I have a question of the minister of Energy and Resources Management.

Can the minister advise me what progress has been made by Ontario Hydro in speaking to various government departments for an extension of a diesel generating programme in areas of the province that are not already served by Ontario Hydro—where the cost of transmission line is too great, given the customer density? And, is he prepared to say whether there will be an extension in the form of a grant-in-aid paid by the Ontario government to enable Ontario Hydro to extend Hydro services into areas where they do not have them, or in underserviced areas?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows, Hydro has criteria for extending its transmission lines or service lines to a certain minimum number of customers. It feels it has to stick pretty well to those criteria, based on today's economies and costs and things like that. Now we are aware of areas where requests have been made for diesel power. Hydro has, of course, passed this information on to us for our consideration.

For example, it was just within the last year, of course, that we provided such facilities in the Moosonee area. We will have to look at the whole picture in the north, where there is a reasonable need for power—but there is not sufficient demand to satisfy Hydro. We are still looking into that.

Mr. Stokes: A supplementary: How active is the consideration to an extension of aid by the Ontario government where the customer density formula used at the present

time by Ontario Hydro will not justify the expenditure, but will foster the kind of development that is needed if the Ontario government did subsidize the initial cost of construction?

Hon. Mr. Kerr: That is just the type of question that is being considered now by the government, as a result of Hydro's request to us and information to us.

Mr. Speaker: The member for Humber.

HARMFUL EFFECTS OF FREON GAS

Mr. Ben: Mr. Speaker, this is a question of the Minister of Health. Is the minister aware of a report of a study by Drs. George Taylor and Willard Harris of Chicago, which warns that Freon—a heavier-than-air gas used as a propellant in bronchial nebulizers—is absorbed into the blood through the lungs, affects the heart and may be responsible for the rising death rate amongst spray users during the past 10 years? If so, what action is he taking to ban the use of such aerosol nebulizers in Ontario?

Hon. Mr. Wells: Mr. Speaker, I am not aware of the study to which the hon. member has referred. I would suspect, though, that people in our department are aware of this and I will certainly look into it.

I would also like to draw to the member's attention that the primary responsibility in regard to licensing these products for marketing in this country rests with the Food and Drug Directorate in Ottawa.

As we have said many times, this kind of thing should be done on a national basis. I am sure they are very much aware of the article that the hon. member has mentioned, and we will discuss it with them.

Mr. Ben: A supplementary question to the minister: How long is the minister continually going to tell us that responsibility for this may be in another jurisdiction? This is a fact of which we may be aware, but still we express concern for the welfare of our own people. How long is he going to keep on telling us this without taking any action?

Hon. Mr. Wells: Well Mr. Speaker, I think, of course the hon. member has a great tendency to simplify things, and I guess we will be doing this as long as we believe in this federal system of government in Canada.

Mr. Speaker: The member for York South.

DAILY PUBLICATION ON SALES AND BIDDING FOR UNLISTED TRADING

Mr. D. C. MacDonald (York South): A question of the Minister of Financial and Commercial Affairs: When can we expect action on the announcement last spring of working out procedures whereby there will be daily publication of the sales and bid and ask for unlisted trading over the counter?

Hon. A. B. R. Lawrence: I cannot answer the question specifically, Mr. Speaker. I know it has been a problem; I have been discussing it with the chairman of the securities commission as recently as within the last two weeks. I shall get a response. I think it is a mechanical problem, as distinct from a policy or administrative problem.

Mr. Speaker: The member for Windsor-Walkerville.

EXPORT OF KEG BEER AND AVAILABILITY IN ONTARIO

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Provincial Secretary and Minister of Citizenship. Is Ontario-brewed beer being exported to the United States in small kegs—that is, the dutchman style keg—for home consumption? If it is, then why is it not available to people in Ontario? Third, when will it be available?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I will take that question as notice, because I cannot answer the first part of it.

With respect to parts two and three, as you will remember, Mr. Speaker, the hon. member raised this question a month or so ago in the House, and I undertook to have the matter of draft beer and its availability in the province investigated. I am not yet ready to report back on that; I will add the first part of his question to that study.

Mr. Speaker: The member for Brantford.

PROGRESS ON PORT DOVER LIFT BRIDGE

Mr. Makarchuk: I have a question of the Minister of Highways.

Can the minister indicate when the new lift bridge in Port Dover will become operational? It has been under construction for two years now.

Hon. Mr. Gomme: No, Mr. Speaker, I cannot. We had some problems down there, both with the design and with materials. It is under active treatment and I am sure as soon as it is functional it will be open.

I might point out to the hon. member that the open bridge is still in operation and we are examining it daily to see that the traffic can use it at all times.

Mr. Speaker: The member for Essex-South.

OPERATIONS CENTRE FOR OIL SPILLS

Mr. Paterson: A question of the Minister of Energy and Resources Management: Will the minister be advising municipal officials regarding his 24-hour-a-day operations centre for oil spills? Will he be advising them of the methods of procedure should such an occurrence take place in or near their jurisdiction?

Hon. Mr. Kerr: Mr. Speaker, I am not quite sure what the hon. member means by my 24-hour per-day programme for oil spills. I suppose I have been misquoted again.

Mr. Paterson: Mr. Speaker, with your permission I might refer the minister to an article in the Windsor *Star* that a new oil spill control centre has been announced by one of his officials. I will forward the message.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. Burr: A question of the Minister of Education, Mr. Speaker.

Mr. Speaker: I am sorry. The Minister of Education is not in his seat so that question—

Mr. Burr: He is coming.

Interjections by hon. members.

FACILITIES AT SANDWICH WEST HIGH SCHOOL

Mr. Burr: This question, Mr. Speaker, concerns a matter about which I wrote to the minister about a month ago. It concerns the Sandwich West High School. Does the Minister intend to take positive steps to see to it that the students of Sandwich West High School can enjoy a normal school day programme with normal extracurricular activities during the year 1971-1972, even if the proposed new building is not ready?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, this matter has been discussed by various members opposite on several occasions. It relates to the development of a new school in the county of Essex, where there has been some debate as to whether or not the students were to continue in one of the schools in Windsor or two of the schools in Windsor. The board determined that they would move ahead with a shift system at Amherstburg during the development of the new school facility.

With respect to the possibilities or probabilities for the academic year 1971, Mr. Speaker, I have no determination for the hon. member as to what alternatives might be available if the new school is not finished; and very frankly, in my humble opinion, it will not be available, I do not think, for the fall term. I understand the board perhaps will be giving some thought to this matter. I would be quite prepared to discuss it with members of the board as they see their own plans being further developed.

Mr. Burr: Mr. Speaker, a supplementary. Would the minister take the initiative on this matter?

Hon. Mr. Davis: Mr. Speaker, we are always prepared to take the initiative in those areas where it is sensible to do so. I am quite prepared to discuss it. I am not in the position to dictate to the board—and I am sure the hon. member would not want me to do this—as to some of their responsibilities, but certainly we are quite prepared to discuss it with them.

Mr. Speaker: Supplementary?

Mr. B. Newman: A supplementary question of the minister: I wonder if the minister would explain his position on the two-shift system in our secondary schools?

Mr. Speaker: That is not a supplementary, but the member may ask that as a new question.

Mr. Paterson: A supplementary, Mr. Speaker, on this question posed by the member for Sandwich-Riverside: Will the minister assure the House and the people of this area that everything possible will be done within the Minister's department to expedite all details in relation to the construction of this new school; and will he make representation to the Ontario Municipal Board at the time papers are in their hands to ensure this matter will come to a speedy conclusion?

Hon. Mr. Davis: Mr. Speaker, I assured two or three delegations, including some of the municipal representatives and school board representatives, plus parents, that this matter would be given the highest priority by The Department of Education when the relevant documentation came before us.

Mr. R. F. Ruston (Essex-Kent): What about the time the municipal board will take?

Hon. Mr. Davis: That is also part of the expediting process.

Mr. Speaker: The Leader of the Opposition.

INCREASE IN HYDRO RATES TO RURAL USERS

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Has he decided to refer the announced rate increase for rural users of Ontario Hydro to the Energy Board rather than permit it to go through unquestioned?

Hon. Mr. Kerr: No, Mr. Speaker, a decision has not been made on that as yet.

Mr. Speaker: The member for Peterborough.

GUIDELINES FOR TEACHER SALARY NEGOTIATIONS

Mr. Pitman: If I could direct a question to the Minister of Education: Would he inform the Legislature where the discussions stand between the trustees in Ontario and the Ontario Teachers' Federation in regard to the guidelines for salary negotiations next spring; and could he assure the House that compulsory arbitration is not one of the means by which decisions will be made in that regard?

Hon. Mr. Davis: Mr. Speaker, I cannot give any assurances to the member for Peterborough as to what agreements may or may not be reached between the trustees and the Ontario Teachers' Federation. Several meetings were held over the summer months. I expect to be meeting with both groups in the next few days, at which time I will be prepared to inform the House as to the nature of those discussions and what has been agreed upon, if it has been agreed upon.

Mr. Speaker: Does the member for Windsor-Walkerville wish the floor now?

COMPULSORY HEADGEAR FOR AMATEUR BOXERS

Mr. B. Newman: Mr. Speaker, if I may ask another question of the Provincial Secretary and Minister of Citizenship: Does the minister plan to amend the regulations, or The Athletics Control Act, to make it compulsory for amateur boxers to wear headgear so that they will be required to wear headgear in the Canadian championships being held this coming year?

Hon. Mr. Welch: Mr. Speaker, the office of athletics commissioner has not yet been officially transferred to our department pending the completion of the study of the estimates of that branch within The Department of Labour.

I would refer it to the Minister of Labour; perhaps the member could raise that question during the minister's estimates?

Mr. Speaker: The member for Sandwich-Riverside.

USE OF REFLECTORIZED PLATES IN ONTARIO

Mr. Burr: Mr. Speaker, a question of the Minister of Transport.

Is the minister now reconsidering the use of reflectorized plates in Ontario, now that the price is less than three cents per plate?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, there has been no change in the policy of the government with respect to reflectorized plates.

Mr. Speaker: The member for Humber.

COST OF MANUFACTURING REFLECTORIZED PLATES

Mr. Ben: A question of the Minister of Correctional Services: How much would it cost him to produce the plates aforementioned, that is the reflectorized plates, since he has the monopoly on their manufacture in this province?

Mr. V. M. Singer (Downsview): The minister should know that.

Mr. R. Gisborn (Hamilton East): He is contemplating, give him time!

Mr. Speaker: While the minister sorts that one out, the oral question period has expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Hon. Mr. Robarts: Mr. Speaker, before the orders of the day I have the answers to questions 14, 31, 45, 49 and 57. (See appendix).

Mr. Speaker: Orders of the day.

Clerk of the House: The nineteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES OF THE DEPARTMENT OF EDUCATION
(continued)

Mr. Chairman: Page 31, vote 402.

On vote 402.

Mr. G. Ben (Humber): Mr. Chairman, if I may I should like to discuss the plight of two schoolboys in my riding whose names received considerable prominence in the newspapers, Allen Brighter and Rick Leswick. These boys subsequently, as a result of—

Mr. W. G. Pitman (Peterborough): On a point of order, could you tell me where we are on this estimate now?

Mr. Chairman: It is The Department of Education.

Mr. Pitman: Yes, I realize that, but we were talking about educational television a few sittings ago and the next item in education is teachers' colleges. I am trying to decide where the hon. member is fitting in the two boys in his riding; that is all I want to know.

Mr. Chairman: Well, the hon. member went on to a bit of a head start there; we are on vote 402—page 33—teacher education, professional development, teacher's colleges and so on.

Mr. Pitman: I just wondered if we did not still have some items under this vote on page 33?

Mr. Chairman: Yes. We have finished to the bottom of page 32, which included all the items on that page. Anything further on vote 402?

Mr. Pitman: Yes, I want to talk on teachers' colleges.

Mr. Chairman: Well, the member for Humber—

Interjections by hon. members.

Hon. W. G. Davis (Minister of Education): On a point of order, Mr. Chairman. I do not in any way want to limit the contributions of the member for Humber, but with great respect I would think that a matter that is of a general nature really does not come under any of these votes and surely should have been raised under vote 401. As I say, we gave the member for Humber an opportunity to speak on this matter to a meeting of Progressive Conservatives in his riding—he had great opportunity on that.

Now, as I say I do not want to limit—

Mr. R. F. Nixon (Leader of the Opposition): That must have been a small meeting. Was it?

Hon. Mr. Davis: No, it was a very large meeting, well attended and enthusiastic! With respect I do not think this matter comes under this vote.

Mr. Ben: Mr. Chairman, as I understand from you—and I trust you are still the chairman and not the minister—we are discussing professional development and teachers' colleges. In other words, we are discussing the training of teachers, the supply of teachers and you might say the quality of teachers. The activities of the two lads I mentioned, Allen Brighter and Rick Leswick, and the actions that were taken against those two boys by the Etobicoke School Board, arose out of the quality of teachers which they thought—you are paying them—they had at Royal York Collegiate. The two boys, Allen Brighter and Leswick, 19 and 16, have been elected president and vice president of their school year. I do not imagine their election was approved by the principal or the teachers because these boys had a reputation of being a little outspoken, and one might even use the word radical.

An hon. member: A couple of Grits, were they?

Mr. Ben: An underground paper, Mr. Chairman, published an analysis of the teaching staff at Royal York Collegiate.

Hon. Mr. Davis: Is the member going to read the analysis?

Mr. Ben: Yes.

Mr. Chairman: How does this relate to teacher education or the training of teachers?

An hon. member: They were badly trained!

Mr. Ben: Do you mind if I just give—

Mr. Chairman: We want you to speak on the vote.

Mr. Ben: Thanks. It is on teacher education.

The newspaper, or the throwaway, which was published by this movement was called, "Underwhere"—spelled w-h-e-r-e, not w-e-a-r. It was captioned "Blacklist for white list", and—

Mr. Chairman: Order please! That has nothing to do with this vote.

Mr. Ben: How do you know until you wait for me to finish?

Mr. Chairman: This vote is on teacher education; we will rule it out of order if it continues.

Mr. Ben: Would the Minister of Health (Mr. Wells), please send a tranquilizer down to this Chairman? Now look Mr. Chairman, I ask your indulgence.

Mr. Chairman: Order, please! Either get on with the subject or I will have—

Mr. Ben: There are members here who are not familiar with the background of this and—

Mr. Chairman: Order please. Well relate it to teacher education.

Mr. Ben: All right, let me go through it and stop interrupting the proceedings of this House.

Mr. Chairman: Order, please! Will the member take his seat? The member for Peterborough has the floor.

Mr. Ben: He has not got the floor.

Mr. Chairman: Order please! Order!

The member for Peterborough has the floor.

Mr. Ben: He has not; I refuse to yield the floor.

Mr. Chairman: The member is out of order.

Mr. Ben: I am not out of order.

Mr. Chairman: Do you challenge my ruling?

Mr. Ben: I challenge your ruling.

Mr. Chairman: Do you have some supporters?

Mr. Ben: I trust I have some supporters.

Interjections by hon. members.

Mr. Chairman: Order, please! We will put the question.

All those in favour of the Chairman's ruling please say "aye".

Those opposed will please say "nay".

In my opinion, the "ayes" have it.

The member is out of order and the member for Peterborough has the floor.

Mr. Ben: You are a nitwit.

Mr. P. D. Lawlor (Lakeshore): Make him apologize!

Mr. Pitman: Mr. Chairman, I would like to direct my comments specifically to the question of teacher education, teacher education as it exists—

Mr. Ben: This is one guy who will never be appointed Speaker.

Mr. Pitman: —as it is now being developed in the universities and teacher education as it still stands outside the university settings.

Mr. T. Reid (Scarborough East): On a point of order, Mr. Chairman, when the member for Peterborough was speaking on the university estimates, he made it quite clear that he would state his remarks about teacher education at that time. We listened to a speech for two hours; now he is repeating himself.

Mr. Chairman: There is no point of order. The member for Peterborough has the floor.

Mr. Pitman: I do not plan to repeat myself at all.

Mr. Ben: I did not speak long enough to develop—

Mr. Pitman: I would like to be very clear on this, Mr. Chairman. Teacher education as a result, if we can get back to it, is stretching over both University Affairs and outside the teachers' colleges, and it demands some response both on these estimates and on the previous estimates.

It is quite true I had hoped that I would be able to complete my comments on teacher education in the universities during the University Affairs estimates. Unfortunately, I found myself snowbound in Thunder Bay on the last evening that the University Affairs came up, so I would simply like to tie these remarks directly to this vote. The minister may then want to explain his comments on what is going on in the universities.

Mr. Ben: You are out of order!

Mr. Pitman: No, indeed I am not. I love Thunder Bay; it is a delightful spot. If I might go on, Mr. Chairman—

Mr. Chairman: Order please. Will the member for Peterborough—

Mr. Pitman: Yes, I shall keep my comments directed to teacher education.

Mr. Ben: You ought to be ashamed of yourself.

Mr. Pitman: At that time, Mr. Chairman, I indicated that I saw some very real advantages in what was going on in the universities. I saw some very exciting things going on. At Lakehead University I think there is within the university, and within the faculty of education, one of the means by which we can carry on our teacher education in an effective and worthwhile fashion.

I do want to make this comment, though, before I go any farther. Before you can get teacher education effectively established in a university, I think the minister is going to have to realize there has to be something like an emerging grant. I have had the opportunity of visiting that college, of looking at its library, of looking at the shelves in the library, and quite frankly, you, as Minister of Education, would be ashamed of the level of library services in that particular institution.

Now I know it was only begun this fall within the university, but I suggest to you that some response must be made for that situation, because for a university faculty to have a library and to have services at the level they are at that college I think is something which you really have to be very seriously concerned about.

I think there is a very real danger, sir, as I pointed out, in the idea that teacher education should be generalized in a faculty of education; perhaps that term is rather strong in some instances but it could be just exactly the situation. I want to say to the minister that in many ways the university has not yet really taken up any commitments to teacher education. I think there has to be a far greater degree of discussion and response from faculties right across this province before teacher education can be placed within their grasp.

I was interested in reading an article in the *Journal of Canadian Studies*. It was an article by a young man who has commented on Canadian nationalism and Americanization of scholarly values. He talks about a particular area of discussion, political science, and he ranked what were regarded by political scientists across the United States as the attributes which got one ahead. He found that these were very much what the Canadian political scientists saw as the attributes in the university settings.

I want to read them to the minister, because I think they have a relevance here.

The first attribute within the university was getting published. Second involved the school at which a degree was taken; third, having the right connections; fourth, ability to get research support; fifth, quality of publication; sixth, textbook authorship; seventh, luck or chance; eighth, school of first full-time employment; ninth, self motivation. And tenth was teaching ability!

That, I think, is an indication of the degree of real lack of concern that you have among many faculty members at the universities in this crucial area of teacher education. It is going to be a very real job getting faculties of education accepted.

Now I do want to suggest, and I did suggest in that last speech—

Hon. Mr. Davis: This does not have any application here.

Mr. Pitman: Oh yes it does, because it was found that this was very much the situation for the Canadian political scientist as well.

Hon. Mr. Davis: But we have only three faculties—

Mr. Pitman: This one I spoke of—oh yes that is quite true. But I am simply saying—the point I am making to the minister is there is no wide-scale, deep, profound commitment to teaching as an activity in the universities. What I am suggesting to the minister is that when the faculty of education finds itself in the crunch, let us say at a senate meeting, where the faculty is going to be in a minority, the minister has no reason to believe that universities have the kind of commitment which will allow them to respond in the way which I am sure his whole department would want them to.

In other words, I think he is going to have to have a continuing concern for teacher education. Getting them out of teacher's colleges, where they are perhaps some embarrassment to him at times, and putting them into the university is not going to end the problem, is not going to create the response that is needed in the area of teacher education, because it is, I would say to the minister, one of the most important areas.

If he is going to get things done in the area of Hall-Dennis or in any of the other very unique and exciting areas it has to be done through teachers. The teacher education faculties and institutions will be paramount in the success of accomplishing anything in these fields.

I want to come back to the point that I was making at that time; and I would like the minister to have the opportunity of responding because I know the session ended and he was unable to respond at that time. We desperately need diversity of models. That is the point I was making.

I think there should be different models in different university settings or outside the university settings; and I suggested to the minister at that time that as the teacher colleges are being brought into the universities across this province—he should think of a number of different models and not polarize around one single model.

I say to the minister that it is very nice and neat to be able to walk into a university, find a building that has "Faculty of Education" over the door, find the faculty of education in their proper rooms and have all the students sitting in their seats.

I suggest to the minister that in the kind of educational system that we are going to be moving into—where teachers are going to be outside the school, are going to be in the community, in industry, in commerce, involved in a whole spectrum of activities—being in a building may be the very worst place they could be.

The other problem that I tried to encourage him to concern himself about last spring was the fact that until we dramatically involve the profession itself in the area of teacher education we will never solve the problem; because the new teachers either find themselves too far ahead and therefore in conflict with the older teachers, or the older teachers find themselves unable to relate to the system into which they are assigned in their first or second year.

I say to the minister that having a different model; having teacher training outside the university, having teacher training carried on in co-operation with the university, having the arts going on in the university but the teacher education in the institutions and boards of education around about the university, is one of the models which I am suggesting to him. I would hope that he might see this.

The cost would be minimal, because of course you would save on building. You could use the teacher education faculty for doing other things in the area of professional development as well. I am suggesting to him that this, I think, has validity.

In the United States they are suffering through this whole question of teacher education, because as the minister knows teacher education is on the university campus in the United States with no great success. In fact, some of the worst teacher education in the world is being done on university campuses.

I again bring this to attention, that the diversity of model is the greatest aspect. The greatest advantage that I see in putting teacher education outside the university and into the community and into the school boards, into the schools where the kids are, is that you would get out of the possibility of teacher education being generalized.

The Hall-Dennis report made a very salient point when it said, and I quote from that report:

> The pupil becomes a captive audience from the day of entry. His hours are regulated. His movements in the buildings and within the classrooms are controlled. His right to speak out freely is curtailed. He is subject to countless restrictions about the days to attend, hours to fill, when to talk, where to sit, lengthy teaching periods and countless other rules.

I have heard a good many people say that that was a kind of an overstatement of what goes on at teacher education institutions in this province. I say to the minister that a young research assistant went into one of the higher institutions of teacher education and I would like to read just a bit of what he found out by talking simply to teacher education students on a tape recorder for a few moments. I will try not to take up very much of the time of the House on this. I am not going to identify the teacher's college because I do not think that would be fair.

When he asked: "Tell me something about how attendance works?" The answer was:

> Well you have to attend school every day unless there are drastic reasons why you cannot be here, and if you cannot be at school you have to phone in sick before

a certain hour of the day. Attendance is taken in each class so that if you miss even one period or one class you have to go down to the office and sign your name on a piece of paper. If you try something like taking a day off or not phoning in you would have to go down to the office to be called to task for being absent.

The researcher asked a question: "How does it feel to be a 23 or 24-year-old experienced teacher and be called up before the vice principal for being late?" The answer was:

It amuses me really. I have seen him terrorize an 18-year-old girl who went into the office before me, getting the total third degree and asking her what time she had got up and why she had not phoned in. When I came up to him he tried the same thing and then just gave it up because I looked him in the eye and said, "Sir, are you trying to threaten me?" He knew, of course, that he had been threatening me and that this was exactly the technique.

The question was asked about the role of the Hall-Dennis report in the curriculum: "What role does it play?"

The reply was:

"Not much really. They ordered it for us at the beginning of the year, and since then I would say maybe two out of the classes we have have made any significant mention of it. I think in those two classes there have been panel discussions evolved around a particular point brought up by the Hall-Dennis report, but by and large it is not referred to."

Question:

"It seems to be that there are some things in the Hall-Dennis report that are contradictions to what actually happens here?"

Answer:

"No doubt. One of the traditional comments is that they feel we should know the old traditional method before we move on to something more revolutionary."

Another answer was:

"I think it is just the fact that no one here refers to Hall-Dennis. Most of them have taught for a number of years as principals or administrators in different areas of education themselves. Then Hall-Dennis comes out. Great mention was made of it in the first month, so then we get our own copy and start reading it. They themselves are not secure enough with it to actually use it or try to interpret it for themselves."

This goes on for some time. One of the problems that he came up with is the relation of the teaching associates. This is one of the problems at Lakehead University. There is a gap between what goes on in the university and what is going on among the teacher associates outside the university. Some of their most difficult people are those who you might say should be supporting and giving greater emphasis to teacher education.

The question was asked about the experiences with the teaching in the schools, and one answer was:

"The thing that I object to mostly with associates is that I am mostly concerned with learning to teach. I am not too concerned with my personal writing of things like my daybook. There is too much emphasis on unimportant things, like whether you make the kids line up exactly the way the associate wants. If you feel that they are a bit extreme and you let the associate know that you do not approve of her ideas, or you do not see eye to eye with her quite often, this has quite an adverse effect on the mark you end up with.

"The same with discipline. I am somewhat lenient and this does not go over with someone who is just exactly the opposite. They do not understand. They are not prepared—even if you have a quiet class and if you operate the class and maintain fullest interest, for some reason it does not seem to make too much interest."

I just go on to point out that you have got a problem of dichotomy in the teachers' colleges, and I am suggesting to the minister that he look very carefully at it.

I am sure the member for Scarborough East was exaggerating. I think I spoke for a half an hour on the last estimate and I will speak for only 10 minutes on this occasion.

They stress the problem of feedback. How do they themselves rate?

"We have contributed several assignments which I have never seen. They were not returned to us. The other assignments that we had handed in just had a checkmark on them. They did not even have comments on them. I cannot see the relevance of that kind of evaluation at all."

Question:

"Is there any student newspaper? Are there any political groups? What are the social activities outside the curriculum?"

Answer:

"You would not be playing the game if you tried to do anything like that. You do not make waves here because you are in the water."

Question:

"Do you ever discuss Canadian politics?"

Answer:

"No, not really."

Another answer:

"You would be very careful if you were ever to think of starting up something like that, because right away they would look upon you as certainly suspicious, if not a few other things, and that would be passed on immediately to a school board."

Question:

"How would it be passed on?"

Answer:

"Confidential file."

Question:

"How do you know there is a confidential file?"

Answer:

"It is in a blue box in the office and it is locked. Whenever you have to be counselled, the master will go down and open your drawer, because each one has their own drawer. She will tell you in a pleasing way that you are doing okay because you have not been called down to the office lately. You have been on time for your assignments and the only possible way this could be known is through a confidential file, because I was told, when I was asked into the office in November, and this is March, even the day was told to me."

It goes on to point out the things that are still going on at teachers' colleges which are not, I think, conducive to the kind of teacher education which we in the province of Ontario expect, if indeed any of the things are being stated by the minister in his reports and his periodicals, and certainly in this Hall-Dennis report, are being carried out. So I appeal to the minister again that I hope he will be as flexible and open-minded as possible in this relationship of teacher training to the university. The faculty of education will not protect him from all the things that could happen. At the same time, it may very well cut teacher education off from some of the most important developments going on in the community.

Hon. Mr. Davis: Mr. Chairman, just to reply very briefly, I do support the member for Peterborough at least as to the length of time it took during the debates on the other department. It was not really quite two hours but much closer to half an hour.

Mr. D. C. MacDonald (York South): He was mistaking one of his own speeches.

Hon. Mr. Davis: It was a very constructive contribution. The only—

Mr. E. W. Martel (Sudbury East): Can you change your boarding house without permission yet?

Hon. Mr. Davis: I do not know. I never attended teachers' college, Mr. Chairman, so I do not know some of the idosyncrasies that go on.

However, I do have to make this observation. When we are discussing these matters in a general way, while I do not in any way criticize the research that has been done on the subject, I think it is very important, Mr. Chairman, I am sure the member for Peterborough would agree, that we do not generalize on the basis of one person's assessment of a certain situation. There are many interesting, many exciting, things going on in the teachers' colleges.

Mr. Pitman: I have said that.

Hon. Mr. Davis: Very many. And I think we have made very real progress in the last number of years with respect to the quality of the programme, the variety and the general philosophy.

There are still some situations. One that we must take into account, Mr. Chairman, that I know the students themselves do not always remember, is that it is somewhat different from, shall we say, the university experience and obviously different from the high school experience.

We cannot draw a parallel, say, to the professional training of a lawyer or of a doctor, but you do go through a period of time when the main thrust must be related to one's professional capacity to teach children.

I discussed this with some of the OCE students. I do not blame them too much for being frustrated and so on from time to time, but you know it is necessary to remember that part of the programme, at least, must relate to their capacities to deal with students at the elementary level, age five, and secondary level age, perhaps 13 to 14; the beginning

years. As a result, some of it may appear to be a little tedious and somewhat routine.

I think it is also important to keep in mind, Mr. Chairman, when we are talking about associate teachers or beginning teachers out in the field, that while they may not always agree with those who have had some experience, I think it is wise, you know, to accept the fact that they do have some experience; that what they are saying could be relevant and not jump to conclusions until they have had the responsibility themselves of actually assuming the direction of a classroom.

I do not think really there are secret files. I would make this very clear to the hon. member for Peterborough, because I know he would want to be assured on that. Also, as far as the department retaining its administration at a greater flexibility is concerned, I do not think there is any question that we have and will continue to do so. Nor are we suggesting that all teacher education should fall into any sort of common pattern. At the same time, Mr. Chairman, let us not once again—

Mr. Pitman: Do not spoil it now!

Hon. Mr. Davis: No; but the fact is that they have had problems with faculties of education in the United States. They do not relate to the fact that they are faculties; to be very frank about it, they relate to the position that teacher education has assumed in some of the universities south of the border. So the fact that it is a faculty, I do not think, is the relevant thing.

It is a question of the philosophical acceptance that those studying to become professional teachers at our universities are first class students along with those studying to be doctors, lawyers, engineers, art students, and what have you. I think it is just a very basic acceptance of this and I think what we call them, the names, are not quite as relevant as perhaps they may be to others.

I should also point out to the hon. member, as it relates to the Lakehead, we realize there are certain inadequacies. I would invite him to join me at Brock in three or four weeks, if he would like to come to the opening there; he will find the library is well developed. The Lakehead, he should remember, began the secondary school part of the programme a year ago. There is a certain amount of experience yet to be gained in that respect, but I can assure him that it is our intention to see that the physical plant and the materials that are necessary are made available to the faculties of education just as rapidly as possible.

I think perhaps the hon. member might spend a little time some time in the future at McArthur College and discuss with them the type of integration they have had with Queen's University. There are some very interesting, some very exciting things, and I think a very excellent relationship has developed between Queen's and McArthur College along the manner that we have been discussing.

Mr. Chairman, it is a slow process in some respects. It is a very significant one but I think I can reasonably objectively state that what is happening today in teacher education has a very high priority. We think it is going quite well; we recognize that there are certain practical and economic limitations. We cannot have them all within the university environment in the next six months, but nonetheless the experience we have had to date is most encouraging. It can only mean that the quality of education within this province will as a result, of course, improve. We must retain a very high degree of flexibility. There is no question about this. There are no common patterns, but at the same time there are certain common problems, common situations, that I think still exist in the teaching profession that must be part of our total responsibility.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Yes, Mr. Chairman. I want to get down to mundane things instead, and ask of the minister: What is the situation with the Windsor Teachers' College? When will it be completely assimilated with the University of Windsor and what plans are there for the transferral of the actual teaching from that facility to the university? When would that take place?

Hon. Mr. Davis: Mr. Chairman, the actual transfer of responsibility, as the hon. member knows, has been made. As to the physical or geographical—

Mr. B. Newman: Mr. Minister, I understand this is not so. I understand it is still being negotiated with you people.

Hon. Mr. Davis: No; the agreement has been signed, Mr. Chairman. The agreement has been signed but as to the physical location, and what programme may be worked out by the university related to the existing college, has not been determined yet. But the responsibility, the acceptance by the university of the responsibility, in fact, has been finalized.

Mr. B. Newman: I wanted to ask of the minister another question. Has the minister ever been around the area to see what has actually happened to the grounds in the neighbourhood of that facility, as the result of poor planning on the part of either his department or The Department of Highways with the construction of E. C. Rowe, really ramming E. C. Rowe right up to the doors of the teachers' college itself? Something is pretty drastically wrong there, Mr. Minister; some real poor planning.

Hon. Mr. Davis: Mr. Chairman, I have been by the Windsor Teachers' College and I visit that city rather regularly, not always on official business. Certainly there are limitations to it but I do not think, in fairness, it has interfered with the academic programme that is offered at the institution. It may have made access and, shall we say, the volume of traffic may have increased, but I do not think it has disturbed the academic programme at all.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: I would like to ask the minister what is in store for the teachers' college at North Bay. One hears rumours and so on. As the minister is aware, the present facility was long ago obsolete. Really, as far back as 1959-1960, when I was there, the building was obsolete. We had a gymnasium of about 30 feet wide—that might be stretching it—by about the same length. We held classes in the auditorium. It seems to me the whole facility was then of no real value and here we are, 10 years later, and all we have heard during the 10 years is "a chance is coming". Could the minister indicate to us anything positive with respect to the North Bay Teachers' College?

Hon. Mr. Davis: Mr. Chairman, in spite of what the member feels on occasion, we always try to reflect things that are positive. The development of a total concept is in process at North Bay. I am not sure whether the tenders have been let, but they are well under way, to include a basic facility for the teachers' college, school of nursing, Cambrian College campus and Nipissing College. They will be sharing certain facilities and the Teachers' college of North Bay will be forming a part of that. It is now well along the road to a beginning.

Mr. Martel: How does this tie in, Mr. Minister, with the recommendations of the McLeod report which I understand you commissioned and the Hall-Dennis report which suggests that the training of teachers—although they both differ slightly, both reports come out with pretty well the same idea—that teachers should be trained from kindergarten to grade 13 or grade 12, in the same college of education, or teachers' college, or whatever we are going to call it? How does this work out, in view of the fact that we are going to have at North Bay a teachers' college, at Sudbury an *école normale* and at the Lakehead a teachers' college? We are building three different teachers' colleges across northern Ontario, and yet none is going to be adequate for the teacher training necessary, and that is, according to the two recommendations from your two different reports, that the training be from K to 13. Now how does this work in with that plan?

Hon. Mr. Davis: Mr. Chairman, I guess one can interpret the reports in various ways. There are some discussions as to whether all institutions should, in fact, develop programmes for teacher education from K to 13, or whether there should be some division of responsibility and, as your colleague says, there is no common pattern; in other words, there could be different approaches in different areas. There are no new colleges at the Lakehead. The university signed an agreement with the existing teachers' college which became part of the university, and is undertaking both elementary and secondary. As the member for Sudbury East well knows, the *école normale*, as we call it at Laurentian relates to the bilingual elementary school system.

Mr. Martel: To grade 8; to grade 8!

Hon. Mr. Davis: There is no problem whatsoever.

Mr. Martel: Oh yes, no problem!

Hon. Mr. Davis: Well there are always a few problems. With respect to North Bay, Mr. Chairman, as I pointed out, Nipissing College is associated or affiliated with Laurentian, offering subjects related to degree work which will be very closely associated with what was the teachers' college in North Bay.

Mr. Martel: Well we still have not got anything that tangible, because if I read the Hall-Dennis report correctly, and I have read it, and the McLeod report, one is suggesting basically that they would train on campus, from K to 8, and then from 9 to 13.

The other is suggesting on campus from K to 13. And you can teach anywhere within the structure of the education system. But in Northern Ontario we are going to be spread out all over, Mr. Minister; we are still not going to satisfy the need for the—and I know the minister knows what I am coming at; I see him smiling. I am coming back to the OCE bit for northern Ontario—

Hon. Mr. Davis: For Laurentian.

Mr. Martel: Well for Laurentian. All right, because it is central. All the reasons I gave last fall and the year before have not changed, Mr. Minister. The only thing that has changed is that you are expanding at OCE and Toronto, are you not? That was in the works, at OCE and Toronto, are you not? That was in the works, in your report last year that you presented to us before your estimates. Now is that taking place at the present time, Mr. Minister—the expansion of OCE in Toronto?

Hon. Mr. Davis: Mr. Chairman, the planned redevelopment, I think, is a better way of phrasing it, at the OCE.

Mr. Martel: Cut it anyway you want.

Hon. Mr. Davis. It is still very much in the mill. There is no question that it will be moving ahead, but it is more of a redevelopment than any substantial increase. In fact, the numbers at OCE this year are somewhat reduced over last year here in Toronto.

Mr. Martel: Yes. But your expansion programme will allow—I will call it expansion; you call it what you want—for more students to be trained as teachers here in the Toronto area. Is that right?

Hon. Mr. Davis: Mr. Chairman, once again this goes back to whether or not the policy will be at that time to include elementary teacher training within the responsibilities of OCE. This has not been finalized, but the facility will be sufficiently flexible to do this.

Mr. Martel: Well, we are still hung up in the north, Mr. Minister, in that—and I do not like to use this term on teachers, being one myself—our students in northern Ontario are subjected to teachers who have six to seven weeks' training in summer. That is not good enough for your people down here. You cancel the summer courses in southern Ontario, Mr. Minister. It is not good enough for the students of southern Ontario, but it is good enough for the students of northern Ontario; is it not, Mr. Minister? That is what it boils down to. We can send future teachers, they get a job, then they can go to a summer course at Lakehead and they can go into a classroom in the fall without the same experence as a teacher from OCE would have in view of the fact that they would go out and they woulld practise-teach for at least eight weeks. Our students in the north are subjected—I do not want to say to a second-rate teacher—but let us say a more poorly trained teacher than are the students in southern Ontario. I do not know if this is more of the Tory policy with respect to northern Ontario, Mr. Chairman, but it is one I resent rather bitterly.

Laurentian, I believe, indicated that for $750,000 they could have started an OCE in northern Ontario; if necessary using portable classrooms for the time being. I do not know if you consider that type of policy just. You are going to get up and I know what you are going to say. I always second guess in the Legislature here, because I know the answers ahead of time. You are going to get up and you are going to say: "Is it better than no teachers going to the north, or those without any teacher training?"

I am suggesting to the minister it is time he opened a teachers' college in northern Ontario, in winter; and, if there are not enough students from the north to fill it, that for a change, Mr. Chairman, the minister send students from the south who cannot find a home here to northern Ontario to go to teachers' college; particularly the OCE. I am tired of our students being a training ground. Really that is what they are, because the teacher will get two years' experience and then come to southern Ontario anyway. The process can continue year in, year out.

I do not see, Mr. Chairman, how—in the face of the Hall-Dennis report, in the face of the McLeod report, in face of the material I documented last year and the year before on the studies in England where the tendency is for teachers to locate very close to the college of education from which they graduate—how you can persist in expansion in southern Ontario when in fact, northern Ontario is understaffed with qualified teaching personnel. I think it is time to stop playing games with this and that. If the students in southern Ontario are entitled to fully qualified teachers, so, too, are the students in northern Ontario. I would appreciate the minister's comments on that part.

Hon. Mr. Davis: Mr. Chairman, we have been through this exercise to a certain extent before and it is not the intention of the department or anyone else to have teachers in northern Ontario who are less qualified than those in southern Ontario. The hon. member recalls full well the discussions that went on here and the decision that was made to locate a college of education—it is now a faculty of education—in northern Ontario.

The decision was—and this is one we had to make—whether it would be at Laurentian or at the Lakehead, as a basis or as a beginning. I think, Mr. Chairman, that the member for Sudbury East himself would have been most delighted if we had started out at Laurentian University with a summer course programme, because this is the way the Lakehead started. I think he would have risen in his seat in this House and expressed some appreciation for this being done. This business of not wanting a summer course is just a red herring and—

Mr. Martel: No, you are running the red herring.

Hon. Mr. Davis: He knows this full well. The request for the summer course at the Lakehead was at the request of the people in the north, the trustees and those other people responsible for the development of the educational programme in that part of the Province of Ontario. From our standpoint as a department, when we are satisfied that we can fill the needs of the school system as the Lakehead faculty of education develops and expands to accommodate this need—which it will—then, of course, we will discontinue the summer course, as we have done down here. Mr. Chairman, we hear a great deal about duplication of facilities, unnecessary courses, and so on—

Mr. Martel: Right!

Hon. Mr. Davis: We have moved into a period of some surplus at the elementary school level. We have gained some encouragement from the figures we have at the secondary school level. With respect, Mr. Chairman, I think it would be totally irresponsible at this precise moment, until some of the further facts are available to us as to projected growth and enrolment, to embark upon the creation of a further college of education.

The hon. member for Sudbury East keeps talking about an expanding programme. The development at OCE here in Toronto is basically related to the redevelopment of an existing facility, which as you and your colleagues have told me a dozen times in this House is somewhat inadequate. If the member for Sudbury East is saying to his colleagues in the front benches—because his former leader, the hon. member for York South has mentioned this to me, I think it is fair to state on more than one or two occasions, as have others—that the OCE in the city of Toronto is something less than adequate, I am the last one to debate that it is totally adequate. I will not say it is as inadequate as they would say it is, but I certainly will not say that it is totally adequate. If the member for Sudbury East wants us to discontinue that planned programme, does not wish to see secondary education in this part of the province further developed, that is his—

Interjections by hon. members.

Hon. Mr. Davis: If I were a local member for Sudbury I think I would be making the same speech, but I wish he would realize our problems and the economic factors that have to be taken into account and accept the very basic principle, Mr. Chairman, that it is our intent, and we have made very significant progress, to see that the quality of the teachers in northern Ontario—and of course I include northwestern Ontario when I say northern Ontario, the member for Sudbury East may not—is quite comparable to that in the southern part of the province. We are in the process of making, and have made, very real progress in this regard.

Mr. Martel: Mr. Chairman, the minister has the greatest faculty for running more red herrings—

Hon. Mr. Davis: You are the one who runs the red herrings, come on.

Mr. B. Newman: It is the fishing season.

Hon. Mr. Davis: Is it?

Mr. Martel: No one suggested you did not have adequate facilities in southern Ontario. You get up and you let on there are all kinds of students from northern Ontario who are going to the Lakehead. They might have for the summer course, but the minister knows full well that given an opportunity between a faculty of education at Thunder Bay on a year-round basis, the students from North Bay, Sudbury, Timmins and in all likelihood the Sault, will come to southern Ontario because it is closer, transportation is easier, and facilities are more readily available—as are teaching jobs, because the teacher who graduates from there tends to

locate within 50 to 100 miles of the college of education from which he graduates.

Now the minister has thrown all kinds of red herrings into it. They will not go from Sudbury to Lakehead; there is just no way. They might in summer because there is no other course being offered, but they certainly will not in winter, and you know, and you know it full well, because it is a 14-hour trip by car from North Bay to the Lakehead even in the fall and the spring let alone in the winter, when they can come to Toronto in about six hours.

Now are you going to tell me that the students are going to go there instead of coming to the closest one to their home area. You know, you are pretty naive. And no one has ever suggested that you forget the Lakehead. In fact, if I recall, what I said last year was that you will probably need a small one there because they are so far away from the hub of the activity.

But that still is not going to take away from the fact that one has to be located in the Sudbury area, whether it be North Bay, Timmins or the Sault, that would be central for the entire area. And you can throw in all the red herrings you want. The teachers that the students are getting, will have to go two years to summer school, will they not?

They will take their two years, they will teach in northern Ontario for two years, and at the end of two years the majority of them will drift to the south.

Hon. Mr. Davis: Then it has nothing to do with where the college is located.

Mr. Martel: Certainly it has.

Hon. Mr. Davis: Why.

Mr. Martel: Why?

Hon. Mr. Davis: Why are they drifting south? They are like my constituents.

Mr. Martel: They like the south, many of them. Some of them are from southern Ontario.

Hon. Mr. Davis: I know, but that is the point.

Mr. Martel: It is the only way that they can get in to teach this winter without having to go up to a full year at OCE, and you know it and I know it.

Hon. Mr. Davis: But if they are going to Lakehead for the summer course, why do they drift south after two years?

Mr. Martel: That is right.

Hon. Mr. Davis: They want to be represented by a good member.

Mr. Martel: That is why you have to build one in northern Ontario, so that students from northern Ontario will take the course year-round, or the winter course. The tendency is to locate at the college of education from which you graduate, because you know as well as I do that when the hiring practices go on, on that auction day there are all kinds of influences on teachers prior to auction day that will cause them to locate in a specific area. This is no secret. And you can talk, and as I say, run the various red herrings across it.

You know that in the final analysis you are going to have to locate a teachers' college on a year-round basis, not in northwestern Ontario—you do not have to give them one, I am taking dispute in that—but in northeastern Ontario. That is the only way you are going to keep the high schools adequately filled with qualified personnel.

I would just like to talk on another point for a few minutes. I sent the minister a note last year; it was a $1 wager on the 3,500 teachers who did not get jobs.

Mr. MacDonald: Was it licensed with the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence)?

Mr. Martel: Could the minister tell me after the auction day—well, it was reported in all the press that some 3,500 teachers, graduates of teachers' college, did not get jobs, and I indicated to him that I did not think that many would then get jobs out of the 3,500 if they were not hired almost immediately. The minister indicated they all, or pretty well all, would get jobs. Could he indicate how many did not get placed?

Hon. Mr. Davis: Mr. Chairman, we have no record as to the numbers who did not obtain positions within the teaching profession.

Mr. MacDonald: I will continue to hold the money then.

Hon. Mr. Davis: Okay; right. Hold the money, because we do not know.

We do know that a number, after they graduated from teachers' college, on their own volition—some because perhaps they could not find a job—went to university. There is no question that a large number went from the teachers' college to the university. But our statistics are not available;

we just have not got them yet, and I am not sure whether in fact we can obtain the number who actually sought employment, who wanted to teach and could not obtain a job, or how many went to teachers' college with the intention of going to university afterward anyway. This is very hard to determine.

Mr. Martel: Maybe the deputy minister could indicate to the minister if they have changed this, but I can recall that when I was teaching we got a form from the department which inquired about the makeup of your staff, and they wanted to know how many of them were new teachers. Based on that information—that is, how many new teachers were on staff and where they graduated from—then would it not be possible to calculate the number who did not get jobs by the very fact that you would have the total enrolment at the teachers' colleges last year in Ontario?

Hon. Mr. Davis: Mr. Chairman, there is no question about this. We can find out. This information comes in, or is to be sent in, roughly on the 30th or some time in the latter part of September, and we can determine for the hon. member the number of new teachers, graduates from teachers' colleges, who have been taken on staff by the various boards. But we cannot determine for him the number of students as between that figure and those who graduated from teachers' college who actually sought jobs and did not obtain them, and the numbers who did not seek jobs and went to university of their own volition. It is an estimate only at this point, but we think there are not 3,500 but roughly 1,000 to perhaps 1,500—these are sort of the two outside limits—who graduated but who did not gain employment. Of that number we do not know how many actually sought employment as teachers. But as soon as we get these figures that are on the returns—hopefully, very shortly—I will make them available and the member for York South can then disburse the funds.

Mr. Martel: Two points: I would like to know if the enrolment this year at teachers' colleges is in the same vicinity as last year, because it would seem to me that if 1,000 to 1,500 people did not get jobs then I think we would be irresponsible if we were taking in the same number again this year as were enrolled last year. Because you will have another 1,000 to 1,500, possibly more, as the number of teachers that are needed is reduced because of the number of students coming in.

The second thing I would like to talk about for a few moments is the question I put to the minister last year about an itinerant teacher on each staff. I think there are a variety of ways that we could make use of these teachers. Their parents have put out a considerable amount of money to get them through teachers' college and many of them now cannot practise what they studied for.

We could put an itinerant teacher on each staff—and I know you are going to say that all the boards have to do is hire another teacher, provided they decide to do so. There is a thing called economics that enters into it here—but what we could do if we did that, and the department underwrote it, is that we could start to reduce classroom sizes or we could start to use some of these teachers to take groups of students who are slow learners out of classrooms where there are not specialists on staff. We could start to utilize these teachers in a variety of ways, in providing assistance in mathematics, in reading and in just so many ways an extra teacher around the school could be used.

I think the department, if we finally got an oversupply, rather than just let them sit out there, we should be utilizing them to great advantage to help the students in the schools who are maybe not as bright as other students. This is just one area.

We could also be using them with the student who is of superior intelligence. There are just so many ways we could do it.

There is a second thing we could do, Mr. Minister. We never have enough courses in summer, in the sense there is a great variety of courses that could be offered. Let us say, when you brought in the new approach to mathematics several years ago, there was not time to retrain all the teachers. Has the idea ever crossed the mind of the Minister of Education to set up a course that operates on a year-round basis, using some of these extra teachers?

You move into a city, let us say, and you take out 50 regular classroom teachers for six weeks and you have 50 supply teachers right there to do the job. You then update all the older teachers who are not experienced in the new approaches in education, who are encountering the changes coming about through the suggestions in the Hall-Dennis report and so on.

They could be retrained during the year to adapt some of these new methods of teachings, because certainly this is one area that is causing a lot of the older teachers considerable difficulty. I can recall in trying to bring in the new-approach mathematics into my school and the difficulty I had with the

older teachers; they just did not want to buy it. Perhaps there is some way of getting them out of the regular classroom for two or three weeks.

I am sure this could be applied right across the entire spectrum. We would have this almost as a floating, year-round course, moving from locality to locality.

It is just an idea, but I think, rather than this talent that is out there going to waste, we should somehow be utilizing it now. We have educated them. We have brought them through at a considerable cost to their parents and to the province. And now, to have them sit out there and not make use of this talent, seems to me to be a waste of time and a great waste of money.

There are, I think, literally many ways we could be utilizing these teachers to the best advantage of this province, rather than having them—as I know a couple are doing—selling things at Kresge's and Woolworth's. I think we have got to start to use these teachers somehow, Mr. Minister.

At the same time, I would ask whether you can indicate to me whether we have got the same number as last year, because we are just going to further increase the numbers of those who are not going to find a place.

Hon. Mr. Davis: Mr. Chairman, to answer the latter—at least, I guess it was the first part of the question. The number this year is down at this moment. This figure will, perhaps, increase somewhat—I hope not too much—in some respects, some 310 over last year's enrolments, with, in some of the colleges, a fairly substantial increase in the number of degree people in the course.

I think I have to make this statement, with a very clear indication that the employment situation will not be much better next fall than it was this past year. And I think this was made known to the vast majority of students who entered teachers' college this year.

Now, it is quite obvious that a number entered because they know of the change in admission requirements that is taking place and I stated, when we were debating before the estimates committee, we really are not inclined, if we can avoid it, to say to a person who honestly wants to become a teacher: "You cannot enter because we have reached a certain level, even though we can accommodate you." We think it is better they be given the opportunity and then the situation sort of establishes its own level. But there are some 310 fewer in the colleges this year than last year.

The other point is I am always anxious to receive any suggestions as to how one can constructively use personnel that do have some professional experience, or at least training. But one has to do a little mental arithmetic.

We have about 4,500 elementary schools in the province. If you were to have, shall we say, one sort of spare teacher per school—which would be more than you would need, because I admit there are still a number of one- and two-room schools; say we even took just 4,000 of the 4,923—and you were to say that the teacher's salary and other benefits would come to about $6,000 per capita or per teacher, you are talking about a $24 million bill, which is not an insignificant sum of money.

Mr. Martel: No, the only point I make though, Mr. Chairman, is that we are moving into an area of individualized work, and the cost would be somewhat greater in individualized work. Not even going into that field, we have to have more teachers to reduce regular classroom loads.

But, having spent years teaching, I am concerned, with the slow learner, who, with just a little more assistance could make a little more time with reading. The only thing that is lacking, Mr. Minister, is time. It has nothing to do with taking extra reading courses, or so on. It is just a straight case of not having enough time, the regular classroom teacher not having enough time to devote to work with small groups of five or six children.

I think it is just one way that we could be using those 1,000 or 1,500 teachers to provide specal assistance to many children, who could make it with a little more time.

Hon. Mr. Davis: Mr. Chairman, I do not want to refer to a lot of statistics, but there is a lot of encouragement if the hon. member might look at the minister's report. I am not suggesting he read it; I think he spent most of the summer looking at it I am sure.

But look at the number of teachers listed on table 213—look at the full time personnel engaged in special education since September, 1969, and this figure will be higher, of course, for 1970. In the opportunity class area alone, 2,000 teachers; limited vision, eight; oral, 11; hard of hearing, 32; emotionally disturbed, 140; and in trainable-retarded, 454; itinerant, 221; in speech, 191. All of these are relatively new areas in the past four or five years.

We are, in fact, doing many of these things at this precise moment. As I say, I have no objection to some of these suggestions, but, Mr. Chairman, we should recognize there is a certain amount of economic impact in most programmes that are introduced to improve the policy of the education system—not all of them, but some. And to add 4,000 teachers to do what the hon. member suggests, is about $24 million.

Mr. Martel: It would be the best $24 million you ever spent.

Hon. A. Grossman (Minister of Correctional Services): There goes another $24 million.

Mr. Martel: Do not talk like that, you do not mind spending.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I have a very short question of the minister.

Not too many years ago we implemented a plan through which the mature individual of about 25 years of age could get into a teaching position in the school. I would like to ask him at this time, how the programme has operated, whether it is successful, whether it is a good innovation, and, if it is a good innovation, are there plans for expanding that method of teacher training, or teacher education?

Hon. Mr. Davis: Mr. Chairman, we have this as part of the admission requirement to some of our schools—that is, the question of the mature student. Except in northern Ontario, we have moved out of the summer-course programmes, except for certain exceptional areas.

We have not expanded the programme for those people of 25 years of age or more, but I think it is fair to state that those who went in under that aspect of the programme have done very well.

Mr. B. Newman: Are there many applying for the programme at the present time, Mr. Chairman?

Hon. Mr. Davis: I cannot tell you. I will find out.

Mr. B. Newman: Thank you.

Mr. Chairman: Anything further on teacher education? The hon. member for Peterborough.

Mr. Pitman: I just want to ask one or two questions.

Has there been any effort on the part of the minister to begin discussions with the teaching profession in terms of allowing people into the profession who do not have what could be called the formal academic requirements? That is, I think we will have to be providing the school system with some different types of teachers.

And it seems to me that I come across a large number of people who, I think, would make very good teachers. They could play a very real role in our educational system, in arts, drama, conservation and so on. They could give a very wide dimension to the educational life of young people, but they are very much restricted because of the very narrow limits of the teaching profession.

I know what the minister is going to—no, I will not say I know what the minister is going to say, I can see what is going through his mind. I realize that you have a problem here, in that people who are academically qualified have a right to first chance at places in the teachers' colleges. But I wonder how he is hoping to balance this off against the need for people with a much wider spectrum of experiences and background.

The fact is that many of these people could bring into the classroom an experience which is quite beyond that which could possibly be brought in by an ordinary teacher who has gone through the university setup and so on. I just wondered if he has just begun to nibble away at that kind of a problem—which, I think, is pretty significant if education is going to change in the future.

Hon. Mr. Davis: Mr. Chairman, the hon. member would not want me to do it with complete commitment and enthusiasm, and of course that is the way we endeavour to do everything. There have been no formal discussions—

Mr. Pitman: You have not even nibbled.

Hon. Mr. Davis: Mr. Chairman, I would say that the thought has not left us by any means. But I should point out this once again, when one makes these general observations, that there are people who are not qualified teachers but who have a degree of expertise, shall we say, in theatre arts, or in drama, or perhaps in athletics or what have you, that would make a contribution to the school system. I do not dispute this for a moment. But one presupposes, I guess, because you have some expertise in these

fields, that you necessarily have the capacity to translate this to the students. And in some experiments that have been conducted this has not always turned out to be the case. So you go the other route of having somebody who has the capacity to translate or communicate with the students and further alter their qualifications or their basis of expertise to include those areas to which we have been referring. It is a question of which route one takes. But to say we would not consider—and I think in fairness to the profession they are not that narrow—people who have something to contribute on a general basis to the school system, I do not think anyone is going to dispute this possibility. But, as I say, there are some who will argue you should go the other route to do this.

Mr. Pitman: May I ask the minister whether the teachers' colleges, those in the universities, are now on the ordinary financing, that is the basic income unit? I had a letter from a girl last summer who was quite concerned about the fact that her fees had doubled in one year.

Mr. B. Newman: Tell us more.

Mr. Pitman: I have never seen her. But the point I wanted to make was that this was quite a shock to her because she was at Althouse and suddenly discovered that she had to pay over $500 when previously she paid something like $200 or $250. I wonder, first, if the minister could say why the change took place so quickly and without perhaps more expectation on the part of the students and, also, why a change was made necessary? I just wanted to be given the reason why the financing was changed.

Hon. Mr. Davis: Mr. Chairman, the financing changed when they went over to universities in that they then became fee-paying situations. I think the facts of the matter may reveal there was no fee payable prior to this time, that the student teacher is now paying a fee of perhaps $500 and perhaps is eligible for a $500 grant to compensate for that. I think it turns out to be that the situation really is retained and yet the fee structure at the university has been able to retain its validity as well.

I should also say that the committee is in the process of developing a formula approach for the teachers' colleges that have been assimilated into the universities.

Mr. Pitman: Make it very generous in the beginning.

Hon. Mr. Davis: I will make a mental note that the member for Peterborough has suggested generosity—

Mr. Pitman: In teaching education!

Hon. Mr. Davis: —in the formula as it relates to teacher education. I have a number of other areas where you could suggest generosity. I have made a list of them.

Mr. Chairman: Anything further on teacher education? Shall the programme carry?

Teacher education agreed to.

Mr. Chairman: That brings us down to correspondence courses. Is there anything on correspondence courses?

Mr. Pitman: Just one question: Is it not possible the time has come to open up the correspondence courses operation perhaps a little wider? I think it is impossible for students enrolled in a school to get a correspondence course. I realize that the minister is anxious to keep young people in school, but I cannot help wondering why there is not a greater flexibility. Why do we need to limit it this way? I think the correspondence course operation does a tremendous amount of good for a great many people.

I think there are occasions when a young person might be able to take a course by correspondence, partly because his timetable will not allow it in the school, or partly because in that particular school that course is not available. There are, I think, a number of reasons why there might be an argument for allowing a greater degree of flexibility in this whole area of correspondence courses rather than simply making it impossible for anyone who is already enrolled in a school to obtain that kind of service. In other words, why not make it a wider spectrum?

Hon. Mr. Davis: Mr. Chairman, really we have not had any great demand for this within the school system. I mean, the answer is quite obvious. If a student is enrolled, as a fulltime student, I can visualize only two or three areas where this might arise, and that is if there was some course not available at that particular school, whether this in fact would be available by correspondence. I think a lot of these situations arise where a course is not available, in the technical-vocational area, and some of the options might not be available by correspondence either.

Certainly quite frankly, we would like to see over a period of time an extension of the correspondence course. As it relates to the general public, those who have left the school system and so on, we think it is a very excellent way of up-grading one's qualifications, and this we would anticipate taking place. I would really have to assess the suggestion that we make it available to students enrolled fulltime within the secondary school system to see whether there is any merit in it.

Mr. Pitman: Does the minister have any intention—and here I know I am going to step into a pothole—is there any suggestion that the correspondence courses branch might be tied in with educational television? Remember the other day I said I did not think this was the main role of educational television. I am asking whether this extension has been thought of and whether there has been any discussion of educational television being in some way correlated with what is going on in the correspondence courses branch.

Hon. Mr. Davis: I will not point out any contradiction that I see that might emerge as to the general philosophical approach of the hon. member for Peterborough to these things.

Mr. Pitman: I said the major role.

Hon. Mr. Davis: Oh I see, all right! As it relates to the minor role of educational television, there have been discussions, Mr. Chairman, as to whether or not ETV might be a vehicle that could be used by the correspondence course approach. This is something that I think will be pursued, because while one could debate whether it is a minor or major or intermediate role, I have to say that from my standpoint at least, while structures may alter there is still some relevance in courses for credit, whether through television or through the school system. If there is relevance in this, why not use educational television for those people who cannot attend school to obtain courses for credit, because I think credits are going to be with us for a period of time yet, for many years, so why not utilize the medium to assist in it?

Mr. MacDonald: They do extensively in Japan.

Hon. Mr. Davis: Yes they do; I quite agree.

Mr. MacDonald: At 6:30 in the morning.

Hon. Mr. Davis: Yes, I know, but I sensed the other day the member for Peterborough was not enthusiastic.

Mr. Pitman: I know; I am dealing in very complex issues here.

Hon. Mr. Davis: I understand.

Mr. Pitman: I wanted to ask the minister whether he considered the possibility that correspondence courses in fact might not be the solution to this problem of keeping young people at school at 16. This is the debate we got into the other day. Is there any possibility that, if there are young people who are uncomfortable in school and cannot get along, who seem to find it difficult to relate to the structure, whether they might not be enrolled in the correspondence courses branch and we might well consider the whole method as school in that particular case?

Now, I know there are dangers here, I know the minister fears an escalation, which might very well undermine and cause very real problems for the enrolment of schools around the province, but I think here is possibly an answer to some of the problems we face in trying to keep young people in school who really are not very happy or are not doing their best work in that setting.

Hon. Mr. Davis: Mr. Chairman, I cannot give the hon. member any statistical information as to, say, those students who left school when they were legally able to do so, that is, when they were 17—and there are a number who have left the school system at 17—how many of them have of their own volition, and I think enrolment in the correspondence courses would have to be voluntary. I do not know if this is a statistic we could dig out; I doubt it very much.

I do not object to this type of consideration. I am somewhat of the opinion, I will put it this way, that if a student at that particular moment is having difficulty within the school system that if there is merit in leaving the school system, it probably is for some rather different experience and his involvement then in a correspondence course would come at a later date. I really do not see someone moving from a structured school system to the correspondence course and expect the type of response that I think is necessary. I think they have to go through a period of time or some other form of experience to have this really make sense.

Mr. Chairman: Is there anything further on correspondence courses?

Mr. B. Newman: Is there any liaison, Mr. Chairman, between the correspondence courses and the OJT programme with The Department of Labour?

Hon. Mr. Davis: Mr. Chairman, there are different courses. The ones within The Department of Labour do not relate specifically to the credit type of approach in the correspondence courses. If there is some merit in doing this, I am quite prepared to take a look at it. But basically the correspondence courses relate to specific curricula comparable to what is offered in the formal school system.

Mr. B. Newman: Then primarily in the academic line rather than in the technical line?

Mr. Chairman: Shall the programme carry?

Correspondence courses agreed to.

Mr. Chairman: Is there anything under regional services?

Regional services agreed to.

Mr. Chairman: This completes all the items in vote 402.

Vote 402 agreed to.

Mr. Chairman: This might be a proper time to inform the members of the committee that at the moment there are approximately 23¾ hours left for consideration of the estimates.

On vote 403:

Mr. T. Reid: I would like to start talking about dollars and cents and what taxpayers are getting for their money. I think this is a good place to do it because the department says, under vote 403, that there is going to be a very large increase in the general legislative grants to school boards, both for elementary schools and for secondary schools, between last year and the current year, 1970-1971.

Mr. Chairman: Does the committee agree that this vote should be taken in its entirety rather than trying to separate it? Is this agreed?

Agreed.

Mr. Chairman: Good!

Mr. T. Reid: One point of clarification I would like to ask the minister: In the estimates book, for general legislative grants, it is $811,668,000. Could the minister inform me whether that statistic is still correct? I believe it has gone up.

Hon. Mr. Davis: Mr. Chairman, the estimated amount for 1970-1971 for general legislative grants, is $811,668,000.

Mr. T. Reid: The minister does not expect that to increase?

Hon. Mr. Davis: I do not know.

Mr. T. Reid: You do not know yet? Mr. Chairman, that represents an increase of— I have down here $194 million, which is a lot of money, and I would like to—

Hon. Mr. Davis: And, hopefully, five percentage points in shared provincial contribution.

Mr. T. Reid: But you do not know because you do not have control.

Hon. Mr. Davis: But we think that it is there. We are pretty sure that is there.

Mr. T. Reid: Well the general proposition that I want to put to the minister, Mr. Chairman, is that this money is going out to school boards for use in the elmentary and secondary schools of this province. It goes up each year. In the current year in the terms of the estimates the increase will be somewhere over $160 million. That is a lot of money. I suppose next year it will go up again because we are into a commitment which this government has made to get it up to 60 per cent of the total cost of operating our elementary and secondary schools in this province.

I just return to a very simple question: How do you know what we are getting out of all that money that is being spent from our budget, let alone from the property taxpayers? This keeps going up.

And going back to some of the questions that we put to the minister, how does he evaluate how this money is being spent, how does he know whether that money is being spent in the most efficient way, in the most humane way, in the best educational way?

In other words, how can he assure the taxpayers of this province that this vast amount of money is doing something inside the school system, instead of simply him saying, we are paying a bigger share of the educational costs and so forth? Or that the cost per student is going up, and almost by definition therefore the quality of education is going up? We keep coming back to him, Mr. Chairman, and keep asking him what control technique does he have?

It says here, under vote 403: "The activities in this programme provide an appropriate measure of the systems, advice and control

with respect to the financial and physical requirements of school authorities." What control?

Hon. Mr. Davis: Read the regulations.

Mr. T. Reid: I have read them very carefully.

Hon. Mr. Davis: The boards tell us there is too much control.

Mr. T. Reid: There is no central evaluation, and this is where we got right back, Mr. Chairman, to the point that we on this side and in this party made in the standing committee on education and university affairs. We wanted that committee to have powers of investigation, however minor, and to go around and dig into these books and perhaps have some expert independent accountants, not people from the minister's department, but independent people who would be responsible to our committee.

We felt it was time that the people in this province had some assurance that the billions of dollars going into the elementary and secondary school systems were doing some good. They do not know this. The minister says: "Oh, they have some controls, read the regulations." It is a self evaluation by himself, by his department—

Hon. Mr. Davis: I am talking about controls, not evaluation.

Mr. T. Reid: Controls and evaluation go hand in hand, Mr. Chairman. If you are going to impose controls you have to know how to impose them, and that assumes you have done evaluation. It is as simple as that. So, what we in this party want, and we have pressed for it in the standing committee on education, is to have a commitee, or at least have a subcommittee, that would be empowered to go and ask questions, and call witnesses before it, to have independent consultants to that committee, and then we found out from a Conservative member, the chairman of that committee, that we could not do that because that was not the proper function of the standing committee. So we backtracked and said: "We just want to look into it. We want to assure the people of this province that an all-party committee of the Legislature, which might be somewhat more objective, or less subjective, is a better frame or reference, perhaps, than the minister evaluating his own programmes".

That is why we wanted that. That is why we made that motion in the standing committee. That is why the committee, including the Conservative backbenchers, approved that and we brought that recommendation to this House. The chairman of the standing committee on education reported to the Legislature; the Legislature accepted his report and we thought we had done something very positive for the citizens and taxpayers of this province in that we, for the first time, would have members of all three political parties doing at least some independent, open — and I repeat open — investigation. Or if that is too hard, an open look at some of the questions that are bothering the constitutents in all our ridings — urban, small town and rural. That is why we wanted that.

We went into another meeting of the standing committee, and, for reasons we do not need to repeat, I suppose, recommendations of the committee to the House, which the House had accepted, were just glossed over by the Conservative members on that committee, and completely wiped out. That was last spring. Since then we still ask this House and this minister to allow an open look, an open investigation. I think that is what we need. It is about time we looked into these billions of dollars — hopefully through the standing committee. If it turns out that this is beyond the terms of reference of the standing committee of the Legislature, we would urge the minister to establish a special select committee of the Legislature—

Hon. Mr. Davis: I have no capacity to.

Mr. T. Reid: Do you have any leadership in that cabinet? No! I guess you should resign then. You cannot even convice your colleagues in the cabinet, Mr. Minister, that this is a critical issue in this province, and that the taxpayers are not a bunch of anti-education rednecks. They simply want to have some accountability for the billions of dollars they are paying in taxes to the education system, both through this government's budget, Mr. Chairman, and through property tax to the school boards directly.

We have to re-establish a credibility with the people in this province who are putting this money up in taxes in terms of what is happening in our educational system. We on this side backtracked, and settled on a subcommittee of the standing committee on education, and that was vetoed by that committee, which of course has a Conservative majority.

We are coming back now, six months later, and we are saying: "Why will you not even let a subcommittee of the standing committee on education, look into the rising costs of education?" The minister will say

it is rising only eight to 12 per cent a year. That is a lot of money, that is a great deal of money, when you are talking about almost $1.7 billion worth of operating expenditure for the elementary and secondary schools of this province.

Will you not let an almost harmless subcommittee of the standing committee on education at least have an open look at what is happening to try to reassure the people of this province that their money is being well spent? Perhaps let them come forward and lay their complaints about the education system before a very harmless subcommittee of the standing committee? That is the very least we can ask for. If we cannot have that, we want this government to appoint a select committee on education costs. We want members from all three political parties on that committee. Of course the Conservatives will have the majority, but we in the opposition parties will have a chance to call witnesses, including some of the directors of education who are earning $32,000 a year, when previously they were earning $24,000 or $22,000.

Hon. Mr. Davis: Some of them $31,000.

Mr. T. Reid: Some of them $31,000.

Mr. R. F. Ruston (Essex-Kent): Some of them $29,000.

Mr. T. Reid: We would like to ask them. Let us take the Sarnia Board of Education.

My colleague from Sarnia said last year that the salary of the director of education for the former Sarnia board, increased from $17,000 to $24,000 because he took charge of a larger area.

Not even the director, says the member for Sarnia, could quite understand why he got such a whopping salary increase of $7,000. Mr. Chairman, an increase from $17,000 to $24,000—he is better at maths than I am, it is a lot of money. It is a big, whopping increase. We would like to know why. We would like to bring these people in, Mr. Chairman, and find out why they rate increases in salaries of 10, 20 and 25 per cent.

Let me give some examples, Mr. Chairman.

Hon. Mr. Davis: What was Bremer getting in Philadelphia, do you remember?

Mr. T. Reid: Mr. Chairman, let me give you some examples. I am going to have to mention specific names, because I think we have to get very specific here. According to information I have here, in the northwestern region in this province the regional director of education is a Mr. R. R. Steele. His previous position and salary was in the supervision branch of The Department of Education and his salary, from the public accounts in 1968, was $19,000.

Mr. Steele is now getting a $24,000; $25,000; $27,000 salary. We would like to know why.

Hon. Mr. Davis: Who are we talking about, please?

Mr. T. Reid: This is Mr. R. R. Steele.

Hon. Mr. Davis: Right.

Mr. T. Reid: I believe his present position is regional director of education.

Hon. Mr. Davis: With The Department of Education.

Mr. T. Reid: With the department?

Hon. Mr. Davis: Right.

Interjections by hon. members.

Mr. T. Reid: The information I have here, Mr. Chairman, is that—

Hon. Mr. Davis: You mean that the member for one of the Kent ridings has for you.

Mr. T. Reid: He is very well informed.

Hon. Mr. Davis: He is indeed!

Mr. T. Reid: Mr. Wood, whose salary last year, according to the public accounts book at page 4-16, was $20,816; he is now the county director of Essex and his salary is up to about $28,000 or $29,000.

We would like to know why he got such a big increase. We would like to know whether—

Hon. Mr. Davis: Because he has a different job for heaven's sake!

Mr. T. Reid: Fine, but there are all sorts of—

Hon. Mr. Davis: What is your director getting in Scarborough? Are you complaining about that? Your chairman has not said a word about it.

Mr. T. Reid: I would like to have the director in Scarborough come before the standing committee or a select committee of this Legislature investigating education costs. I would like to know the whole salary history and why they are getting these vastly inflated salaries now.

Hon. Mr. Davis: They are not being—the salaries are not—

Mr. T. Reid: You can right through the whole list, Mr. Chairman.

Hon. Mr. Davis: No.

Mr. T. Reid: If the minister wants to refute this, all he has to do is supply the people who are now directors of education and the top senior superintendents and trace back their salaries for the previous year. Mr. Chairman, this brings out the exact point I want to make here and the minister, in a sense, has proved my point—

Hon. Mr. Davis: Can you prove it with Mr. Steele?

Mr. T. Reid: —because my information, after some research—but very inadequate research—but very inadequate research, Mr. Chairman—shows that I, as an opposition spokesman, cannot even get accurate figures from the public records by writing to these boards. This is the reason there should be a select committee of this Legislature with powers to get that data by law. That committee should be empowered to get this information and then if, as the minister is inclined, all these men who have had these increases in their salaries—

Hon. Mr. Davis: They have not all had increases.

Mr. T. Reid: No, I did not say that. These men who have had increases in their salaries —we will find out how big those increases are, Mr. Chairman. It will be for the public to see and we can look at it; but as long as this type of information is hidden in the minister's department, as long as opposition critics and spokesmen cannot get hold of that information and we cannot put it in front of the public for the public to make up its mind, this minister's whole operation stands in serious question.

That is why we want this information made public. We are talking, Mr. Chairman, in this estimate alone, of $811 million for the operating costs of publicly supported elementary and secondary schools in this province. The people in this province and the members of this House have a right to know where that money is going. We have a right to know whether the establishment which runs this system is simply increasing their salaries at the expense of education of young people in this province.

Hon. Mr. Davis: You have to be kidding!

Mr. T. Reid: We want the facts. What I am saying is if the minister has not got anything to hide, Mr. Chairman, those facts should come right out in the open. There should be an independent look at it by a select committee of this Legislature composed of members from all parties.

Hon. Mr. Davis: Mr. Chairman, on a point of order—

Mr. T. Reid: Mr. Chairman, may we find out what is the minister's point of order?

Hon. Mr. Davis: Yes, just on a point of order, would the hon. member permit a question?

Mr. T. Reid: Certainly.

Hon. Mr. Davis: Let us recognize that 65 to 70 cents out of every dollar that is spent goes to salaries, basically the operating salaries of the school teachers. If we are going to have any consideration of costs, the member for Scarborough East has emphasized the matters of student-teacher ratio and, constructively, so has the member for Peterborough. Is the member for Scarborough East prepared to say to me and to the general public that elementary school teachers in this province are being paid too much, and the secondary school teachers in this province are being paid too much or the ratios are too low? These are the two very basic issues in educational costs today. We can talk about directors' salaries and all the rest of it until the cows come home—

Mr. Ruston: We will as long as you are there.

Hon. Mr. Davis: —and, Mr. Chairman, we are talking about a very small percentage of the total dollar. Let us not kid one another.

If you want to come to grips with the issue then express your point of view on what is basic — teachers' salary elementary; teachers' salary secondary; and student-teacher ratios.

If you are saying, as spokesman for the Liberal Party, that teachers in this province are being paid too much money, fine, say so; you know you will find some who may agree with you. If you are saying that the ratios are too high—

Mr. Ruston: You are in bad shape.

Hon. Mr. Davis: —if you are saying the ratios are too high and if you are saying the ratios are wrong and that there should be higher student-teacher ratio, say so. Because this is one of the very basic issues related to educational costs. Let us not kid one another about that.

Mr. T. Reid: Mr. Chairman, I welcome the minister's debate on this and I think maybe we got some facts out in the open.

Hon. Mr. Davis: There are no facts on this.

Mr. T. Reid: Mr. Chairman, what the minister has just stated supports the case that we are making for a special select committee of this Legislature—

Hon. Mr. Davis: What is your answer to the question?

Mr. T. Reid: A special select committee of this Legislature composed of his backbenchers, members of the New Democratic Party and ourselves, because we want to—

Hon. Mr. Davis: I would like that.

Mr. T. Reid: We do not believe you, it is as simple as that. You throw out a figure—65 per cent of the operating costs, I think that was correct, go into teachers' salaries. We want to see that hard evidence. We want to see it, and we want to see it for the last 10 years. We want to get it; we want it verified as accurate information. We just do not want to get it out of the hon. minister's mouth in this place. That is not good enough. We want the hard facts, not his soft head.

He asked me some specific questions, Mr. Chairman, and I can tell you what I would do if I get his job.

Hon. Mr. Davis: You have given it away!

Mr. T. Reid: I will be very fundamental on this—

Hon. Mr. Davis: A year ago you gave your job away. You have given it away—

Mr. T. Reid: I have maintained in this year and in previous years, Mr. Chairman—

Hon. Mr. Davis: No, he gave it to Lloyd Dennis.

Mr. T. Reid: —that the best teachers in this province, the people who are the best teachers, should be getting the highest salaries in education in this province.

Interjections by hon. members.

Mr. T. Reid: That is why I am talking about the salaries of his bureaucrats who shifted into the county board system with nice whopping increases in salary.

Hon. Mr. Davis: You are ducking.

Mr. T. Reid: If you want people to carry out the management functions of boards of education, you hire basic managers.

Hon. Mr. Davis: You are ducking!

Mr. T. Reid: I am not ducking.

Interjections by hon. members.

Mr. T. Reid: That is one way, Mr. Chairman. That is one way, as I said, that the education system in this province is upside down—the bureaucrats are getting paid higher salaries than the best teachers and that is upside down.

He asked me a question about the student-teacher ratio. I would not toss out the misleading statistics he tosses out about staff-student ratio.

Hon. Mr. Davis: I have not given you any statistics.

Mr. T. Reid: But you report 17.1 students per one teacher in the secondary schools. That is a bunch of hogwash and you know it.

Hon. Mr. Davis: What is the figure?

Mr. T. Reid: You do not know; and that is another point, Mr. Chairman. This minister cannot even tell us the fulltime student-teacher ratio in the secondary schools, but this select committee would be very interested in that because then this question would become meaningful. We would like to have it over the past 10 years and we would like to have it by board and area and school. That is the type of information we would like to have to make rational decisions on the allocation of very expensive taxpayers' dollars in this province.

The other point, just in answer to his question; he said, somehow, that I have implied that over the next 10 years the number of students per teacher in this province should go down. He has not been listening very well.

Hon. Mr. Davis: I have not said that. I never mentioned the 10 years.

Mr. T. Reid: Let the record show, Mr. Chairman, that the minister stood up there and intervened quite properly and said the hon. member should tell us what he thinks about teachers' salaries and whether the number of students per teacher should go up or down. I am saying there is no reason, if this minister changes his whole attitude towards education—

Hon. Mr. Davis: Do not look for help from the member for Peterborough.

Mr. T. Reid: No, I remember some of the arguments of my colleague on this side of the House.

Mr. D. M. Deacon (York Centre): He is doing a better job than you are.

Hon. Mr. Davis: Do you really believe that?

Mr. Deacon: I really believe that.

Hon. Mr. Davis: You do not.

Mr. Deacon: Yes, just ask the people of this province.

Hon. Mr. Davis: You cannot!

Mr. T. Reid: I will just give the minister one specific example, Mr. Chairman. Let me talk about the number of students per teacher in one type of school. He is going after the Prime Ministership of Canada.

Hon. Mr. Davis: Are you after that too?

Mr. T. Reid: I might do it.

Mr. Chairman, I would like to talk about some of the intercity schools, just to illustrate that one point very briefly. There is no reason why the number of pupils per teacher in, say Park Street School down in Regent Park, could not go up over the next 10 years if the type of teacher who went into those schools had received very special training—sensitivity training, language training and so forth, so they would be able to talk in various types of English language and forms of language and even movement language, because kids communicate in the way they move their bodies and their heads.

It is very sophisticated. If the teachers in that type of school, where there are many, many poverty kids, had special education, had very good sensitivity training like that of a YMCA street worker, for example, then there is no reason why teachers like that could not work with parents of the children in the commmunity, acting as lay assistants, and there is no reason why those parents would necessarily have to be paid very much. I am saying that the minister can no longer hide behind the quantitative indices of teacher-student ratios; we have to define what is going on in the classroom before we know whether that ratio means anything.

I am saying to the minister that in certain areas, among the poverty children of this city and in the rural poverty areas of this province, in the Indian reserves indeed up north, there is nothing magic in the staff-student ratio dropping. But he must look at it and I want the select committee to look at it, Mr. Chairman. It makes my point very well. It is basically what is happening to the education of children as opposed to the statistical indices the minister throws out.

I say we can look at what is happening in the classroom and we might find we have something better happening to children from Regent Park in Park Street School if there was only one teacher, strictly speaking, for every 30 or 40 children in that school. But if we had half the parents of those children involved in the classroom, then I think we could save money. If we use the city as a school, we could save money. This is the point I am trying to make.

I would like to reiterate the position of this party: That we want an independent, all-party investigation of where this money is going. We think highly of various members of that party's back bench and we think that they could provide a credibility link between our function as opposition—we have to be very critical; sometimes we are overly critical—but in an all-party committee where the minister is not the chairman, where the full-time staff of that committee are not the minister's bureaucrats to service that committee.

When that committee is made up of people from all parties and which would not include the minister or his departmental officials, then we think that such an investigation would calm a lot of fears in this province about what is happening in the educational system. We think there are examples of waste. I have documented my own opinions in one area, but as long as it simply comes from me it gets discredited, because people say: "Oh well, that is his job; he is a critic. It is his job to point out these duplications of facilities."

I have not that much credibility—I acknowledge that. But the minister, I suggest, has no more credibility when he stands up in this House and defends his department. That is why we want members of all three political parties on that select committee; we want a good chairman—the Conservatives have a few good chairmen; we want the best chairman they can come up with—and we want six months to look at where that money is going so that we can satisfy the rednecks in this province, if you like, that what is happening in education is a good thing for young people.

With that committee we would have credibility, because it would be made up of members of all three political parties and hopefully there could be a unanimous report come forth to this place that would establish the fact that there are examples of things that are happening in the school system that are costing too much money and that should not

be there. But I bet, Mr. Chairman, that report would say there are a lot of good things happening in the school system and because it was an independent committee it would have credibility to the taxpayers of this province.

Can I not convince the minister, Mr. Chairman, that this must be done; that he has not got credibility, I have not got credibility and somehow people must have an independent evaluation of what is happening in the school system.

For example, look at the Ontario Chamber of Commerce. They do not consider themselves rednecks in this issue. On May 5, 1970 —it says here in the *Globe and Mail* report— "the Ontario Chamber of Commerce asked its board of directors yesterday to review and suggest solutions for the problems of escalating costs that have become evident since the creation of county school boards." They want a special commission to review the costs. I think that is our responsibility. I think we, as the representatives of the people of this province, have an obligation to investigate these massive amounts of money that go from this government to the county school board system.

Mr. Chairman, I think I have made my point. I would just like to conclude by quoting this editorial in the *Globe and Mail* of April 11, 1970. It is headed, "A Horrible Example of Waste in Education." The first two paragraphs are general and, you know, I think Richard Doyle has got a point here. I quote directly:

> Between 1938 and 1970 in Ontario, the education bill rose from $11.7 million to $1.6 billion. This has created a somewhat edgy attitude on the part of the taxpayers who are paying the bill which in turn has caused some members of the education establishment to make lofty remarks to the effect that we cannot let the rednecks cripple education.

The editorial continues:

> What has hardly at all penetrated the consciousness of the politicians—and only here and there and usually among the opposition—is that it is not the rednecks they ought to fear, it is the sober citizens who are all for education but are beginning to suspect that the education establishment has been given a free hand to milk them for a multitude of prerequisites and empires that do boo-all for education.

I am trying to convince the minister. I do not consider myself a redneck. I think a lot of the people who are talking about the cost of education are asking valid questions and the brush of the redneck cannot be swept across their faces too. What they want—

Mr. Chairman: What is a redneck?

Mr. T. Reid: A redneck is someone who does not like education, does not like kids—

Mr. Pitman: An anti-intellectual.

Mr. T. Reid: They do not even like vocational educations, Mr. Chairman. What I am trying to say is that there are sober, serious citizens in this province who are concerned about what the money is doing and what is happening to their children in the education system. They have been shut out of the education system increasingly over the past 10 years. They find it very difficult to find out what is happening to their children because of the structure of the education bureaucracy, which I have tried to document here before, and if something goes wrong, they blame it on the education system.

Let us have this independent investigation by a select committee in this Legislature, made up of members from all political parties, and I think we will come out with a very strong statement that shows that there are bad things happening in the education system, but basically that in the 1970s and 1980s we must continue to allocate funds toward the education system. Thank you.

Mr. Chairman: The hon. member for York South is next.

Mr. MacDonald: Mr. Chairman, I want to return briefly to the question of the extension of separate schools. I am not going to press the issue of what government policy is, because this has been pressed both within and outside the Legislature. And the minister, under added pressure a few years ago, did nothing but repeat—rather unimaginatively, if I may say so—what the government has said up until now, which is virtually nil, and there it rests.

I want to explore one or two other aspects of it in reference to the problems involved in implementation—what is sometimes now referred to as the "how" of implementation. I think there has been a tendency on the part of some government officials, including the minister, to say, "We will not even contemplate 'how', because that implies an acceptance of the basic principle, and we are not going to concede that."

I was rather interested to discover, when members of the Legislature were approached by a group at various levels in the community interested in separate schools in their own

local communities, that when they visited one of the minister's colleagues, the Attorney General (Mr. Wishart), in Sault Ste. Marie, he quite rightly said to them, "Look, the issue you are raising is a complex issue, and you would strengthen your case if you were to indicate how it can be done." In other words, just do not speak about the principles; come to grips with some of the details.

Well the Ontario separate school trustees and related groups have done that. In fact, I think about three or four months ago this government was presented with a fairly extensive brief outlining four different projections as to how the proposal might be implemented on the financial side.

But I want to go back, before I deal with that—I will return to it in a moment—to an earlier stage. I was interested in reading a report which was prepared some months ago by the chairman of the so-called implementation committee, Dr. N. A. Mancini who is president of the OSSTF. And in it there is one paragraph which I think is rather significant. He said:

> I have already mentioned the contribution of our superintendents—this is the superintendents of the separate school system across the province—The group has boiled down to a Group of Seven who represent a good cross section, from regions where a Catholic high school is practically unthinkable to one where the complete system is inevitable.

When the separate school trustees came to visit our caucus a year ago last May they stressed the fact—as indeed they must have with the Liberals and in their representations to the government—that if the public image of a proliferation of Catholic high schools across the province of Ontario, with all of the attendant costs, was not what they sought and would undercut their goal.

They recognize that to have a viable high school you have got to have a certain number of students, and in areas where the school population is insufficient it simply will not be possible to build a Catholic high school. They themselves stress that they are not seeking that. They do not envisage a high school at every small town across the province of Ontario; that would be neither in the interests of the children in the separate school system, nor in the overall interests of education in the province of Ontario.

In talking to some of the people who have been trying to wrestle with the complexities of implementation, I was interested to discover their rather flat assertion that there are some areas of the province—and I can think, for example, of northwestern Ontario in the Fort Frances area—where the number of children in the separate school system is such that the possibility of having a Catholic high school is nil. It is in the category that is referred to as being "practically unthinkable".

Conversely, at the other end of the scale, if you get into an area like Metropolitan Toronto you are likely going to have two viable systems that will be fairly complete, and our problem then will be maximize the sharing of physical facilities and special services and things of that nature, so that you eliminate any unnecessary duplication of costs. But if one contemplates for a moment, just lets his imagination and his thoughts ramble on, there are areas in the province of Ontario where by their own assertion it is practically unthinkable to have a Catholic high school, that the net result would be that a student would be registered in the separate school system and when he got into the secondary levels he would continue to take all of his education in the existing public secondary school system, with the exception of certain specific courses that the separate schools feel are necessary because of their particular approach. In short, you are not going to have any duplication.

Then you will have a pretty complete sharing, because there is not a possibility of building a separate system. You have gradations between that and the situation, for example, in Metropolitan Toronto, where you have the basic resources, or the basic school population for two pretty complete systems.

Now I do not know whether the minister can be provoked, encouraged, enticed or bullied—the latter I am certain—

Hon. Mr. Davis: We would never do that.

Mr. MacDonald: —the latter I am certain would not be the case—into saying something on this issue. I invite him to.

However, let me move on to the second point. And I am going to specifically ask the minister as to whether he, or in the absence of himself, as the responsible minister, whether the government as a whole, is going to respond, and if so when, to the specific proposals for implementation in relationship to the even more complex problem of costs and taxes and grants, and related matters?

Now when that brief was presented to the government—I think the latter part of June or July, and copies of the full proposal have now been made available to both of the opposition parties—I studied the four proposals, and quite frankly I am not going to come down solidly in favour of any one, it

is a bit too complex to come to a snap judgement. But I think this government must have been doing some thinking about this issue.

My own inclination is that so called option 3, which would result in virtually no disturbing of the existing tax structure or assessment availability for the public secondary school system, no upsetting at all, would be the most politically advantageous, at least in the initial stages. In short, you would be able to extend your separate school system one grade at a time and at grade 11 the first one to be incorporated would be covered, just as grades 9 and 10 are now covered in the separate schools without any assessment base but with grants, though at the secondary level rather than the elementary level to which it has been restricted historically in Ontario up until now.

Then in the second year you could move to grade 12 and then, ultimately, presumably you would move to grade 13.

It seems to me that that approach would also avoid any unsettling of the rather unique kind of situation that has emerged in the Province of Ontario of French-language secondary schools. But in the public school system, even though many of those people may well be separate school supporters, since most of them are Catholics, it seems to me you would not unsettle that situation.

Now I repeat, I am not going to get into the details of the alternatives. My inclination at the moment is that the third alternative looks like politically and practically the best proposal for a start. But I say to the minister, what are his views? What are the government's views? Are you going to continue to drift, for ever and a day, on this issue just because it is a nettle that may be a little prickly when you grasp it? Perhaps I can just sit down and hope that the minister will now get up and talk, because sometimes he is capable of doing that most impressively.

Mr. D. A. Paterson (Essex-Kent): He skates better.

Hon. Mr. Davis: Mr. Chairman, I thought really we had covered this in the general—

Mr. MacDonald: Oh we have not touched this aspect.

Hon. Mr. Davis: Well I think we did touch this aspect really, once again perhaps in general terms. I think I have said in this House, I believe the Prime Minister (Mr. Robarts) certainly has, that the position put to this government a year ago last May or June—it does not matter which—related to the extension of support to grades 11, 12 and 13, that the government's response to this is not related solely to economics, so that the further material presented by the trustees as to the how of implementation, if in fact it were to become government policy that there be support grade 11, 12 and 13 is, I suggest with respect, Mr. Chairman, academic.

I just want to make it abundantly clear that as far as I am concerned, and I believe that I speak for the government, any decision related to this matter will not be related solely to economic situations. I mean there are four or five alternatives that have been suggested as to the how, there may be another four or five alternatives as to the how if the policy situation were to be altered, and I just want to make it abundantly clear, Mr. Chairman, in case I did not do so the other day in the very brief discussion of this very complicated and very serious issue, that whatever the government's position is, there will be a response. I can assure the hon. member on this.

Mr. MacDonald: When?

Hon. Mr. Davis: I cannot say specifically when, but there will be one obviously. But, at least in my view, it will not relate solely to whether we can afford it or whether we cannot afford it.

Mr. MacDonald: Well, what exactly do you mean by that? I agree with you that this is an educational issue and obviously an educational issue is not exclusively economics.

Hon. Mr. Davis: Right. All I am saying is that in my view—

Mr. MacDonald: It is equality of opportunity for education.

Hon. Mr. Davis: Right. It is a personal point of view that the situation does not relate solely to economics; that is, it is prohibited from a cost standpoint. I think they have made the argument, and there is no disputing some of the logic of the argument, that if the 35,000 to 40,000 students who are presently in the private Catholic high schools were in the public high school system it would be costing millions of dollars. There is no question about this.

No one is going to debate this, and it is not hard to calculate as to what the cost would be if they were in the public system, or if there was some transfer, or whatever of the five options or any options were worked out. All I am really saying is there is no point in my discussing the pros and cons of the various alternatives because the policy is as it is and that this is initial determination and you cannot go beyond that.

Mr. MacDonald: Well would the the minister please explain to me, if that was his and the government's firm stand, why his colleague the Attorney General would specifically solicit from those who came to approach him in Sault Ste. Marie details with regard to the "how" of implementation. Are you not both in the same government? You say that you are not interested in the "how". In short, until you have made up your mind on the basic principle of this issue, you are not going to entertain any discussion at all of the "how". If that is the case, why did your colleague specifically ask for details and why do you now remain silent when they have been given to you?

Hon. Mr. Davis: No Mr. Chairman, I am not saying the government is disinterested in the "how" or that my colleague the Attorney General was in error in asking. I think it was a very relevant question to ask.

Quite frankly, the reason he asked it perhaps is that he did not know that we had already asked this question and that we already had material on it, because I think he had his meeting with the folks from the Sault Ste. Marie area on—I forget the exact date; it does not matter—but we do know some of the suggestions that have been put forward by the separate school trustees as to the "how".

We are not disinterested in the "how"; I am saying that for us to engage in a dialogue here as to the merits of proposals 1, 2, 3, 4 and 5, or where there may be five others, really, has to relate to any policy change from a government standpoint—and the government's policy is as it is. It is as simple as that.

Mr. MacDonald: I am sorry the minister is not really levelling either with us or with the people of the Province of Ontario at the present time, because the standard arguments that are advanced by people who are opposed to the extension of the separate school system are cost and the allegation that you are going to have further segregation of students and a number of other excuses. So it seems to me that the "how" becomes very relevant. This deals with the basic objections to the principle of the proposition of extension, and in my view it finally answers those objections.

Hon. Mr. Davis: Surely, Mr. Chairman, the member from York South is not standing up and saying that if you can afford to do it as a matter of principle, it is right. It is either right or it is not right and the question of whether it can be afforded is something surely that one would have to work out. I would be very deeply upset—and I say this most sincerely—if the member for York South was saying that if it is only going to cost $100,000, we do it; if it is going to cost $50 million, we do not do it. Because if it is right in principle it is right, or if it is wrong in principle it is wrong.

All I am saying is the principle under which the government is operating at the moment is that there is not support. I have said publicly and I have said it here, and I say it once again, that economics from my standpoint, at least, is not the sole criterion as to whether it is right or wrong; or whether if it is right or wrong, is in the area of implementation. I just want to assure the member for York South that this is not the case and if we are going to talk principles I suggest we talk principles and not whether in fact we can afford it, because that to me is a very basic contradiction.

Mr. MacDonald: This is the minister at his very skilful best. He now has put on the cloak of self-righteousness—

Hon. Mr. Davis: I have not said that.

Mr. MacDonald: I happen to be sure he says that the principle is incorrect. But if it costs $100 million, if the principle is correct, I would spend $100 million, the minister says.

Hon. Mr. Davis: I do not think it will cost $100 million.

Mr. MacDonald: Do not try to pull my leg or anybody else's on that score.

Hon. Mr. Davis: I am not trying to pull anybody's leg.

Mr. MacDonald: When we have examined the cost, we know that the cost is not going to be very much greater; it is a question of whether or not where you are going to spend the money by forcing all of the children to go to the public secondary school system or permitting them to exercise their constitutional option to the end of the secondary system. And to the extent—

Hon. Mr. Davis: Just a minute now. Where does the constitutional option come from?

Mr. MacDonald: I told you. Now you are getting back as a lawyer, beginning to look into the technicalities of it. I stated my case the other day and as far as I am concerned on this issue, the Province of Ontario has never fulfilled the spirit of what was established at Confederation. In contrast, in Quebec it has been fulfilled. What we did was to cut the separate school system off at grade

8. When events pushed us, we took it to grade 10 but we took it with elementary grants rather than the secondary grants. We have had a lot of other niggling factors in the picture—of not being able to sell services from the separate school system to the public school system and of directing all of the taxes on mixed marriages into the public school system and thereby denying the freedom of choice of the people in that mixed marriage.

All of these things, I suggest to you, have been quibblings and a failure to fulfil the spirit of what was a constitutional option. Now, not for one moment am I going to get into an argument with you or Eugene Forsey or anyone else who takes that kind of precious, legalistic approach.

Hon. Mr. Davis: I did not take—

Mr. MacDonald: But there was never a constitutional commitment.

Hon. Mr. Davis: You said an optional, and this I—

Mr. MacDonald: A constitutional option, not optional. A constitutional option that you can opt into the separate school system if you want—and that was established here as it was established in Quebec.

Hon. Mr. Davis: That is right, it was—but grades 11, 12 and 13 were not.

Mr. MacDonald: All I am saying to the minister is that this is 1970 and not 1867—

Hon. Mr. Davis: I did not say it was done in 1867.

Mr. MacDonald: —and the spirit of the fulfillment of that constitutional option is, in my view, that it should be extended. I have tried to deal with the reasons why, and the reason that I am now raising—some of the factors that are involved in the "how" of implementation—is that, it seems to me, they focus on some of the arguments which some people are using to deny the principle. Now the minister is still hung up on principle. Frankly, in my heart of hearts I have the suspicion that the minister is a bright enough fellow to have resolved this, but he has an awful load to carry in that government and among some of his backbenchers. And all I am pleading with the minister, or more important those who are not here to hear it—

Mr. Paterson: That is the rest of the ministry.

Mr. MacDonald: The rest of the ministry; right! I ask that they recognize that it is not going to cost a great deal more money. To the extent that it may cost money, to quote the ecumenical study report, we should pay it out of the public treasury because the fact of the matter is that the parents of the Catholic children have been paying doubly. They have been paying their taxes to maintain the secondary school system which they chose not to use because they had a constitutional option not to use it. And my whole argument, even without getting into any more of the details, is this that for those, including the member right behind you who has become upset and listened to me for the moment—

Mr. A. Carruthers (Durham): I am listening.

Mr. MacDonald: —to those who are unhappy about the second school system, you have got to be realistic and accept the fact that it is here, it is going to stay. This government is not going to eliminate it and no successor to this government is going to eliminate it.

Hon. Mr. Davis: I think this government has demonstrated its support of the separate school system beyond any doubt.

Mr. MacDonald: I know you did, and precisely because you did in the foundation programme—why have you not got the courage to take the next step and tidy up the system. Now the minister refuses to accept that phraseology. He thinks it is a little simplistic, but I have given reasons, some today and some the other day, as to why I think it is not accurate to describe the proposal as tidying up.

But the reason I want to get it tidied up, and I will not take the time of the House to proceed with this any longer today, is because I am convinced if you have two complete systems, two publicly supported systems, instead of one that is chopped off at grade 10 and reduced from the grade 8 to grade 10 and so on, there will be created the circumstances in which you can, with regulations and with full justification, make certain that those two systems co-operate fully. Instead of being two solitudes, they will become two parts of the commmunity to a much greater extent. The net result is going to be a saving in unnecessary duplication of cost; and, secondly, for those who are very disturbed about the segregation of children, it will mean that you will minimize, if not completely eliminate, the segregation of children which is inherent in our system to

some degree. But that is our system; that is historically here and you are not going to be able to wish it away.

My hope is that we can move to the stage in effect of completing the two systems, of tidying up the situation, and them working out sets of regulations.

And let me say this rather firmly—I say this to people in both the separate school system and the public school system—then you work out your regulations and be pretty tough from the central level in making certain that there is going to be a full sharing of resources and facilities so that you do not have an unnecessary duplication of costs.

I have no illusions that once you have got your two parallel systems there may be a tendency for each to drift off on its own; I am not being naive and I am not trying to kid either the supporters of the separate school system or any other. I am saying at that stage in the public interest, for reasons of cost and for reasons of ensuring full equality of educational opportunity in the great and growing spectrum of options in classes and in subjects in secondary schools, that there must be the fullest possible sharing and everybody is going to benefit from it. But that can be done without violating the integrity of the separate school system or the public school system.

I suppose the matter rests there until in the fullness of time the government can make up its mind on an issue.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Yes, Mr. Chairman the minister, in replying to the member for York South, certainly is a master at circumlocution. He talks around a subject and never comes down to the answers and the topic really under discussion.

The people in one school system want answers from you, Mr. Minister. They want answers now, they want answers, I would say, even today. Just one week ago all three parties were invited to a student assembly at the Assumption College High School. Each member of the three parties was given an opportunity to express his party's point of view. At the assembly there happened to be not only the students from the Assumption College High School, but also those from the St. Mary's Academy in the city; from F. J. Brennan High School and from St. Anne's of Tecumseh. The students were extremely interested in listening to the point of view of the government spokesman. The Liberal Party there was most ably represented by the member for Essex South, who certainly had no difficulty pointing out to those assembled that it was the Liberal Party that took the first party position on the separate school issue.

Interjections by hon. members.

Mr. B. Newman: It is all right for the socialists to our left; they took a caucus stand — they did not even take a caucus stand. They first came out with a working paper and nothing else.

Mr. Pitman: We like to think it through!

Mr. B. Newman: They made mention of that, that it was strictly a working paper; it was not a party position. It was in February of this year that the Liberal Party at its annual convention took the official position of equality of educational opportunity; of equality for the separate school system.

Mr. MacDonald: I will tell you that when we took this to our convention, we let them have a free vote and a free debate.

Mr. B. Newman: We always do that in our conventions. That is the standard procedure.

Interjections by hon. members.

Mr. B. Newman: You know, the member for York South certainly wants to be very careful because today he is still in the front benches, but when the official leader comes back, he may find himself maybe a little farther back. Mr. Speaker—

Mr. MacDonald: Do not worry about that. I will be in the front benches—

Mr. B. Newman: —the students who are interested are interested solely in equality of educational opportunities. You are not making this possible or available to them.

Interjections by hon. members.

Mr. B. Newman: When you look into my own community, you see St. Mary's Academy is phasing out this year. This is the last year of its existence; it is a school that has been in operation for, I think, well over 100 years and it cannot survive because of the straitjacket that the present government has placed it in. It is going to be absorbed in the fall of this year by Assumption College High School, that is, if there will be the room in which to accommodate the young ladies who attend St. Mary's Academy. Assumption College will become a co-educational institution—

Hon. Mr. Davis: You are not opposed to that?

Mr. B. Newman: By no means and neither are the students. I am opposed to the fact that they are being phased out because there is no reason they should have to be phased out. Were this government to turn around and implement some of the suggestions or one of the suggestions made by the Separate School Trustees Association, there would have been no problem at all.

The Assumption College High School, a private institution, is having its financial difficulties. The Brennan High School is having the same problem. The St. Anne's High School in Tecumseh has had extreme problems: they have threatened at two different times to close the school. The people who support the separate schools there do not pay double taxation—they pay triple taxation. They are taxed on the municipal level, and it is for the school system; they are taxed by way of tuition fees; then, when it comes to attending the churches on Sundays, they are practically forced to make sizable contributions—in some instances—contributions that they can ill afford simply because they believe in a principle; and that principle is the equality of educational opportunity.

There are four schools that are or could be in extreme difficulty in the Windsor-Essex county area. If you do not come up with some solution to the problem, and if you do not come up with it before the next election —and I do not think that you will not because I think you have already decided your party position on this, and it is to come along and assist the separate schools, but you are waiting only for the politically most opportune time to announce the policy.

You are in a phase of the election now as indicated by two programmes that were announced on the first day that we resumed sittings in the Legislature; I would think, you are in that beautiful programme today that—

Mr. Ruston: Newspaper ads costing $800,000.

Mr. B. Newman: The funds that were spent on that could salvage some of the separate schools in the Province of Ontario—just the funds that are being wasted on the advertising to try to sell Ontario to Ontarians.

Mr. Ruston: That would have kept one school going for one whole year.

Mr. MacDonald: Even one of the Bill Davis schools!

Mr. Ruston: Yes it would.

Mr. B. Newman: Mr. Chairman, if the Minister of Education does not come up with some type of assistance, you are going to find that the problems you have in Amherstburg with the two-shift system are going to have to be implemented in the city of Windsor. Because how are you going to accommodate the students from Brennan High School who would have to go to one of our secondary schools?

How would you accommodate students from Assumption High School who might have to go to one of our secondary schools? You are either going to have to put up tents for them or you are going to have to provide portables for them; or you are going to have to go to a two-shift system.

I do not think you, Mr. Minister, would want a thing like that to happen. I think you are too good natured, too kind-hearted and too considerate not to give in—I should not say give in, but not to see the light of day, to see what these people have been trying to impress upon this government, the justice of their cause. You will come along and provide that equality of educational opportunity to this large segment, not only in my community but throughout all parts of the Province of Ontario so that those who insist and want their children to take their secondary education within the Catholic school system, the public Catholic school system, be given that opportunity.

Mr. Minister, the fact has been brought out that grade 9 and 10 grants are on an elementary level to the separate schools. I would think that this would probably be the first place where it would be most politically opportune to make one change—

Mr. MacDonald: Do not let them appease you with that.

Mr. B. Newman: —and I can foresee you, Mr. Minister, doing that. I can likewise foresee using the foundation plan—

Mr. MacDonald: Some sort of Tory tokenism.

Mr. B. Newman: —and giving financial assistance on a staged programme to grade 11 first in one year; grade 12 in the second year. Possibly by that third year you will have phased out grade 13 and there will not be the problem of financial aid to grade 13.

Now is the time, Mr. Minister. Look at the students attending these schools. They see what you are doing. Bitterness may come into their feelings. We do not want that with youth, we have enough problems with the noisy minority. Here we have good, clean-living, honest, upright students attending a school system that they consider is as good as if not better than the public school system.

These students are reasonable people but, you know, they can only stand this putting off for a certain length of time. After that, Mr. Minister, a sort of a resentment builds in them and, you know, their first opportunity to vent their feelings may be at the polls; or, if it is not their first opportunity it may be their parent's first opportunity. They will do this, Mr. Minister, so I would suggest to you that if you wish to be over there and not over here you fellows are going to have to act on this issue. We want you to act today.

Hon. Mr. Davis: Because you want us to stay here and you are trying to help us—

Mr. B. Newman: I want equality of educational opportunity, and you do not want that, Mr. Minister. Not wanting equality of education opportunity, you are telling the people you have lost the will to govern and you no longer are interested in the educational desires of a large segment of our community.

You could show your good intent almost immediately, Mr. Minister, by appointing a deputy minister of separate public schools.

Hon. Mr. Davis: Public schools or public separate schools?

Mr. B. Newman: Allright, public separate schools. We will call it that way and we would like you to do this immediately.

Mr. Minister, I have only pointed out the problem in one small community. Think of the rest of Ontario and how great the problem would be out there. Now is the time to act, Mr. Minister; and for the sake of the future of these young students please do something now.

Mr. Chairman: The member for York Centre.

Mr. Deacon: Mr. Chairman, my colleague said something about it being a political advantage, perhaps in the next election. Some of us are not in that position, because we are in ridings where the voters are predominantly not Roman Catholics and where voters are very much opposed to there being a double system of education in this province.

In my own riding, a poll I took last year showed that the people, about 35 per cent Roman Catholic, are four-to-one opposed to a double system of education. Such a situation certainly gives someone representing them, such as myself, a good deal of food for thought as to what is the proper course of action.

There are many reasons why I feel we should take action, and take action soon, to support the extension of the separate school system. The first one is the fact that we have in reality 30 per cent of our youngsters now in the separate school system. It is impossible to destroy that situation by just depriving and antagonizing people. Not only that, there are a great many advantages within the separate school system that we would like to see perhaps gained by our own public school system.

I have had several meetings with representatives of the public schools and the separate schools in my area as well as the clergy and others where we could discuss these matters without feelings being vented publicly, and it was very apparent that there are advantages in both systems which we somehow want to have brought together. The reason I feel it is very important for us to give every advantage, every position of equality to the separate school system is that in that way we will start to get a degree of co-operation that we cannot get at this time because of discrimination in the government grant system.

A few years ago I was shocked when an organization called Les Scouts tried to separate themselves and become separately incorporated from the Boy Scouts of Canada. As the minister well knows, the Boy Scouts is based upon no differentiation or discrimination in race, religion, or colour and that Baden-Powell's idea was to have a means and a movement whereby people would truly co-operate.

We were quite shocked when the Roman Catholic French-speaking element in the Boy Scouts said, "We want no part of Boy Scouts of Canada. We want to incorporate separately, and we are going to Ottawa to get such a charter." The Boy Scouts of Canada stopped them from getting that charter, blocked it, and said: "This is against the principles of scouting."

After a little while, we decided that this was not the right approach. We had to find an approach that would truly get their co-operation and reach the element in our youth that we were not then reaching. We agreed the French-speaking Roman Catholic element

perhaps would be better served by a different organization with a different emphasis. So we approved their incorporation in scouting and we do now have two separate Boy Scout organizations in Canada.

We also organized a committee of co-operation to ensure that the two groups would work closely together. As a result, we are now both benefiting greatly. I say we—the boys are. We are reaching far more boys and doing far more progressive work because we are recognizing the great advantages each element is bringing in its own way. In time, I think they will come together again.

If we do this in our educational system, if we give full recognition, full opportunity to the separate school system, we will then be able to achieve co-operation through committees of co-operation within our county system or whatever other systems we finally devise in controlling our education in the communities. We will then be able to give the students the best of both worlds and not defy one group now and build up a feeling of great resentment which I think they justifiably have.

I find this type of argument is one that is accepted by the people who normally are opposed to the concept of two systems. They recognize the fact that we do not have everything in the one system at this time that we would like to have; that there are many things in the separate school system we would like to have. They are getting good value for their education dollar and I urge the minister to take action on this matter.

Let us not make it a political question. Let us make it a question for making the best possible education available to our youngsters. I am sure the taxpayers will only tolerate extra cost where it is obviously not going to cost a great deal more to have two separate schools. Here we are discussing the turning over of $75 millions or more of school property at no cost, and bringing on an additional burden in grants of perhaps $20 to $25 million a year to our Ontario taxpayers.

At the same time, let us not forget that within the separate school system, they are showing a far lower per-student cost than we are and yet getting remarkably good results.

Mr. Chairman, I also want to point out to the minister the question of the meaning of the word "control." My colleague from Scarborough East brought out the words in the opening part of this vote which says: "The activities for this programme provide an appropriate measure of assistance, advice and control." In the view of the Liberal Party, the idea of control is not one where Queen's Park is setting out directives as to how things should be done but setting standards of what should be done. The degree of control is one of making the local people aware of just how well the job is being done by those they have placed in authority to look after their educational system. This is the essence of good local autonomy. This is the essence of good control, where we give them the data, give them the results, that show just how well the results are coming from the money being spent.

I am afraid at the present time our system of grants is so complicated and so conditional that the local authorities have to do all sorts of gyrations in order to get the maximum grant to meet the various conditions that the department sets. It takes a judo expert in mathematics to understand how the grants are calculated, and perhaps we should start to strip these grants down and not make them conditional. I think we should make them so much per primary student, so much per technical or vocational student, and not have all these conditions.

Hon. Mr. Davis: That is basically the way it is.

Mr. Deacon: Basically it is, but there are a lot of other little calculations that come into it that distort the picture. If we had that type of approach—of unconditional expenditure—then the local boards will say: "If we save a dollar that is a dollar in our pocket." Time and time again I am being given examples under this present centralized school-board system that show ridiculous procedures are being instituted for repairing a window and incidental matters that normally were dealt with very expeditiously, very cheaply and very efficiently under our former system, but which now are just being transformed into administrative nightmares by the hierarchies we have set up.

Mr. M. Gaunt (Huron-Bruce): And buying pencils.

Mr. Deacon: My colleague for Scarborough East pointed out what we feel is a very important problem that the minister has created in this county school board system. He has built a huge administrative structure, but he has not enabled us to place the emphasis back into paying the teachers for real teaching. We do not care particularly about what type of buildings the youngsters are in. We want to see what the results come out because of the environment they are in, which is not just a physical environment; it

is an attitude of teachers; it is an attitude of the community. Down in the Kensington area here in Toronto, there is a real movement afoot to try and use the old synagogue and the old buildings in that community, not to build a new building for the school in that area. They want to have an opportunity to provide education in a background fitting the area in which they are living.

There are a lot of people who are upset about the fact that the schools that have been built for their communites are far beyond what these youngsters normally are exposed to. They do not give them the sense of values, that their parents really feel are important to them.

Hon. Mr. Davis: What is not important?

Mr. Deacon: Pardon?

Hon. Mr. Davis: What do you mean by that?

Mr. Deacon: I am talking about the very lavish facilities in some of the new schools that are being built.

Hon. Mr. Davis: The majority in your area were built long before the county school board.

Mr. Deacon: I am not talking about my riding; I am talking about the province as a whole. If I am in a rural area of this province, I am hearing it in Renfew county, or I am hearing it in a school in—

Hon. Mr. Davis: I am just saying—you were talking about the county structure bureaucracy—the vast majority were built well before the county school boards.

Mr. Deacon: That is quite correct. They were built in a period of centralizing schools. But the main thing I am trying to get across, Mr. Chairman, to the minister, is that the department has got to set measurements where we can see the results in the students, not measure our results by the size of the structures and the size of the salaries we are paying our people. We have got to measure by the reading ability, the reading results of our students and other measurements that show us how the children and youngsters, how the students are responding to our educational system.

I want to emphasize again this matter of control. Give the taxpayers the data back so they can judge how well their school boards are doing. Another thing the province must do is to set the conditions under which the school board can really operate most efficiently, for example in the area of school transportation. This summer I was quite disturbed to find the extent to which one school operator in this province had built an empire in a matter of about 15 years. It is estimated that he now controls some 1,400 buses, a multi-million dollar empire based on just busing youngsters in this province.

Thus several hundred individual school bus operators, who might have had one, two, or three buses, but certainly small operators, are being pushed out of business. The causes of this condition are due to the fact that the province does not recognize some of the basic problems in school transportation and how it could assist it. For that reason, Mr. Chairman, I think that the minister should be carefully considering measures that the province could take that would alleviate a lot of the pressures that are on the smaller operators. Make them much more competitive with the larger operators and make it possible for them to give better service and better value in a community. We could thus maintain a very important type of business in local communities.

At the present time, for example, we enable the school boards to enter only into short term contracts for transportation unless they get the OMB approval. That is something we should think about. The fact is that a bus operator has to enter into a contract for five years or so to pay off his investment. He just cannot pay off the cost of a school bus in one year's operation. He can get only a year-to-year deal with the local board of education, unless the board of education is willing to go through the OMB, which of course is a bothersome procedure.

The second thing he has to contend with is the unusually high license fees. He has to pay a license fee of about, an average of $148, I think it is, on the school buses in this province. A Gray Coach highway coach, which can run 24-hours a day, all-year long, except for the time it stands for maintenance, pays only $175 to $250 or somewhere in that range. It is ridiculous that we would set $148 as a license for a school bus that travels in a 200-day school year an average of 1,200 miles. It just does not make sense. If the school bus is owned by the local board of education, they pay only $2.

Surely the minister should approach The Department of Transport and say: "Put the school bus operator who is operating only to transport students for school purposes in the same position as the local municipality would be if it owned the vehicle".

The third thing is the high finance costs of buying school buses. A big operator, especially if he is backed by some big foreign coach builder with a multi-million dollar corporation, can purchase equipment at a much more lower cost than the small bus operator with just a bus or two. In the matter of spare buses, if he entered into agreements with other operators the small bus operator would be able to compete.

In yet another area the province does not suggest the standards for the equipment used for school transportation. So in some areas when tenders come in for school buses, the large operator will decide if he wants to really cut prices, that he will move a lot of his seven or eight-year old buses into that area, cut the price. When the school boards see tenders come in, they do not recognize that they could be buying a much lower quality of transportation than they believe they are.

I recommend that the minister take care of these problems by granting the school board the power to enter into firm, five-year contracts with the school bus operators' association of this province, if they comply with a standard form of agreement that is now in wide use across the province. One of them that has been very successfully used is the one used by the East Parry Sound district operators. And in that way, the small operator has the advantage of being in a pool and the school board has an advantage of dealing with a responsible group of operators who can offer very high quality of transportation and still keep the little fellow in business.

The second thing is that the minister should get The Department of Transport to reduce those licence fees to $2 for all buses operated only for school purposes. There is no reason for the operators to have to pay the high licence fees just because they happen to own the buses as individuals when those buses are licenced only for school use. And the third thing is to create a Province of Ontario school bus leasing corporation which would finance the purchase of buses for all school operators in this province. In that way they would have the advantage of buying on the most advantageous basis and on a fleet basis, similar to the large operators.

The minister well knows that these small bus operators not only constitute a very large and important element of business in many of the rural communities of this province, but they also add a personal note to our education system which has been disappearing rapidly with these large schools. I suggest these are three needs which help the free enterprise system to operate more effectively, which discourage the centralization and the empire-building that is going on, the cut-throat competition that is driving the little fellows out and which I do not think in the end will improve our transportation system. I am quite confident that in the end it is going to cost us millions of dollars more than it is today if we do not arrest that trend.

Again, here is an element where the province does not have to say anything to the school boards; it has to make available the tools with which the school boards can do these jobs. So I repeat, with respect to school buses it is a matter first of allowing the school boards to enter into five-year contracts for transportation with the school bus operators association without OMB approval; the second thing, lower those licence fees; and the third thing, creating a school bus leasing corporation so that the school bus operators across the province all have the same opportunity to buy advantageously.

Mr. Chairman: The member for Peterborough was next.

Mr. Pitman: I was going to say something on separate schools and then go on, as the member has done, with relation to some other matters. But I would like to come back to the separate school issue for a moment very briefly. I think the statement has been made very well by the member for York South, and I think the member for Windsor-Walkerville, that obviously this province simply has to solve it.

The only point I would like to make at this point in time is that it should be solved as quickly as possible, because I think there are some schools which are so desperately in need that the decisions to close these schools may very well come within the next few months. There are some which have indeed stretched their existence beyond any kind of financial reality, they are now on borrowed time as well as borrowed money. And I think it is very necessary that the minister realize this point.

I think if he can put—he has said again and again it is not an economic problem—

Hon. Mr. Davis: No, I said economics was not the sole criterion.

Mr. Pitman: Well it is not the sole criterion, there is a philosophic criterion as well. But I think if the minister will read his own philosophy of education—

Hon. Mr. Davis: I would find part of it in the separate school trustees' brief, I think.

Mr. Pitman: Pardon?

Hon. Mr. Davis: I think they quoted me in part of their brief.

Mr. Pitman: Yes, well they have indeed. And of course, the whole concept of quality of education is a part of the philosophic background to their demand for support into grade 13.

I have noticed over the last couple of years that the minister tends to try to take the great wide philosophic educational issues and bring them down to his kids, and I know I try to do this too, and I think that if he will do that and recognize that if his child was in a separate school that she would be there or he would be there because the minister can afford to keep that young person there in grades 11, 12 and 13. I think the minister would recognize that is the worst criterion of all as to why a young person should be in a particular school and not be in another particular school.

I think if he will recognize if his youngster was in that school, he or she would be limited in the courses and the programmes that would be available, and with the minister's continuous cry of equality of educational opportunity there exists in this province a situation where young people are deprived of certain programmes, of certain courses, because their parents have enrolled them in a particular system. I think that seems to be the level on which the minister surely has some feeling and some appeal.

I look at the whole question of co-operation and sharing. I think we have an opportunity here to weld these systems together, to bring them closer and I think that is the major issue.

I wanted to complete my comments in this area with a further suggestion. Those who have been the most concerned about this further extension—and I recognize this—are those who have studied the education system of this province. As part of my work in history, both at the postgraduate level and over the last 20 years, I know of the historical implications behind all this. I recognize what are called the emotional problems that exist in many parts of Ontario in regard to this difficulty.

But I think we should realize that in the 1970s we are not going to be destroying the school system. This is what Ryerson, of course, was continually trying to do, to extend the public school system. I do not think the public school system is threatened. What is threatening now in today's context is the monolith, the single system.

I come back to the original comment I made on these estimates: the policy here is, I think, to provide a variety of services, a diversity of services, which provide equality of educational opportunity for individuals, for each young person to find their own grab-bag, you might say, of educational opportunity. And I think once again this is simply a further extension of that area.

I would like to go on for a moment and speak about the legislation which deals with school boards in this province. I would have hoped that by this time there would have been a full-scale—if I can get the minister's attention for a moment—I would have hoped the minister might have done something by now to completely rehash the educational legislation of this province. Because I think he has here a series of Acts which are so completely out of date, so anachronistic, that they really outrage the sensibilities. I think, of teachers, of students, and of parents. I would hope that by the time—

Hon. Mr. Davis: They are just about done.

Mr. Pitman: Well, if they are just about done, may I make some suggestions of what I hope are a part of these legislative changes? There will be, I hope, in those a greater recognition of the role of the community school. There are things in the original existing legislatiton which make it more difficult to create a community school than there need to be.

And I just simply complete my point: I hope there will be opportunity for greater co-operation of the various elements in the community to create a real community school.

I hope there will be opportunities for some degree of co-operation with the Minister of Social and Family Services (Mr. Yaremko), of other departments in this government. I hope there will be some recasting of the role of principal, because I think the setting out of the role of principal as it stands today is a bulwark against a greater democratization of your school system.

I am not going to suggest that the minister put into his legislation the exact way that every school should be organized. I do suggest that there should be doors open for teachers and for students to develop other methods of decision-making in a school than simply at the pleasure of the principal. I think that this is a very real detriment to

other developments in our school system which would make that system far more, responsive, I think, to the kind of society in which we live.

I would hope that possibly the role of students is recognized in that legislation. Students do have rights or appeal procedures. Perhaps an ombudsman is recognized as a means by which students in a school setting can get justice.

I have had letters from students—and I know I take much of what I receive with a grain of salt, because I realize that there are two sides to every story and I have not all the means of getting these two sides. But I think there are sufficient examples in my experience for me to recognize that there have been certain injustices. And it is very hard for a principal to overrule a teacher; it is very hard for a board of education to overrule a principal, and the whole thing becomes a method of trying to support everybody within the system, and naturally so.

It is quite explainable. After all, this is what this government does every day, is it not? It has to be this way, so that I think perhaps there is a recognition that there must be an appeal from school government in the same way that there is an appeal from various agencies of any government. I just hope that that will be a part of the legislation as well.

One might even go as far as this and suggest that the minister might be able to find a means by which he can make grants, not just to school boards but to student councils in schools. Student councils, I think, are finally getting out of the business of simply running dances. They want to develop a supportive educational programme which will be run by the students. Indeed, some schools are encouraging this by having student councils run the school programme for one or two or three days a year. I suggest that this is a very useful activity, and one which should be encouraged by the minister. It is very hard for student councils to get money, except by charging students.

I want to say to the minister that one thing bothers me very greatly, and it comes right down to this estimate. If he thinks that all the money spent on education can be found in these estimates and in the cost of the total school boards across this province, he is very sadly wrong. Because my wife—I told you I am being rather personal about this business of education—my wife totalled up the amount of money that she had given to our children in four weeks for airplane trips, for geography trips, for lockers, for the whole bit, and it came out to something like $24 or $26—just in four weeks.

Hon. Mr. Davis: I was trying to tell you they have moved out of the structure school environment for a lot of these programmes. Now will you believe me?

Mr. Pitman: Yes, but the point is equality of educational opportunity, for those in lower income families to have the same opportunity. I wonder, for example, about a welfare family; for example, if you add onto that—my oldest son happens to be in grade 12 and is taking two grade 13 subjects. It costs $20 for just two books, so this worked out to $46 in four weeks. I am not complaining because I can pay it, and I am quite happy to do that. But I wonder about low income families—how they can add $46 to the cost of their family.

Mr. T. Reid: They do not get to grade 13.

Mr. Pitman: The member for Scarborough East said they do not get to grade 13. I think some of them do.

I suppose this is a problem. In fact, I told the minister that last Saturday morning my nine-year-old girl was out washing cars in the school yard; not to get basketballs, but to provide film strips and films for the educational programme of that community. Can you believe that?

Hon. Mr. Davis: I can believe it. Not only I can, I do.

Mr. Pitman: It did not bother me. I mean, the kid had a good time and all her friends had a good time. I must say the teachers had not realized that as being the most happy way of spending a Saturday morning. But, nevertheless, the point is I think there is a tremendous amount of money that is going into education which is coming out of the pockets of individuals. I wonder about this in terms of this equality, because I suggest there are many people who cannot afford to pay this.

Now I come back—as I say, I hope the minister will recast his legislation. I think one might even say, if you are going to really quarrel with him, that every child in the school must have equal opportunity to take those trips and to have all those advantages outside the school setting which are available within the school setting. I think that equality demands that. Therefore, there is a great deal more money that could be put into this programme of out-of-school education, which

is now being paid from the pockets of individual taxpayers.

I just want to suggest there are two or three areas here where I think the legislation of this province does limit, if I might suggest one more, the role of the parent. I hope that awful clause in the legislation that only judges and MPPs and clergymen can visit schools is out. I mean, that is the most anachronistic example of a left over—

Hon. Mr. Davis: Do you want MPPs still to be allowed to visit?

Mr. Pitman: I am quite happy to visit any time on invitation. I usually visit only on invitation anyway, and I do not seem to have any problems getting in to any institutions under the minister's jurisdiction. But this is not a problem. I dislike seeing anything in legislation which would indicate that parents are not welcome at any time. I would support again what the member for Scarborough East suggested, the use of parents in classrooms. I made this point in a brief I made to the poverty centre at Coles community committee that this might be a very effective way of uniting the school with the home.

I think the churches could be brought into this as well because they are carrying on activities which involve parents, too. I suggest to the minister that they are good as road blocks and I hope he is going to deal with that in the legislation he brings to this House.

Mr. Chairman: The member for Scarborough East.

Mr. T. Reid: I would like to talk about a few things, speaking on the separate school proposal this party has made, and perhaps give some reasons—

Hon. Mr. Davis: Has the member for Windsor-Walkerville not done it very well for you?

Mr. T. Reid: He has done it very well. But I want to add to it; I want to underline it.

Hon. Mr. Davis: Did he not convince you?

Mr. Chairman: May I suggest to the member—

Mr. B. Newman: Are you signing the cheques now?

Mr. T. Reid: Mr. Chairman, the minister stated that there are two criteria to consider in deciding what he should recommend to cabinet or what his government should do.

Hon. Mr. Davis: No, Mr. Chairman, I do not want to be misunderstood, because I recognize they would be very vitally interested. The member for Scarborough East said there were two criteria. I did not say this. I said that the economic criteria was not the sole criteria. I just do not want to be misunderstood.

Mr. T. Reid: I have not even said anything yet!

Hon. Mr. Davis: No, I know you would not.

Mr. T. Reid: Mr. Chairman, the hon. minister mentioned something about economic criteria. I gather this has to do with whether it might cost more money to the taxpayer, away—

Hon. Mr. Grossman: How did you ever figure that out?

Mr. T. Reid: —from private pockets. The other thing, if I recall correctly after listening to him so carefully, was he mentioned something about the principle of it.

I make the suggestion that there may be another consideration that has been put on his back by some members of his own party. This has to do with the way in which the money is found to finance, from the public purse, the extension of jurisdiction of the separate school boards for grades 11 and 12—assuming grade 13 is abolished.

It is a key point. I think we have to remember this; that what the minister may be worried about and what could be a real political consideration, is that if the separate school boards have an extension of their jurisdiction beyond grade 10, then the question arises, where does that public money come from to take over from the private money that is now going into the Roman Catholic secondary schools for grades 11, 12 and 13?

That remains the key point, because the political issue will be that if the property tax is going to be used to finance that extension, then that implies that money is going to be taken away from the public school boards at the secondary school level, and transferred to the separate school boards which have an extension of jurisdiction. And that is the real hot political issue, particularly in view of the fact of the complaints about increases in property tax and so forth. Because if that happened, there could well be increases in property tax on the public school supporters to fill that vacuum, if you like, or the transference of property taxes to the separate school system. Well, I am obviously referring

to Harold Greer's article entitled "Davis' Old Red Herring." I would like to point out that Father Carl Matthews made a very positive proposal to get around this very thorny political issue that any government in power which has a rural base would be faced with. His proposal is a very simple one; it is that the extension of the jurisdiction of the separate school boards to cover the completion of secondary school—in our case we believe it should end at grade 12—should come under the foundation tax plan.

In other words, instead of fooling around with the tax base at the county board level and getting people very upset because of what it might do in terms of property tax, the minister can solve that very difficult and thorny political problem by financing year by year—starting with grade 11, leaving grade 12—the extension to the foundation plan.

I think this is the key issue. I do not think it is any longer a question of principle. The minister has accepted the fact that the separate school system is here—it is in the public school system. That, if you like, is an ex-post-acceptance in principle. You cannot do much about it, except to accept the fact that although the total cost of educating Roman Catholic children in the public separate high school system would not be much more, if at all any more, than the present cost to private individuals through the system of triple taxation that my colleague from Windsor-Walkerville noted. The real issue is shifting a property tax load between public school supporters and separate school supporters at the county board level if the extension is financed even partially, even 40 per cent. And in many areas, of course, it will be only 20 per cent from the property tax system.

So I would recommend to the minister, Mr. Chairman, that he take the advice of Father Matthews very seriously in this regard.

Hon. Mr. Davis: He is here.

Mr. T. Reid: I know he is here. He has provided you and the government party with a very neat way out of this political issue that you face in your rural based party. I think that that is the issue. I think that you should examine it very carefully, and I think that if we move the political explosion would be under your party if you accepted the extension of the jurisdiction, plus the extension of financial support, which must be a corollary with that extension of jurisdiction.

Hon. Mr. Grossman: Are you saying your party is urban based?

Mr. Reid: We touch every part of Ontario.

Hon. Mr. Grossman: So do we.

Mr. T. Reid: We represent all of the people.

Hon. Mr. Grossman: So do we.

Mr. T. Reid: We have touched every part of Ontario.

Hon. Mr. Grossman: So do we.

Mr. T. Reid: Every class, every group.

Hon. Mr. Grossman: So do we.

Mr. T. Reid: Mr. Chairman, there is one further aspect I would like to deal with, about our position. It is this.

We believe that for effective co-operation and sharing to take place between the two branches of the public education system—the so-called public school branch and the separate school branch, within the public education system—we believe that for full co-operation, as far as possible, on programmes and facilities, on curriculum issues and extra-curricular matters, that the two branches must be equal under the legislation of this province. We believe that you get effective negotiation and discussion only between equals. This is one of the basic reasons we believe that the separate school branch of the public education system and the public school branch of the public education system should be treated equally under the legislation of the province. We are not talking about church-run schools; we are talking about public trustees, elected democratically by the people; if they are separate school supporters, elected by those people. We believe that if the separate school trustees are equal in terms of their jurisdiction over education, from K to the end of secondary school, that they will be able effectively to negotiate, because it will involve negotiation at the county board level or at the large board level—that they will effectively be able to negotiate with the public school system.

Right now, Mr. Chairman, I will say it flat out. If you are a trustee on a public school board you tend to feel superior to a trustee on a separate school board because you have more control over education. I am saying that legislation in this province must be changed so that two equal partners in the public education system can sit down and talk turkey on how to share expensive costs in special education, the expensive costs in extra-curricular programme, out-of-school programmes, and so forth. I think that once you

have equals sitting down to talk, you are going to see the type of co-operation that we already see in certain parts of the province.

By way of example, Mr. Chairman, there is a school in West Hill called St. Malachy Roman Catholic School which decided that the George Miller Public School, right beside it, adjacent to it, had the type of co-operation that is possible when you have two elementary schools that are equal, the type of co-operation between the principals and the teachers and the students in those two schools who feel they are equal. You find they are co-operating on family life education; they are going out on out-of-school programmes together; they are co-operating even on grade 1 subjects, and so forth, because there is no feeling that one school is superior to the other. I maintain and we maintain in this party that you will get that type of partisan co-operation only when the laws of this province treat both branches of the public education system equally, and that is one of the basic reasons we want the extension of the jurisdictions matched by extension of grants.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: Mr. Chairman, there are two or three points I want to bring up.

First, I would like to ask the minister if the department has done anything with respect to allowing the parent in a mixed marriage to support a separate school system in a legal manner. The Minister of Municipal Affairs (Mr. McKeough) last fall, was willing to accept an amendment during the bill on assessment. We were advised at that time by the minister that, in fact, this was impossible because of constitutional reasons. I am just at a loss as to what those constitutional reasons are in taxing in a provincial jurisdiction.

Possibly the minister could indicate: (a) whether they have done anything; and (b) why is it not constitutional to allow the husband in a mixed marriage who is non-Catholic not to direct his taxes to the separate school should he choose to do so? It is not something that is compulsory but rather we would hope that it would be a case of they have the right to do so.

Hon. Mr. Davis: Mr. Chairman, this has been discussed here on several occasions. I think the member raised this not too many days ago and I indicated then the policy has not changed. These matters are all subject to any valid consideration, but at this moment there is no change in policy on this issue.

Mr. Martel: What about the constitutionality of it, Mr. Minister, in respect the Minister of Municipal Affairs' advisers indicating that this could not be done? It was not a case of policy, but rather it was the case that according to the constitution this change could not be made?

Hon. Mr. Davis: Mr. Chairman, I will have to check what the Minister of Municipal Affairs has said as it relates to the constitutionality. We have debated that in here, too. Whether it is just solely a constitutional situation or not I do not think is the only criterion either.

Mr. Martel: Would the minister agree, though, if this government were willing to move, at least in this area, it would relieve considerable hardship, particularly in these cases of mixed marriages, in that at the present time the husband has to say he is a Catholic even if he is not or he can use another devious means of signing over his house?

I do not think this would be much of a move on the government's part ot allow this, where it is permissive legislation. I really do not think that that is asking the government for very much, Mr. Minister.

I am delighted, you know, that you saw fit to put my private member's bill into law as of last June. It showed that there was some thinking going on over there. We had to lead the way of course.

The second point, is not a much greater request, Mr. Minister, but it would relieve hardship. Why does the government hang on to that? It is discrimination pure and simple and you know it. I would ask—and I have got the same answer for three years: "It is not that difficult to change", the minister says —well why do you not change it?

Hon. Mr. Davis: It is the policy at this moment not to.

Mr. Martel: Because it is policy not to. The fact that it is discriminatory does not matter.

Hon. Mr. Davis: Mr. Chairman, taking it from the very practical standpoint, we know the difficulty is grave. We also know, from the very pragmatic point of view, that the economic impact on the separate school system is probably not too significant.

Now, the hon. member may object to the ways that are being used, from a practical standpoint, to see that the funds flow into the separate school system. I am not going to quarrel with this, but the fact is that I question whether there are any substantial

amounts of money that are not being made available to the separate school system.

Mr. Martel: I am not really worried about the money part.

Hon. Mr. Davis: I am saying, that, from a practical standpoint, I do not think the problem is as great as you may feel it is from a theoretical standpoint.

Mr. Martel: I am not worried about the economics of it, Mr. Minister. I am primarily concerned with the hardship that it causes within the family itself, and certainly that must have some significance, Mr. Minister, that it does. In many mixed marriages, and we have many of them in northern Ontario, it does cause considerable battling in the homes.

Hon. Mr. Davis: You are not going to solve that.

Mr. Martel: I know, Mr. Minister, having—

Mr. C. G. Pilkey (Oshawa): We can relieve it.

Mr. Martel: —been a principal of the separate school, I know—

Hon, Mr. Davis: I know you have battles in the home.

Mr. Martel: Yes, but Mr. Minister, too many of the husbands in these mixed marriage situations could not care less if the child went to the separate school but they are not going to say they are Catholic and I do not blame them. Why should they have to lie about their religion, and why should they have to sign their house over or sell their house on a phony method of transferring the house to their wives for $1? Why could not this government have the integrity to remove that little thing?

We are not talking about economics. We are talking about personal relationships, that is what we are talking about. And it is not all that funny. I do not think you have seen it then, Mr. Minister, if you think it is that funny.

Hon. Mr. Davis: I was discussing something else.

Mr. Martel: No, you were smiling like a Cheshire cat after you sat down. Even before you started you talked about something else.

Hon. Mr. Grossman: I just told the minister that I did not even get a dollar from my wife.

Mr. Martel: Does the Minister of Correctional Services want to get into the debate?

Mr. Chairman: Order, please.

Mr. Martel: If the minister wants in, I will yield the floor to him.

Hon. Mr. Davis: Do not lose your sense of humour.

Mr. Martel: It is not a case of sense of humour, Mr. Minister, I have seen many homes—

Hon. Mr. Davis: Do not lose yours, that is all.

Mr. Martel: I am just saying I have seen many homes where it causes considerable hardship and it does not seem to reach you that it does this. Possibly it may in 1971 when you are gone, Mr. Minister—at least, your government is.

I want to discuss two other problems under this vote. One deals with a school, Mr. Minister, the plans for which were drawn up in 1965, by Saville in Sudbury for an addition to a school in Markstay.

Back in 1965 the draft plans were made and it was hoped at that time under The Department of Education that we would see three or four small schools close down and one large elementary school in Markstay to service Callum, Markstay, Stinson, and possibly Wahnapitae. That was five years ago and now the larger school board has come in, and it has not improved the situation. We still have, in Callum, four classrooms; in Stinson, we have two classrooms; in Markstay we have a hodgepodge of classrooms which I will detail in a few moments. But the real problem, according to the director of education in the area, and I quote what he said to me:

> It is surprising that the carrot that was used to entice larger school boards into existence was that the two- and three-room schools across northern Ontario would be closed and the cash would be made available to eliminate these smaller schools.

Hon. Mr. Davis: I never said that.

Mr. Martel: This is what one of your former administrators tells me.

Hon. Mr. Davis: I never said that.

Mr. Martel: Well I am just telling you what your own people tell me.

Hon. Mr. Davis: I am just telling you what I said.

Mr. Martel: I know, they are all wrong and you are all right, as usual – par for the course. In fact, they tell me at the present time the cash canot be made available to replace existing two- and three-room schools. It that right? Is this the policy at the present time?

Hon. Mr. Davis: Mr. Chairman, if the member would remember accurately, we indicated some few months ago that during this period of shortfall and capital availability we were discouraging at this precise moment the boards establishing as priority the closing of adequate two-, three-, perhaps four-room schools; this is still the policy unless it is a very real priority and where there is no viable alternative.

We get back to this whole question of economics—tax dollars, what the public is prepared to support—and the criticism on one side we get for not having sufficient controls and then, of course, when we exert controls, it is the same old story: We want controls in general but we want exceptions in particular. The member for Sudbury East is now dealing with matters of exceptions because he wants to speak on behalf of a problem in his area, and if I were the member for that area I would do the same thing.

Also, let us recognize that we cannot have it both ways. If we are talking about controls and if we recognize there are certain economic limitations, then we have to accept the fact that if money were no real problem in the capital market at the present moment there are certain individual situations we would like to go ahead with too that are going to have to be postponed.

Mr. Martel: I am glad the minister said that, and I hope the House recalls that he said, "You canont have it both ways," because I am going to relate another case where the minister does not want to exercise any controls and he likes to play it both ways. I think the minister himself cannot play it both ways. He either does it one way or he does not try and accuse everyone else.

Hon. Mr. Davis: Oh, I know just the issue you are going to mention next, and with great respect it is not the same principle at all.

Mr. Martel: Oh no, the principle is different.

Hon. Mr. Davis: Certainly it is.

Mr. Martel: Right. You want it both ways, do you not?

Hon. Mr. Davis: No, I do not; but I do recognize two different principles.

Mr. Martel: Yes, oh yes.

Hon. Mr. Davis: I know that is not easy for you—

Mr. Martel: It is not easy for who, me?

Hon. Mr. Davis –to comprehend, but—never mind.

Mr. Martel: Let us get back—

Hon. Mr. Davis: Yes, let us get back to those three- or four-room schools that you want closed.

Mr. Martel: As I say, there are the plans approved, I guess, to some degree in the initial stage by The Department of Education in 1965. They are now drafted. The conditions, at the present time, are overcrowded to say the least. At the present time, there are in this school—it almost takes a mathematician to figure out the complexities of this school. They had at one time, two teachers in one classroom earlier this fall with 53 or 54 students in one classroom. It was not the type of classroom that was established for a multiple-classroom purpose. These I have seen. I am talking about an ordinary classroom with 53 students and two teachers operating in it. If you think about it for a moment, that provides what the minister goes around this province talking about—equality of educational opportunity: two teachers in an ordinary classroom of 53 students.

That was not bad enough; they then had to start—

Hon. Mr. Davis: Well, it is not a bad ratio though.

Mr. Martel: The ratio is not bad.

Hon. Mr. Davis: You have got to look at some of the positive things; figure out the ratio—

Mr. Martel: The only trouble is, how do you keep two different classrooms at the same time?

Hon. Mr. Davis: Well, heavens above, you and your colleagues are supporting the Hall-Dennis report, the open concept, where you have eight classes in one room.

Mr. Martel: I am glad the minister brought that in, because the open-class concept is not an ordinary classroom, is it?

Hon. Mr. Davis: No, it is larger than the ordinary classroom.

Mr. Martel: Oh yes, the acoustics are much better.

Hon. Mr. Davis: But there are classes going on at the same time in different grade areas.

Mr. Chairman: Order please. Back to 403.

Mr. Martel: I am on 403.

Mr. Chairman: It is getting a little far off.

Mr. Martel: We are talking about the equality of educational opportunity and it takes cash to provide that. And we are talking about a five-room school that should be added on to to close down two or three other schools which are not viable. That is what we are talking about.

This school, Mr. Minister, has been added on to in stages as it exists at the present time. It has five classrooms now, the basement being utilized for a classroom.

Hon. Mr. Davis: Mr. Chairman, on a point of information. I do not pretend to know all the applications that are made to the department, but can the hon. member tell me whether the board has made a request for a new building project to resolve this total situation in official terms?

Mr. Martel: According to the director of education for the Sudbury area, he said he made a request in February and he was turned down.

Hon. Mr. Davis: Mr. Chairman, I think if one checks very carefully—

Mr. Martel: A request to the department.

Hon. Mr. Davis: —there were discussions. My understanding is the decision as to just what form it should take in some of the further board discussions that must go on have not been finalized as to its exact nature —I stand to be corrected in this—and that the formal application for a specific building proposal has not yet come to the department.

As I say, I do not know them all because they come in rather thick and fast, but we can find this out.

Mr. Martel: I am just trying to find the minutes of the meeting which the director of education and I were at in Sudbury wherein he advised the ratepayers who were there that he, in fact, had asked. He indicated to the parents that, because of shortage of funds at the present time, the two and three-room schools would not be closed.

Mr. Chairman: The chairman might point out that since there is no school being built it is really not an appropriate topic for the estimates, which are the spending estimates for 1970-1971 anyway.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

(See page 5141)

The following answers to questions were tabled:

14. *Mr. Sargent*—Enquiry of the Ministry—How many meetings have been held with neighbouring states of the Union, including New York, Michigan and Illinois, on the problem of pollution in international waters; what are the dates of such meetings; who attended on behalf of Ontario and are reports of such meetings available?

Answer by the Prime Minister:

Activities with the United States on pollution in international waters have included the following subject areas:
—handling of water quality data;
– progress and enforcement of pollution control on Lake Erie;
– technical meetings in connection with the planning of joint surveys undertaken by neighbouring states and Ontario;
technical meetings on the establishment of water quality criteria for the Great Lakes and interconnecting channels;
—representation on the editorial committee of the reference report on the Lower Lakes;
—participation at public hearings of the International Joint Commission (IJC);
—development of boating regulations.

In addition to attendance at semi-annual meetings of the advisory boards to the commission and of the IJC in 1969 and so far in 1970, the Ontario Water Resources Commission was represented at the following meetings:

Date 1969	Meeting	Location	Ontario Representation	Available Report
January 24	Plumbing & boating	Albany	J.R. Barr P.J.Walsh	Report
January	Hearings—Connecting Channels	Sault Ste. Marie, Michigan Windsor	D.S. Caverly K.H. Sharpe F.A. Voege J.R. Barr D.P. Caplice W.A. Steggles	Report
February	Plumbing & boating	Detroit	J.R. Barr P.J. Walsh	Memo
February	Plumbing & boating	Detroit	T.M. Murphy A. Matwickuk	Memo
April 28	Joint Committee on Water Quality Management & Data Handling	Pittsburgh	W.A. Steggles	Minutes
June 27	Progress & Enforcement of Pollution Control on Lake Erie	Cleveland	W.A. Steggles	Memo
July	Plumbing & boating	Toronto	P.J. Walsh T.M. Murphy	Memo
July	Plumbing & boating	Kingston	J.E. Sheldon	Memo
July 22	Rainy River Survey	International Falls	W.A. Steggles S.E. Salbach J.G. Ralston	Minutes

			F.A. Voege	preparation by IJC
December 17	New York State Health Department —Niagara River	Buffalo	W.A. Steggles D. Kennedy	Memo
January 14-15	Rainy River Survey Report Preparation	Toronto	W.A. Steggles S.E. Salbach J.E. Ralston D. Terry	Minutes
February 3	Annual Meeting of Committee on Scheduling & Facilities of the Great Lakes Study Group	Detroit	J. Thon	Minutes
February 25-26	International Rainy River Pollution Board	Bismarck, N.D.	W.A. Steggles	Draft Report
March 11-12	Editing of Rainy River Report	Minneapolis	W.A. Steggles	Draft Report
April 3	Lake Superior Water Quality Technical Committee	Chicago	W.A. Steggles	Draft Report
May 13-14, 1969	Editorial Committee to IJC	Burlington	W.A. Steggles	
October 15-16, 1969	Editorial Committee to IJC	Washington	W.A. Steggles	
February 17-19, 1970	Editorial Committee to IJC	Chicago	W.A. Steggles	
Government represented at following meetings:				
January 5, 1970	Federal Prairie Provincial Committee for Fisheries		K. Loftus	Annual Meeting
March 14, 1970			K. Loftus	Annual Meeting
April 5, 1970			K. Loftus	Annual Meeting
February 1970	Great Lakes Institute (a) Great Lakes Users' Conference		K. Loftus	Annual Meeting
February 1970	Federal, Provincial Ontario Fisheries Committee		K. Loftus	Annual Meeting
March 3, 1970	Great Lakes Fishery Commission (a) Lake Ontario Committee		J.W. Christie D. Hurley K. Loftus	Annual Meetings 1969/70
March 4-5, 1970	(b) Lake Erie Committee		S.J. Nepszy J. Leach K. Loftus	Annual Meeting 1969/70
March 18, 1970	(c) Lake Huron Committee		K. Loftus A.H. Berst G. Spangler J. Reckahn C.A. Lewis	Annual Meeting 1969/70
March 17	Great Lakes Fishery Commission (d) Lake Superior Committee		K. Loftus C.A. Lewis A.H. Laurie	Annual Meetings 1969/70
	Great Lakes Research Conferences		Intermittent meetings attended by government representatives	Proceedings publ.
	Planned Salmonid Communities in Oligotrophic Lakes Symposium to enquire into environmental changes	Lake Superior with all Great Lakes States to attend.	Regier K. Loftus	

31. *Mr. Nixon*—Enquiry of the Ministry—How many provincial employees are there in Prince Edward-Lennox, and for what departments do these employees work?

Answer by the Provincial Secretary and Minister of Citizenship:

Department	Remarks	County	Regular	Casual	Contract	Regular part-time basis	Total
Agriculture & Food	These employees live in Frontenac		30	29			59
Correctional Services	Picton & Napanee Jails						
		Prince Edward-	11	7			
		Lennox	12	9			39
Health	None		—	—			
Highways		Prince Edward-	40		7		
		Lennox	39		39		125
Education			5				5
Energy & Resources Mg't	Served by the Kingston office		1				1
Justice	Contract employees are constables	Prince Edward-	10	4	4		
		Lennox	12	2	2		34
Labour			17				17
Lands & Forests	Part-time basis employees are summer students and tree planters (latter for 3 weeks only)	Prince Edward-	12	1 SS 30		TP 29	
		Lennox	14	14 SS 17		TP 12	129
Mines	None		—	—			
Municipal Affairs	Served by 2 offices, Kingston & Trenton		9				9
Revenue & Treasury	Working from Belleville office		2				2
Provincial Secretary	None		—	—			
L.C.B.O.			3				3
Trade & Development	None		—	—			
Tourism & Information			1	5			6
Transport	Inspector included in regular staff count for driver control points		3	6		8	17
			211	124	52	49	446

Note: It is advised that many employees of the Belleville and Kingston, Bancroft areas are residents of the Prince Edward-Lennox counties.

45. Mr. Stokes—Enquiry of the Ministry—How many persons are employed by the Ontario government or an Ontario government agency in each county, and district of Ontario, listed according to each department or agency?

Answer:

	Agriculture and Food	Justice and Attorney General	Correctional Services	Education	Energy and Resources	Financial and Commercial Affairs	Health	Highways	Labour	Lands and Forests	Mines	Municipal Affairs	Public Works	Prime Minister	Provincial Secretary & Minister Citizenship	Social & Family Services	Trade and Development	Transport	Treasury and Economics	University Affairs	Revenue	Tourism & Information
Algoma	7	234	42	—	350	1	10	411		664	11	44	—	—	44	13	1	9	—	—	—	5
Brant	17	80	115	237	270	—	1	17		1	—	28	—	—	18	5	4	5	—	—	13	—
Bruce	18	63	13	—	755	—	—	50		31	—	3	—	—	13	2	—	1	—	—	5	—
Carleton	18	260	148	120	218	5	49	264		25	—	90	—	—	169	39	—	43	—	—	59	—
Cochrane	9	217	91	—	295	—	178	289		434	10	27	—	—	27	10	3	6	—	—	—	—
Dufferin	7	43	12	—	51	—	—	26		28	—	—	—	—	6	1	—	—	—	—	—	—
Dundas	13	—	—	—		—	—	—		—	—	—	—	—	4	—	—	2	—	—	—	87
Durham	17	—	316	—		—	—	—		—	—	—	—	—	8	—	—	2	—	—	—	—
Elgin	16	157	16	—	77	—	1115	113		41	—	—	—	—	18	4	—	4	—	—	6	—
Essex	21	191	431	36	342	3	106	41		25	—	53	—	—	90	20	—	17	—	—	29	3
Frontenac	18	95	16	46	124	—	1219	459		53	—	37	—	—	30	15	—	13	—	—	—	26
Glengarry	11	—	—	—		—	—	—		—	—	—	—	—	5	—	—	3	—	—	—	—
Grenville	104	—	—	—	2	—	—	—		—	—	—	—	—	9	—	—	4	—	—	—	—
Grey	24	145	27	—	115	—	258	235		86	—	42	—	—	15	3	8	4	—	—	6	3
Haldimand	11	61	165	—	1615	—	—	13		19	—	9	—	—	8	1	—	2	—	—	—	—
Haliburton	—	26	—	—	93	—	—	42		152	—	6	—	—	5	3	—	—	—	—	—	—
Halton	13	245	18	544	99	—	—	550		—	—	25	—	—	45	3	5	11	—	—	—	—
Hastings	19	145	18	387	375	—	—	253		111	—	39	—	—	36	10	2	7	—	—	30	—
Huron	52	69	11	—	72	—	320	71		11	—	37	—	—	13	1	45	4	—	—	4	—
Kenora	3	158	36	—	165	—	6	270		496	15	7	—	—	29	12	2	8	—	—	8	5
Kent	79	172	20	40	106	—	772	238		46	—	26	—	—	16	9	4	9	—	—	9	—
Lambton	15	146	22	—	636	—	—	42		73	—	23	—	—	33	3	—	7	—	—	—	3
Lanark	11	84	15	40	78	—	1260	20		28	—	8	—	—	16	3	3	3	—	—	—	—
Leeds	9	147	15	—	87	—	895	119		54	—	37	—	—	19	2	—	3	—	—	—	7
Lennox & Addington	11	62	12	—	40	—	—	97		26	—	—	—	—	6	2	—	—	—	—	—	1
Lincoln	—	—	21	—	8	—	6	—		4	—	—	—	—	37	—	—	12	—	—	—	—
Manitoulin	5	38	—	—	34	—	—	40		14	—	5	—	—	7	1	1	—	—	—	—	—

	Agriculture and Food	Justice and Attorney General	Correctional Services	Education	Energy and Resources	Financial and Commercial Affairs	Health	Highways	Labour	Lands and Forests	Mines	Municipal Affairs	Public Works	Prime Minister	Provincial Secretary & Minister Citizenship	Social & Family Services	Trade and Development	Transport	Treasury and Economics	University Affairs	Revenue	Tourism & Information
Middlesex	31	290	43	144	425	6	1333	334		13	3	115	—	—	108	21	—	27	—	—	35	5
Muskoka	4	106	—	—	—	—	—	346		213	—	20	—	—	16	3	—	2	—	—	—	5
Parry Sound	2	—	—	—	—	—	—	121		—	—	—	—	—	—	—	—	—	—	—	—	—
Niagara North	89	354	—	67	643	—	—	140		—	—	79	—	—	—	17	7	—	—	—	30	6
Niagara South	12	—	—	—	—	—	—	—		—	—	—	—	—	—	—	—	—	—	—	—	—
Nipissing	10	142	25	—	363	1	528	420		366	—	44	—	—	29	13	2	13	—	—	19	6
Norfolk	30	71	96	—	61	—	—	34		90	—	20	—	—	15	3	1	2	—	—	—	—
Northumberland	28	162	124	—	184	—	253	330		240	—	30	—	—	15	6	3	4	—	—	—	—
Ontario	9	170	51	—	2712	—	1173	86		1	—	40	—	—	50	6	—	22	—	—	4	—
Oxford	31	100	15	—	57	—	835	55		—	—	—	—	—	13	3	—	6	—	—	—	—
Peel	10	187	243	—	734	—	—	108		—	—	67	—	—	64	4	—	38	1	—	4	8
Perth	22	66	16	29	179	—	—	217		13	—	6	—	—	17	2	4	4	—	—	4	—
Parry Sound	—	108	37	—	89	—	—	—		284	—	27	—	—	14	4	1	2	—	—	—	—
Peterborough	11	120	18	33	224	3	23	40		33	3	33	—	—	32	4	1	5	—	—	—	3
Prescott	13	89	18	—	69	—	—	27		42	—	8	—	—	15	3	—	4	—	—	—	—
Prince Edward	8	37	11	—	35	—	—	19		44	—	—	—	—	4	1	—	—	—	—	—	—
Rainy River	6	53	18	—	134	—	—	44		521	—	3	—	—	11	3	3	2	—	—	—	—
Renfrew	15	124	15	—	693	—	—	76		192	—	27	—	—	27	6	—	7	—	—	7	6
Russell	10	—	—	—	—	—	—	—		—	—	—	—	—	5	—	—	—	—	—	—	—
Simcoe	46	287	42	49	443	—	2035	125		349	—	72	—	—	55	14	6	13	—	—	19	14
Stormont	8	179	16	—	270	—	—	52		6	—	36	—	—	12	16	—	4	—	—	—	3
Sudbury	8	226	317	115	448	—	12	338		692	21	40	—	—	63	15	1	13	—	—	20	—
Timiskaming	34	103	25	—	239	—	—	283		688	26	19	—	—	19	14	2	4	—	—	—	—
Thunder Bay	17	260	96	71	530	1	58	573		613	13	52	—	—	72	30	1	16	—	—	20	3
Victoria	14	74	102	—	90	—	—	56		90	—	18	—	—	15	4	—	3	—	—	—	—
Waterloo	15	131	167	52	120	1	2	53		105	—	46	—	—	64	18	15	15	—	—	32	3
Wellington	101	81	477	13	76	—	257	17		3	—	38	—	—	28	3	—	5	—	—	7	—
Wentworth	17	236	64	61	395	4	1181	105		—	—	64	—	—	112	4	1	33	—	—	67	—
Welland	—	—	23	—	153	—	—	—		—	—	—	—	—	46	—	—	8	—	—	—	—
York	336	2842	711	1639	8899	452	4747	4023	1156	904	244	886	767	31	1057	849	1256	994	604	120	906	196

49. *Mr. Nixon*—Enquiry of the Ministry—What are the new publications available from The Department of Lands and Forests in the last twelve months. What are the costs and expected distribution of each publication?

Answer by the Minister of Lands and Forests:

Quantity	New Publications Released in 1969-70 Fiscal Year	Cost
201,740	Let's Go Fishing	$14,151
100,475	The White-Tailed Deer in Ontario	11,023
48,220	Wildlife Land Management for Ontario Landowners	4,964
20,000	Does Nature Have A Chance?	15,540
50,138	Hunter's Handbook, Part II (for hunters completing Hunter Safety Training course)	9,722
20,160	Forest Tree Planting ($0.50)	5,092
15,479	The Farm Windbreak	1,962
10,169	Growing Christmas Trees in Ontario	2,054
7,236	The Ecology of the Timber Wolf in Algonquin Provincial Park	9,300
2,580	A Manual for the Identification of Hairs of Selected Ontario Mammals	3,506
.....	Scientific papers and technical reports reproduced by low-cost process in small quantities	.....

Distribution: To members of the public.

57. *Mr. Smith* (Hamilton Mountain)—Enquiry of the Ministry—With reference to those surplus lands acquired for the construction of Highway 403 in the area of Mohawk Road and the Niagara Escarpment in Ancaster Township, how many acres were not required by The Department of Highways for highway construction and right-of-ways? What does The Department of Highways intend with these lands?

Answer by the Minister of Highways:

Approximately eight acres are not required by The Department of Highways for highway construction and right-of-way. The department is in contact with various municipal parks and conservation authorities in the Hamilton area concerning disposal of this property.

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No. 128

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Monday, October 19, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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(Daily index of proceedings appears at back of this issue.)

LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF EDUCATION
(concluded)

On vote 403:

Mr. Chairman: The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, two points—

Mr. E. W. Martel (Sudbury East): I was on before—

Mr. Nixon: Oh well, let us—

Mr. Chairman: Was the hon. member for Sudbury East speaking?

Mr. Martel: Yes, at supper hour.

Mr. Chairman: Well, I will then grant him the privilege of continuing.

Mr. Martel: Thank you, Mr. Chairman. I might just as well read this entire brief for the minister—

Mr. Chairman: That is out of order. Needless reading at length from any brief or document is not in order.

Mr. Nixon: He has been reading since before breakfast.

Mr. Martel: Well then, I will quote.

Hon. R. S. Welch (Provincial Secretary): Just summarize it.

Mr. Martel: Well then, I will summarize it, all right?

I will summarize in my own words, if I can get the minister's attention.

The night we met with the residents and the director of education, they presented a brief—I was at the meeting—wherein they outlined that this school had been in the plans for something like four years. I have the architect's design. Subsequently two rooms were added and some alterations to the existing basement area were carried out to enable the school room to take a kindergarten in the basement.

These plans also included a further addition of several rooms to be completed within five years, as surveys at that time clearly showed an increase in enrolment was inevitable. An extra large boiler was installed at the time of the addition to accommodate future expansion. The residents believe that the board, which has been in power for nearly two years, has had an ample opportunity to do something about the overcrowding situation which now exists within the school.

The situation of overcrowding is not a figment of the imagination of these residents. I might say, Mr. Minister, that the facts we will outline indicate this to be true. The residents presented the classroom breakdown as of September 8 and then as of September 22, and if you can follow this, Mr. Minister, you will be doing well.

There were five rooms as of that time. In kindergarten in the morning there were 22, and grade 1 was shifted from room 2 into the kindergarten in the afternoon where there were 21 students. Room 2 in the morning—which was made up of grade 1 and 2 at that time—had 45 students in it. Mr. Minister, and when left all alone in the afternoon they had 24. Room 3 had some 53 students and two teachers. Room 4 had 32, and room 5 had 27. Now the board purchased a portable, Mr. Minister, and that changed the situation slightly in that in the morning, where there should be a library, there would be 12 students there.

An hon. member: He is not listening to you.

Mr. Martel: Oh I know, he is not interested.

Room 1, 23 in the afternoon, and 18 also brought in for the afternoon period. Room 2 had 23 and 6 in the morning and 23 in the afternoon. Room 3 had 23; room 4, 35; room 5, 27. And in the portable at this point, 33.

So that in effect the hodge-podge which existed, Mr. Minister, made it near impossible

for the teachers to carry on their functions' that primarily of teaching students.

What this report does indicate, Mr. Minister, is that in the last five years the enrolment has tripled in that school and the classroom area has not quite doubled. Now if one considers that the majority of the moving from classroom to classroom is done by the primary classes—in other words the kiddies from five to ten years of age—one realizes that this does cause considerable difficulty.

Teachers, as I am sure you are aware, work under tremendously adverse conditions. There are a whole host of problems which arise because of a lack of space. Behaviour problems arise, lunches are stolen because there is no adequate place to place these. Coats disappear. Shoes are mixed up, and there is general confusion, particularly in the primary classes. And also there is the problem, in the event of fire, of bringing kiddies out of the basement to get them out of the building.

The teachers are concerned that good teachers will not come to work in such an environment and I cannot say that I blame them, because this would not induce anyone to come to a board to teach in that particular area. What is also of interest, Mr. Minister, is that during the inclement weather the children from kindergarten right up to the seniors have no place to play; a place to disperse their exercise or their energy is unavailable.

They are required to remain in a classroom, and I am sure you can imagine the confusion which must reign when the kiddies are caught up for seven hours eating their lunch in the same room, trying to take any type of activity in the same room. The conditions just leave so much to be desired, Mr. Minister, that it is incomprehensible to expect adequate educational opportunities.

The other interesting fact, Mr. Minister, is that the survey taken by the parents indicates that there are at least five subdivisions opening up in the area and that, of course, the real solution to the problem would be taking the two- and three-room schools which now have debentures on them, closing them down, and making one viable school unit.

Now I quote what the director of education had to say—I looked it up over the supper hour. At this meeting to the parents he stated that he had approached The Department of Education to provide better facilities for the central school and suggested the closing of Stinson and Callum schools. He was told there was no hope of closing these schools as there were still outstanding debentures on both of them. That really shuts the door, Mr. Minister, to bringing about an addition to a school that would make it a viable school and would provide—using the term the Minister of Education likes to use so frequently—educational opportunity for all in the province.

Attached to this, Mr. Minister—I am going to send the entire matter over to you—is a petition by the parents asking the minister's assistance in this matter to bring about that equality of educational opportunity he is always speaking about. Hopefully, the minister could find a few bucks, with the assistance of the deputy minister, to put these plans into fulfilment. They have been here for five years now and it would be nice if you would take it upon yourself to provide some assistance.

I am going to go into a second point, because this will give you an opportunity to talk about playing in both games—I think we spoke about this earlier before the supper hour—of where you get involved and where you do not get involved.

I might ask the minister, before I outline this, is the decision still the same with respect to the Algoma board—the school will be located in Desbarats?

Hon. W. G. Davis (Minister of Education): Yes, Mr. Chairman, the board's decision as to the geographic location of the school is their democratic right and responsibility and has not been altered by the department, in spite of the protestations of the member for Sudbury East and the number of representations he has made in an area which is not directly his total responsibility. Nonetheless, as I say, the democratic decision of the board to place the school where they have suggested is being proceeded with.

Now you can proceed to tell me and the House why you do not think it should be there.

Mr. Martel: Well, Mr. Minister—

Hon. Mr. Davis: And I cannot see any conflict in the principles I enunciated before this dinner hour.

Mr. Martel: No, I think not. You interfere in some places and you do not interfere in others.

Is the minister aware that the representatives of The Department of Municipal Affairs —he does talk to his colleagues, does he not?

Hon. Mr. Davis: Yes, every day.

Mr. Martel: Is the minister aware that representatives of The Department of Municipal Affairs maintain that that site is inadequate for two reasons: (a) it is an extremely poor site for the construction of a school; and, (b) that there is no possibility of integrating this into future planning purposes?

This I get directly from The Department of Municipal Affairs, Mr. Minister. And I might just throw this in, Mr. Minister. I did not go up there and look for this. It was the chairman of the board and five of his colleagues who asked me to come in and look at the site. That is six out of 14; the same six of course, that opposed it.

Hon. Mr. Davis: We had a great debate there for years, and in the process the kids in that area have been deprived of the kind of educational programme that this school, wherever it is located, will provide.

Mr. Martel: Right!

Hon. Mr. Davis: And if the member for Sudbury East wants to be part of the process whereby those children can have the standard educational programme, be my guest.

Mr. Martel: Well, Mr. Minister—

Hon. Mr. Davis: He is not serving any useful purpose.

Mr. Martel: Mr. Minister, you saw what happened last year in Sudbury when one group from a select area decided very undemocratically. The site was chosen, Mr. Minister, following a church service—that really gets me, following a church service—without the chairman of the board in attendance.

Hon. Mr. Davis: Surely to heavens you are not saying because it was dealt with on Sunday after a church service makes it—talk to the colleague on your right.

Mr. Martel: It is just the irony of it, Mr. Chairman.

Hon. Mr. Davis: Oh, I see.

Mr. K. C. Bolton (Middlesex South): Fight your own battles, do not drag me into it.

Mr. Martel: It is the irony of it, Mr. Minister, that the eight board members who favoured that location forgot to advise the chairman of the board and the other five members that they were out selecting a site.

It is rather ironic that you would ignore the chairman. That is just like the Tories ignoring the Prime Minister when they were going to make a decision. I am sure he would appreciate that.

Hon. A. Grossman (Minister of Correctional Services): Are you trying to say we do not go to church?

Mr. Martel: I would not suggest that you do not go to church. I just do not know if it does any of you any good.

Hon. Mr. Grossman: You can try, though, you can try.

Mr. Martel: Mr. Chairman, there are problems in that school. The only reason that I raise the matter is that the concern expressed by the people I met with is that the present site is so bad that it is going to cause the cost of the school to skyrocket. I have said to the minister all along, in the correspondence we have had, that if the minister is willing to accept the additional costs directly in The Department of Education, those six men would be happy to go along with the site. They are not convinced—and the minister has indicated this in correspondence—that he is willing to pick up the additional tab.

For example, Mr. Minister, are you willing to pay the costs of putting in an extra lane on the highway for a turnoff? I have the letter from The Department of Highways indicating that the board must meet this cost themselves. Is the minister willing to pay the costs for moving the hydro transformer and the pole line over the school area which cuts directly across the school? Another additional cost that the board will have to assume.

Is the minister willing to pick up any of the cost for putting in—over and above the plans—a sewage disposal plant? I am told it is a very elaborate disposal plant, because it is going to be right in very low land along the bay in Desbarats. I do not know if the minister is willing to take that into account, or provide additional assistance, particularly in view of the fact that five miles away they are building a new sewage disposal plant.

The land is going to have to be raised for the entire play area because every spring it is inundated. Is the minister willing to bring in x number of tons of fill?

These are all costs, Mr. Minister, that are not—according to the people I have spoken with—in the consideration of the cost of this building. These are over and above.

This is the concern of those six men—and a very vital concern—that this school could go to an extra $1 million quite easily if that site is maintained. This is why these men who are so concerned. I might say that they

were all former Tories, Mr. Minister, and they come with some pretty good credentials.

One of them was the past president of the Soo board. He comes with fairly good credentials. I imagine that having served for years on the board of education in Sault Ste. Marie his concern is quite vital to this whole problem.

These are just some of the things. I could go on, Mr. Minister. For example, the soil tests indicated rather poor soil to put a school on. I want to know, Mr. Minister, and I have asked, the only thing they want is that you send someone directly from the department in Toronto—you call this interference I know—to see the site, check with The Department of Municipal Affairs to see that they do not say it is an extremely poor place.

Calculate the additional costs which are going to occur and then see if it is worthwhile casting aside the $20,000 they have already spent in order to save possibly $1 million. It might be relocated because other factors enter, Mr. Minister; such as in Bruce Mines there is an arena and they are putting artificial ice in and you will not have one in Desbarats.

The agricultural group is willing to put a track and field in and sell the land for $1. All of these things have to be weighed and the real problem here is not the choice of sites as such, Mr. Minister. It is the same problem that occurred in Sudbury; nine board members in Sudbury decided that this was what was good for the entire area and they just ignored, in totality, the complaints of the five board members from the outlying areas. This is exactly what has happened here. Eight board members—and you can talk about the democratic process all you want—decided that would be it, and reason did not even enter into it once they had made up their mind. They even stopped the surveys to determine where the greatest number of students would come from in that area.

All I am asking the minister to do is ensure that all these other matters be looked into and, if he is willing, to send someone in and discuss it with The Department of Municipal Affairs; give some assurance that The Department of Education will pick up the difference in the tab. Then, by all means, Mr. Minister, you send the bulldozers out tomorrow morning and you can have the construction started. But I would like that assurance, and so would these six gentlemen on the board like some assurance, that they are not going to be forced to pick up an extra $1 million. That is the real concern, Mr. Minister.

Hon. Mr. Davis: Mr. Chairman, just to respond very briefly to both items raised by the member for Sudbury East.

The first item; of course, he is fully aware of the policies of the department and I think if he checks very carefully—I am delighted to have a petition—that matters of priority within that area must be established by the board. There is no hard and fast rule that we will not approve the closings of one, two, and three-room schools, but we are saying that there are only certain capital dollars available.

You must determine yourselves the priorities which you are establishing. I think at this present moment the district board has not presented to us a specific proposal as it relates to the Stinson Public School, the Markstay Public School and whether a combination or some centralized approach might be best.

Mr. Martel: They have agreed to it. The parents are all agreed.

Hon. Mr. Davis: That is fine. All the board has to determine is whether this is its number one, number two, number three priority, in that there is not enough capital money to do all the things the boards would all like to do at this precise moment. So this is something the local board must do.

Dealing with the second item, Mr. Chairman, there has been a matter of some correspondence between the member for Sudbury East and myself over the past several months. It has been pointed out to him very clearly that the decision was made by the board and one can argue whether it was unanimous or not—and it was not unanimous. Those members of the board some of them from a particular geographic area, were anxious to have the school in a location other than that which has been determined. And I think, in fairness, some of those six wanted it in another particular site.

The history of this goes back to 1965, I think, when there were two district high school boards and they could not agree then as to where a single school of this kind could be established for the students on the north shore. And it has been very regrettable to us as a department that this decision was postponed for this length of time, because five years have elapsed, four years perhaps, during which this kind of educational programme could have been available.

We as a department are not saying that it is the best site or the worst site. We are saying that a decision has been made, thank heavens, at last, and let us get ahead with the establishment of the school. There is nothing in the grant regulations that provides for additional support if there is a problem of installing a separate sewage disposal plant, and the board knows this. We are not involved in paying grants if there has to be a road widening; whether in fact there will have to be one, I do not know. But all I can say to the hon. member is that as far as we are concerned—

Mr. Martel: The Department of Highways says yes.

Hon. Mr. Davis: —after several discussions with the board, the actual capital facility itself now comes within the ceilings established by the department. There has been a substantial reduction in the, shall we say anticipated school plant to the extent where it is now within the normal guidelines that we have established. So if there are additional costs related to this site as there are to many other sites—and there may be some—these of course will have to be borne by the local board itself.

But the thing that we cannot lose sight of is that it is fine to say, "Send somebody up; send up an expert in sewage disposal, hydro pole removal, road access"—who is this Solomon who determines all of these factors for the local board. They have retained architects of some confidence—the member for Sudbury East may disagree, I would not know—but these people have to bear some of the responsibility. I am not sure where they are from—he might check this out.

All I can say to the hon. member is that it is fine to say to the minister to go up there and tell them it is not right, that it should go to Bruce Mines, Thessalon or somewhere else. But that just is not the logical way of approaching the problem. And until somebody indicates to us that the site itself is not the right one, that it just cannot be built upon, that there are such economic considerations that it should not be built there—and this has not been established with the department—then as far as we are concerned the decision of the board must stand.

And they have debated this: they have been in my office; there has been a real problem involved with this decision and — well, one can agree or disagree. The fact is this is what the board was constituted to do, and this responsibility they have discharged — and it might interest the hon. member to know that there are people in the area who are more than satisfied with the board's decision. You know, you are never going to get unanimity on some of these issues.

Mr. Nixon: How about the farmer who sold him the plot?

Hon. Mr. Davis: No, more than that. A number of people are quite content with the decision of the board.

Mr. Chairman: On vote 403, the hon. Leader of the Opposition.

Mr. Nixon: Mr. Chairman, there are three items that I would like to raise under vote 403. The first has to do with the foundation tax plan which we embarked on in the province in 1963 and was designed to achieve parity, based on dollars per student available, by 1968. Figures available from the department and from the statisticians working for the separate school trustees—working in their interest—would indicate that you have not yet achieved what might be called 90 per cent of parity. I believe the figure is about 88 per cent.

I would like the minister to comment on that statistic and to give us some further information on the distribution of the special payment of $48 million that was required during the last fiscal year to assist county boards in the transition to the new area of administration. I am particularly asking how this $48 million was distributed as between public and separate school boards, bearing in mind that because of the, let us say, crisis situation associated with the county school boards, that these extra funds were directed almost entirely toward the more rural areas of the province.

There is every indication that the payment of that extra $48 million did nothing to assist in closing the gap that remains in the avowed policy of the foundation tax plan and in fact opened it more than it was even before this extra payment.

Before continuing with the other points that I would like to raise, perhaps the minister could give the House further information in that regard.

Hon. Mr. Davis: Mr. Chairman, dealing with the first part of the question, I think—and this has to be a provincial average—we are probably at between 88 and 90 per cent. One can, you know, assess the figures perhaps from different standpoints. We are very close to 90 per cent of comparable cost or comparable grants.

With respect to the $48 million, Mr. Chairman, I can get a breakdown for the hon. member but it will take a period of time because the financial returns are not all available to us yet. As to the allocation of this, it is basically through subsidies, as the hon. member will recall, and the subsidy had application in the rural areas. It also had application in the urban areas, but as I think was pointed out at the time, it is doubtful if any of the designated cities would have been the recipients of any of the subsidy amounts. In other words, the urban centres within the county school jurisdictions were eligible and some did receive assistance, but I doubt that any of the designated cities—and I am not going by memory here at this moment—received any assistance.

I cannot tell the hon. member, until we get these returns, how the $48 million was distributed, because the separate school system did receive substantial dollars. Now this would not be the Metro system here in Toronto which is one of the major beneficiaries of the grants. As to whether this would alter in any substantial way the 90 per cent figure it is a little early for us to determine. There are some preliminary guesstimates we could make. As soon as we have this available we will make it public information, Mr. Chairman. I would doubt that it would alter the 90 per cent figure too much one way or the other.

Mr. Nixon: Since there is still a 10 to 12 per cent disparity in the number of dollars per student available, and the goal of the policy, which was as the minister will recall supported by all parties when it was introduced in 1963, is to close this disparity entirely, can the minister assure the House that he intends to see that the grants are adjusted to accomplish this? Or does he feel, like our provincial Medicare, that the 10 per cent is something that can be absorbed without too much political risk?

Hon. Mr. Davis: Mr. Chairman, it is a question really of practical implementation. The grants are related to the expenditures of the boards, and I do not think the Leader of the Opposition is anxious, nor are the separate school trustees, to artificially move the separate school boards to greater levels of expenditures if it is not necessary. And so at this precise moment, how we can close this gap further, will relate to the regulations for 1971, but they do relate to a substantial degree to the expenditures in the previous year.

We also altered, Mr. Chairman, as I am sure the hon. Leader of the Opposition knows, a partial approach to it with respect to the corporation tax relief grant which in theory and in principle, we think, makes greater sense. But this was done two years ago and the grant regulations were carried on this year where we have moved to what we think in principle is a better approach to it, but which may have, I think, in a very minimal way retarded the differential closing between the support to the public and the separate school system.

But this is still the intent of the government. We are not sure just how rapidly we can accomplish this or what methods can be used, because no one—and I am sure I speak for the separate school trustees—wants to artificially inflate their expenditures in order to qualify for increased grants if there is not the need to have the programmes themselves.

Mr. Nixon: I do not want to unduly prolong this, but I must object to the minister's habit of moving the aim of his gun just a bit to one side of the target and in essence, in his answer, accusing me or anyone else who might say that when the government says there will be 100 per cent equality that we would expect them to achieve that rather than to say that it could be achieved only by artificially inflating the expenditures of the separate schools. All you have got to do is pay a larger share of a grant which should be designed to accommodate the aim which was stated by your government and by you and supported by the three parties in the House.

You may want to continue this further; I just want to object to you placing the emphasis slightly off centre, as is so often the way you handle a question, by implying that nobody would want us to artificially inflate the cost. Well, I would say so!

The next point I want to raise, Mr. Chairman, has to do with the artificial inflation of costs. But if the minister wants to further explain why he has not achieved the goal of the foundation tax plan I would be glad to hear what he has to say.

Hon. Mr. Davis: Mr. Chairman, I am not suggesting that the Leader of the Opposition does want anyone to artificially inflate costs. It does relate. It is not a question of paying a higher level of grant because we are talking about cost per student. Yes, you can increase; but this does not decrease the differential in support.

Mr. Nixon: With reference, to my second point, Mr. Chairman, the artificial inflation of school costs, I want to draw to your attention and recall to you that about five years ago—perhaps six years ago—it was the habit in the autumn for the editorial writers of all of the newspapers of the province to draw to public attention the tremendous load and responsibility that parents had to carry to provide textbooks for the students as they return to school. And you well recall, I am sure, the call for uniformity in textbooks: Each student was supposed to have something like the old junior fourth reader clutched under his arm as he prepared for another year of work.

We do not hear anything about this any more for a very good reason, and that is that people do not pay directly; they pay for these textbooks through their taxes. I have been much struck by the inflation in the costs of textbooks particularly, and I feel as much as anything else that because the public are no longer directly concerned with meeting these costs and they are paid for almost exclusively by government grants, that we are in a position where we are almost writing a blank cheque for these purposes.

The cost per text has gone up enormously Certainly the books provided for libraries are essential to any good educational system. But I wonder if there is any way in which we could control the escalating costs of the provision of textbooks by putting some pressure on the publishers to meet certain minimum requirements in holding the line on costs that perhaps could emanate from studies that the minister or his advisers or even the standing committee on education might enter into once they have decided whether or not teachers' salaries were high enough.

The minister is quick once again to shift the emphasis in this problem in the control of costs to an item where he would tend to feel that the responsibility is completely blanketed: you either want to cut salaries or you are not interested in controlling costs. I would put to you, Mr. Chairman, that there are areas where some control in costs may be of major concern to us, where I would say, before the minister even begins to speak—although he will probably ignore what I say—that I do not want one textbook per subject per student. We have to have a range of books available. But the inflation of costs for these books has been entirely without control of public opinion or even the marketplace, and I would like the minister to report on the escalation of these costs. They are not referred to specifically under vote 403, and if he does not have some information fairly detailed available, I would certainly be delighted to receive it at another time.

Hon. Mr. Davis: Mr. Chairman, I do not have any detailed information as it relates to individual textbooks. I find the discussion—and I assure the Leader of the Opposition I was not going to suggest this, but I thought he was suggesting that we move to a single textbook because he has made his position clear on this on other occasions—but I do point out that what he is saying is somewhat —if I may be pardoned for expressing this point of view—

Mr. Nixon: Inconsistent with what he said in—

Hon. Mr. Davis: No, inconsistent with what the member for Scarborough East (Mr. T. Reid) has been saying relative to the Canadian publishing industry and the provision of textbooks.

Mr. Nixon: No, not at all.

Hon. Mr. Davis: Read his speech to the textbook publishers. Not just the speech in the House, read the other one that he distributed. I got a copy of it.

Mr. Nixon: Are you saying that the member for Scarborough East and I do not agree that there should be emphasis on Canadian authorship and the provision of Canadian texts? We agree.

Hon. Mr. Davis: One of the problems, I think, the textbook industry has had—and this is what some of them, not all of them, tell me—is that because of the policy of the department and of the government with respect to the provision of free textbooks to the students, this has led to a decrease in the numbers of units being purchased. This has come from the fact that the schools are year by year bringing the books back in, redistributing them in the fall, etc. So this has had—I do not say how significant an impact, Mr. Chairman, but some of them have said to me this has had some impact which has not assisted in the economic welfare of the publishing industry. And, Mr. Chairman, we have had nothing brought—

Mr. Nixon: You are trying to give the impression that we are striking at the textbook industry but we are not.

Hon. Mr. Davis: No, no, I am just saying that this is what they say.

Mr. Nixon: We want some control because money is just flowing out now without control.

Hon. Mr. Davis: This is what they say, and we have had nothing—and I will get the figures for the hon. member—which would indicate there has been any escalation in the cost of textbooks—you can, I am sure, single out two or three—but on a general average any greater escalation in the cost of textbooks beyond anything else in our general economy today. As I say it has never been drawn to our attention. I will get the figures for the hon. member and he can assess them.

Mr. Nixon: All right. The third matter I wanted to raise, and this is the last in this vote as far as I can think just now, is a similar item to the last one, and that is in the provision of laboratory equipment and apparatus—something that used to be very dear to my heart a few years ago because I had to make out the requisitions year by year and was subject to the same pressures that I believe teachers are subjected to now, particularly department heads who have to undertake the acquisitions of equipment. There is definitely pressure to expand these expenditures, and some of this surely could be eased off if we were to examine carefully what these pressures are?

I have here some pages from the catalogue for scientific apparatus put out by the Boreal Company. This company came into existence in the late Fifties, and I can remember at the time being delighted that there was some alternative to Central Scientific and certain others which I felt at the time needed some competition. Boreal did provide this competition in microscopes and certain other pieces of equipment, and we were able to make the funds, which even then were becoming substantially less scarce, go a further distance in providing equipment that in those days was so scarce and which now is available in unending numbers and quantities.

Now I have stapled together the corresponding pages from the Boreal catalogue from 1967 and 1970, and the pages have been selected so that they are identical. There is no change in the equipment and there is no change in the description. Obviously there is just one change and that is the little figure that appears at the bottom, and that is the price. The escalation is at least 60 per cent over the period from 1967 to 1970, and I feel that it is worthy of some examination.

There is competition, obviously, except that it is a very unreal style of competition because the buyer who is the business administrator of the local school board is passing on the recommendations of the department heads for science, and I am sure the same thing applies to other departments, and it is not a matter of comparing price, it is simply, "We want 30 of those and 70 of those, and one of these," and so on. It is just like a kid in toyland before Christmas who was given carte blanche to pick off the shelf anything he feels would be useful and in any number that he might or might not use in the future.

I draw this to your attention, Mr. Chairman, because it is the sort of thing that the standing committee on education, or any committee of this House which is concerned with cost, might very well examine; after, of course, they met the minister's requirement that they would make up their mind as to whether teachers' salaries were high enough, just right or too high.

Hon. Mr. Davis: Has the hon. leader decided?

Mr. Nixon: I am giving you this point, Mr. Chairman, that of course these salaries are decided not by this Legislature as they are in some jurisdictions but by agreement; I am saying to the minister that he draws a substantial red herring across this whole issue when he talks about nothing but teachers' salaries and is not prepared to talk about—

Hon. Mr. Davis: Oh no, I said 65 per cent.

Mr. Nixon: Sixty-five per cent. Well, we are talking about the other 35 per cent which concerns us at this time. That is why I raise this matter.

For example—and we can pick these at random, and I certainly intend to pass them over to the minister in case he has not seen them before—in biology there are available, of course, large models made out of plaster and more sophisticated substances now of all sorts of things, paramecium, the embryo development of eggs and so on, all of them are very good teaching aids. And the price of each one has gone up between 40 and 70 per cent. The pages are stapled so that they correspond exactly and it is easy to compare the prices over the three years. The paramecium model went from $79 to $126; frog development set, $481 to $665. A refrigerated incubator—I really ought to ask the member for Huron-Bruce (Mr. Gaunt) about that; I am sure that no self-respecting science lab in 1970 should be without a refrigerated incubator, but the cost in 1967 was $543 and the cost in 1970 is $959.

Here is a case where there is competition among the major suppliers certainly, but the buyers are not interested in this kind of competition. I do not know how they make up their mind what to buy other than what attracts their attention—perhaps what they have been interested in at the various displays—but they are not sufficiently interested in price and using the taxpayers' dollar effectively.

I could give many instances, of course, where economies which were the rule a few years ago have been laid aside to the benefit of the student. It used to be considered in grade 10 that if you had one microscope for a class of 40 that was enough; it was set up in the front and during the lesson the kids would come forward, each one, and glance through to see what pond water looked like. And about the time the third student came up it would be out of focus and then they would look through it and just see this milky haze and say "Oh, yes, that is pond water." So there are instances obviously where modern education and the financing of modern education can encompass the provision of useful equipment.

But I would say that the judgement of some of the purchasers is completely bereft of any direction regarding economy either from this department—the minister will protest, as it must come from the board itself. This has seen an escalation in these costs which is completely out of sight and is closely associated with the 35 per cent of costs over which we might have some control.

And I would say that we could very well examine teachers' salaries, since the minister is so quick to attempt to pin down any critic by putting it on that sensitive area. But I have never heard him say that he thinks teachers should be paid by merit; he has simply referred to the judgement of the OSSTF, whereas we are quite prepared to say that pay by merit is something that should certainly be worked out.

So I would be interested in hearing what the minister has to say about this, and if one of the pages would come here and take this over to him, I think he would be interested in the information contained.

Hon. Mr. Davis: I am very delighted to receive the information. As I calculate it—and I am making no brief; I never bought scientific equipment either 10 years ago or within the last year or so—

Mr. Nixon: But you have paid taxes, I trust?

Hon. Mr. Davis: Oh, I have. I pay a few dollars in taxes like all of us. And as I calculate this, we are talking about a 15 per cent increase per year probably for what, four market years roughly? If this is the figure that one goes by, that the hon. Leader of the Opposition—

Mr. Nixon: If you are going to subtract 1967 from 1970 and get four, you certainly know new math.

Hon. Mr. Davis: All I am saying is that there is nothing in the, shall we say, edicts, directions or any encouragement from the department to the boards or to the profession to spend money on unnecessary equipment or to be non-competitive.

Mr. Nixon: How about some encouragement?

Hon. Mr. Davis: Certainly we have. I have made speeches on gimmickry and education teaching aids that have validity. We have encouraged the boards, and if you want the speech relating to this matter—I do not know what number it was—I will send it to the hon. leader, if he will read it.

Mr. Nixon: Oh I know the minister has a speech for any or all occasions.

Hon. Mr. Davis: And in spite of all the criticisms, you will find in the last two years—and this is one of the benefits; the hon. leader will not agree with it but it is, and he can check it very carefully and he will find it is in fact happening—that by the centralization within the county structure, the amounts allocated for equipment in the total school system within the county area can be compared and you will find there are a lot of areas which have been reduced over the total spending of the constituent boards in 1968. Because there is a greater pool of resource, they can make more of the existing equipment available through distribution in the school system and the amounts being allocated for this type of teaching aid or science equipment and so on, I think you will find, is staying within bounds.

I am not saying whether the price increase of this one company is beyond what it should be and yet we purport, at least in this party—I am not sure from time to time in the party opposite; I am very sure of that party—as to the desirability of the private sector in free enterprise. And if these people in this particular firm are making an untoward profit, then I would suggest there must be other people in the business who are taking advantage—

Mr. Nixon: I am just calling for a little better judgement on the part of the buyer, who is responsible for the buying in the last resort.

Hon. Mr. Davis: All right, but we are not the buyer of last resort, with great respect; the boards are the buyer in the first and last resort—

Mr. Nixon: You pay only $800 million—

Hon. Mr. Davis: They are, by and large, assessing these needs and shortening their pencils to the extent we are getting complaints, Mr. Chairman, the other way. We are getting complaints now the other way.

Mr. Nixon: And you are getting complaints from the taxpayers this way.

Hon. Mr. Davis: Sure we are getting complaints from the taxpayers. But if we had accepted all the advice offered from the Liberal Party over the past number of years, even in the last two years, Mr. Chairman, with great respect the complaints would be far greater because they would succeed in attaching several hundreds of millions of dollars to the expenditures of The Department of Education, and I will document it for the Leader of the Opposition if he so desires.

Mr. Nixon: Mr. Chairman, since the minister has introduced this *non sequitur,* perhaps you will permit me to explain to him that it is true that the expenditures of The Department of Education would go up as the province takes over, as we believe it should, a much—

Hon. Mr. Davis: This is—

Mr. Nixon: Will the minister listen to me? —a much larger share of the cost of education. I would certainly think it would be a billion dollars, not $800 million, in direct grants, but this would mean a saving in property taxes which the minister does not seem to be concerned about.

Hon. Mr. Davis: We are quite concerned. Before we carry on with this little dialogue, Mr. Chairman, I should point out to him that many of the millions of dollars that we have calculated emanating from the suggestions opposite relate not to going to 80 per cent. These are new programmes. Check with your—

Mr. Nixon: Is the minister talking about paying the cost of separate education?

Hon. Mr. Davis: No.

Mr. Nixon: Give us your views on that—

Hon. Mr. Davis: If the Leader of the Opposition had been here for all the debates—

Mr. Nixon: I heard a good deal of it.

Hon. Mr. Davis: Mr. Chairman, I think I heard the Leader of the Opposition suggest that I went around the rosary this afternoon, and I did not go around the rosary.

Mr. Nixon: You heard that from all sides.

Hon. Mr. Davis: The Leader of the Opposition really ought to read the contributions made by some of his colleagues to the education committee and calculate the number of suggestions as to what programme might be improved, how we might do this, that or the other thing—

Mr. Nixon: The minister sounds like the Treasurer (Mr. MacNaughton).

Hon. Mr. Davis: I am not like the Treasurer, I am just being very realistic.

Hon. Mr. Grossman: He could do a lot worse.

Hon. Mr. Davis: Mr. Chairman, with great respect, those fellows cannot have it both ways. They are preaching now of great economy, how they are going to save money; in the same breath as they are preaching how to expand programmes.

Mr. Nixon: Is the minister talking about extending aid to separate schools?

Hon. Mr. Davis: No, no, that is separate and apart.

Mr. Nixon: I see. The minister does not want to discuss that.

Hon. Mr. Davis: That is not included in the figures.

Mr. Nixon: Is the minister talking, then, about paying a larger percentage of the cost of education at the provincial level, which obviously would be an expensive programme, but which would reduce property taxes—and we are very concerned about that.

Hon. Mr. Davis: Mr. Chairman, not only are we concerned, we are in the process of doing something about it. We are five percentage points up the ladder this year. We have had—

Mr. Nixon: You are way up to 51.

Hon. Mr. Davis: Yes, we are up to 51, we are indeed. Not only that, we have provided

something in excess of $20 million in relief to the farm community to the extent that I understand the president of the Ontario Federation of Agriculture has suggested this is a reasonable step.

Mr. Nixon: Yes, he says that it is not necessary to withhold taxes any longer.

Interjections by hon. members.

Mr. Chairman: Order! Perhaps the hon. members will attempt to control the exuberance of their verbosity. Vote 403. The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Chairman, have I got the floor?

Interjections by hon. members.

Mr. Spence: I would like to say a word on grants to education, and to make it clear that I am for good education for every young girl and boy in the Province of Ontario. I must say this, Mr. Chairman, this year the cost of education on two-thirds of the people in the province has been a real burden.

I do know that the government has given its shelter grant, and has also promised to assist the farmer by paying 25 per cent of his taxes, but even so the cost of education is too great a burden on our urban citizens that have saved a small sum over their lives. I must say this, it is hard for us as laymen to understand the grant system when we see some counties receive a 70 per cent grant. I will say—and no doubt I will get a rise from the provincial Treasurer—I understand the county of Huron gets a 70 per cent grant, very close—

Interjections by hon. members.

Mr. Spence: I would like to know, Mr. Minister, what grant does the county of Kent get? What grant does the county of Huron get? What grant does the county of Grey get? And the grant for the county of Wellington? Now I am not against costs, but I do know it is a burden on too many people across this province.

I would say this: My leader has spoken out for this side of the House, and I would like to know, since our county school boards across the Province of Ontario put in many, many hours last spring in order to cut the costs of education, or the mill rate, for the counties which they represent, I would like to know, since these counties had such a struggle in order to bring about a rate with which they could go out down the street to face the people in those counties, what is going to take place in 1971 if they had cut it to the bone in 1970?

Hon. Mr. Davis: Cut it further.

Mr. Spence: Is that right?

Hon. Mr. Davis: Sure.

Mr. Spence: Well, that is what I like to hear. With the struggle they had, the nights they put in, in order to come up with a rate that is sensible or feasible to the taxpayers of the counties, it makes me believe that there is going to be an increase in 1971. I would like to hear the minister in regard to the county rates or the provision of education grants to those poor counties, and also to what have we to look forward to in costs in school aids to different counties?

I must say, Mr. Minister, as I understand it the government gives only 51 per cent grant to education in general across the Province of Ontario.

Now I would say, as my leader has indicated to you, that is not enough in order to relieve those people who are in the lower income bracket. It makes me believe—and I have great respect for you in general, Mr. Minister—that you have only considered or discussed with those in the larger income brackets, but there are two thirds of our people across the Province of Ontario who are not in the higher income brackets. They are finding the burden too great, and if you cripple them, Mr. Minister, you cripple the whole economy of this province.

Hon. Mr. Davis: Mr. Chairman, I recall replying in a perhaps rather inconclusive way to the member for Kent a couple of days ago on the same topic. I have no reluctance in going over the ground again, because perhaps some of the members were not present in the House when I indicated, looking at it on a total provincial basis, that the total expenditures, the rate of increase in 1969 over 1968, had in fact decreased in the first year of the county school board system. I did mention it, but just for emphasis I want to further relate it.

Our preliminary estimates for 1970 would indicate that there is a further decrease in increase, that is in percentage increase—

Mr. J. E. Stokes (Thunder Bay): In a percentage increase!

Hon. Mr. Davis: Percentage increase, quite right. The member for—

Mr. S. Lewis (Scarborough West): Sort of like the cost of living index; makes you feel good in a negative way!

Hon. Mr. Davis: No, but it is rather encouraging in view of all the figures that were bandied about a year and half ago when we were not really dealing on the basis of fact. We can now deal to a certain extent on the basis of fact.

Interjections by hon. members.

Hon. Mr. Davis: We wanted to relieve the municipalities; and it is there and it is part of the total expenditure.

Now I cannot give to the member for Kent, but I will get it for him, the rate of grants in all of the counties he mentioned. I can tell him, because I was dealing with them very recently, that the rate of grant in Lanark is around 61 per cent, in the county of Peel, I know it is somewhat better, I think it is around 46, 47 per cent, in that neighbourhood.

Kent I do not know specifically, but I will get it. I think it is a relatively equitable rate of grant, in fact I am sure it is equitable compared to the other rates and grants elsewhere.

Mr. H. Worton (Wellington South): What is yours?

Hon. Mr. Davis: Listen, yours will be equitable too, related to their capacity to pay it.

Mr. Nixon: Some will be more equitable than others.

Hon. Mr. Davis: No question about that. It will be equitable, no question whatsoever, but I would say to the member for Kent because I know his interest is very sincere; as we move this year, we have 51 per cent provincial average of support. As the Treasurer has enunciated, it is the policy of the government to move within two years to 60 per cent. I think one can say, with some degree of optimism, with the grant regulation controls that will be there, that the increase in the total amount of dollars available from the central source—that is, from the province—one can anticipate minor escalations, if at all, in mill rates in a number of communities for 1970.

Mr. Chairman, I have to add a certain rider to this, related to those municipalities which for one reason or another had some slight deficit positions in 1968, coming into this great meeting of the families in 1969.

Mr. Worton: You have got to be optimistic, Mr. Minister.

Hon. Mr. Davis: You know, this is where it is still somewhat in the grey area. Basically speaking, many municipalities this year were able to either hold or reduce the mill rates. I think there were even a few in Kent that were able to hold the mill rate levels. I think the member for Kent agrees with this.

Mr. Spence: Some went up.

Hon. Mr. Davis: Some went up and some also went down, I think, in Kent County. I think, in fairness, the member acknowledges that this did in fact happen. I do not want to prolong this discussion; I would say to the member for Waterloo, both members for Kitchener and Waterloo, that I now have the report available from the Waterloo county Board of Education in which there is a lot of relevant information related to Professor Fyfe.

This goes back to the first vote: I apologize, Mr. Chairman. But in that you too wanted this information, perhaps it could be considered in order, and I will endeavour to have copies made for their use. It is very interesting to see the way it has traced the percentage allocation for educational purposes out of the total public dollar in many of the municipalities that constitute the Waterloo county board area. I think some of the members opposite will find it not necessarily encouraging, but at least there is a degree of consistency there that I think they will find, perhaps, somewhat revealing.

Mr. Chairman: Vote 403?

Mr. G. Bukator (Niagara Falls): There has been a degree of inconsistency in the increase in costs over the 20-odd years that I have been involved in municipal and provincial politics. I do not know who the minister thinks he is kidding, but the man who is on a fixed income, the man who is on a pension, cannot meet his obligations today when it comes to taxes. You, my friend, are responsible for many of those taxes. I tell you this, that if you go to the people, Mr. Chairman, on this issue alone, this will be the defeat of your government.

Hon. Mr. Davis: On a point of order, Mr. Chairman.

Mr. Chairman: Point of order.

Hon. Mr. Davis: On a point of order, Mr. Chairman, and not to be facetious; one of the great reasons for the increase in educational costs in this province, whether we like it or not, relates to the total increase in the number of children within the system. Mr.

Chairman, I must stand up in my place and assume responsibility for five only—

Hon. Mr. Grossman: That is not bad, either.

Hon. Mr. Davis: —and I will share the other two million plus with the rest of our people.

Mr. Bukator: One of the great increases in cost of education in this province, Mr. Chairman, is simply because your county boards—

Hon. Mr. Davis: That is wrong; that is basically wrong.

Mr. Bukator: That is wrong, is it? You look at your costs, if you will, but taken simply, like a country boy will, all you have to do is pick up your little old tax bill.

Mr. B. Newman (Windsor-Walkerville): That is the best way!

Mr. Bukator: Look at that bill if you are on a fixed income and wonder how you are going to meet your obligations. There is only one way to do it and that is as my leader says. We have been telling you all these years.

Interjection by an hon. member.

Mr. Bukator: Why it is very simple. Here is a county warden talking now, but he never makes any good contribution to this particular meeting, or to this particular session. All he does is interject with foolishness, and this man has the job of Minister of Public Works (Mr. Simonett). Thank God he is not running the schools.

Mr. Chairman: Vote 403.

Mr. Bukator: But I come back to my original argument.

An hon. member: You are doing very well.

Interjections by hon. members.

Mr. Bukator: Our argument on this side the House—

Mr. B. Newman: The DPW Minister.

Mr. Bukator: Our argument on this side of the House is that you have obligated these people to costs and the province should pick up the total school costs. We have been telling you this for years, and finally you get 51 per cent. Mr. Drew, when he was Premier, promised us 50 per cent away back in his time.

Mr. Worton: That was 27 years ago.

Mr. Bukator: Only 27 years ago.

Mr. Nixon: That was before the minister was voting.

Mr. Bukator: Now you have 51 per cent and you are boasting about the fact that in two years' time you will be giving them 60 per cent. There is an election coming next year—another promise. I am going to tell you something; all you have to do is pick up the tab and take it out of the right pocket. The province should pay education costs, and we have been arguing here for years.

I have been very mellow on this particular argument simply because one gets on his feet year after year trying to convince the government that this is the way to treat the problem and one finally throws up his hands in despair and says, no more for me. But tonight I just could not take it any further. You sit there and smile—and a pleasant smile too—but one of those days you will let your defence down; you are a pleasant, private individual who is trying to do a job for the government that perhaps compelled you to do this particular job in the Cabinet. But no matter who, the Conservative government is costing us too much money for school costs, especially in the pockets of the individuals who cannot afford it.

Interjections by hon. members.

Mr. Bukator: And this minister, with this government, is going to be held responsible come next June.

Mr. Nixon: That is the date, June 10.

Vote 403 agreed to.

On vote 404:

Mr. Chairman: Vote 404—special education services for the handicapped. Perhaps we could take this by programme—no, I guess there are not too many programmes; we will take it in total vote. Is that agreed? Is that satisfactory?

An hon. member: Agreed.

Mr. Chairman: Agreed. The hon. member for Windsor-Walkerville.

Mr. B. Newman: May I ask the minister if he has any type of programme specifically for the cerebral palsied?

Hon. Mr. Davis: Yes, Mr. Chairman, we have. There are programmes for children with cerebral palsy administered by the local board jurisdictions. I would suggest there are probably cases of children with cerebral palsy in the schools being administered by

some of the Crippled Children's authority. I am not sure of this; I will check it out, but I believe they would be there as well.

Mr. B. Newman: Has the minister observed any of their programmes? Has the minister any thoughts on improving the style of the programmes so that those afflicted by cerebral palsy could maybe be accelerated in their rehabilitation by additional programmes or maybe even by the financial assistance that the programme may need?

Hon. Mr. Davis: Mr. Chairman, I think the hon. member will have to be more specific. I wonder if perhaps he would like to communicate with me the type of programme he is referring to, where it might be improved, because the programmes do vary, depending on who has the jurisdiction. There is a high degree of experimentation going on, as the hon. member well knows.

Mr. B. Newman: Well Mr. Chairman, last Sunday the Essex county or the Windsor District Association for the Cerebral Palsy had an open house and I had the pleasure of dropping in and seeing the type of operation conducted by them. I was most impressed with their attempt to rehabilitate those who are so seriously afflicted. One of the difficulties that they do find is in the grant structure; they find it financially difficult for them to set up the type of programme in the facility that would be more conducive to the rehabilitation to the cerebral palsy.

Hon. Mr. Davis: Mr. Chairman, we fund the bulk of these programmes under what we call the section 12 boards. These are quite comparable, shall I say, to the boards for the crippled children and so on. This is where the funding arrangements are. If the hon. member has had some concern expressed in Windsor related to the dollar situation, I would be delighted to take a look at it, but they are qualified for the same amount of grants or rate of grants that are available for the other section 12 boards.

Mr. B. Newman: Well Mr. Chairman I did visit, as I mentioned earlier, their school or workshop and it was located toward the east side of town, far from the centre of population, far from where the greater number of students come. And the only reason they are located in that place is that they do not have the financial ability to locate centrally and to provide a much more pleasant and a much more decent setting so that they could do the job in a better fashion than they are doing today. They are doing the best they can with their limited facilities and the limited finances.

Hon. Mr. Davis: Well Mr. Chairman, I think the hon. member might check and provide for me—I think maybe he is talking about the programme being offered perhaps by the local Windsor board related to the mentally retarded. Perhaps if he would check it out, I will give him some specific information.

Mr. B. Newman: Yes. I will do that.

Mr. Chairman: The member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, is there any money in this vote for the support of programmes for handicapped youngsters who are in the regular school system, or does that go directly through the previous vote?

Hon. Mr. Davis: That was in the previous vote, Mr. Chairman.

Mr. Chairman: Anything further on vote 404?

Mr. Nixon: Nothing other than to say to the minister and his colleague, the Minister of Public Works, that we are very glad that they felt able to proceed with the new building in Brantford for the School for the Blind, which has been so long postponed—let us say 120 years, so there are several administrations that bear the responsibility for that.

Can he assure us that the gymnasium has been replaced in Belleville, the one that had to be vacated by the deaf students whenever the wind blew, because the rafters move so much?

Hon. Mr. Davis: It is in the process, Mr. Chairman.

Mr. Nixon: You mean you are still using that gymnasium that we were critical of in 1967, which according to the minister's arithmetic is four years ago?

Hon. Mr. Davis: No Mr. Chairman, that is not according to my arithmetic. I was talking about this particular information that was provided, and I said possibly it covers four market years, 1967, 1968, 1969, 1970.

Mr. Nixon: I could say it only covers two.

Hon. Mr. Davis: Well, certainly items listed in 1967 might not be available until 1968.

Mr. Nixon: What about the gymnasium?

Hon. Mr. Davis: But if one were to apply that logic, Mr. Chairman, it would mean that the price list the hon. the leader of the Opposition gave me for 1970, does not have application until 1971.

Mr. Lewis: You will concede that it was a few years ago.

Hon. Mr. Davis: I will. I will concede that we discussed the gymnasium in Belleville, I think, in 1968. But that does not matter. Actually some of us are going there for a few moments tomorrow and I will check on the exact state of programmes.

Mr. Nixon: What do you mean, some of us? You and your five children?

Hon. Mr. Davis: No, no. My five children have to go to school. No; tomorrow, and I hope I am right in this Mr. Chairman, we are commemorating 100 years of activity on the part of the—

Mr. Nixon: In the same gym that was opened up by Oliver Mowat.

Hon. Mr. Davis: —the School for the Deaf. I am sure all members of the House join with me in expressing to the staff at that school our appreciation for the task that they have undertaken.

Mr. Lewis: Oh, you are too much, too much.

Hon. Mr. Davis: In fact, Mr. Chairman, part of the exercise tomorrow, apart from commemorating the 100th anniversary, which I think is part of the programme is to lay the cornerstone.

Mr. Lewis: For what?

Mr. Nixon: No kidding? Is that not marvellous. And is this actually going to be—is this going to be the John R. Simonett Memorial Gymnasium or what?

An hon. member: No.

Mr. Nixon: Well, is it going to be the William G. Davis?

Hon. Mr. Davis: Well, Mr. Chairman, I would say this, that I cannot think of a more appropriate person after whom one might name—

Mr. Nixon: As long as you include "memorial", it will be all right.

Hon. M. Davis: —projects in Belleville than the present Minister of Public Works.

Mr. Lewis: What is that meant to imply?

Hon. Mr. Davis: I do not think there has been any—

Interjections by hon. members.

Hon. Mr. Davis: I will certainly take it up with my cabinet colleagues, on the request and the suggestion from the Leader of the Opposition, that it be so named.

Mr. Nixon: Yes, only if you include "memorial".

Hon. J. R. Simonett (Minister of Public Works): Do you want to get rid of me? I will be around for a while.

Mr. Nixon: You are all through.

Mr. Worton: Mr. Chairman, I would like to raise a point that I wrote to the Minister of Education about a few weeks ago, concerning a request that I had had from the hard of hearing, or rather the parents of these children in Milton, about transportation facilities.

I think, according to that September report that your department put out, they recommended the need for these children to spend as much time at home as possible to converse with their brothers and sisters and their parents and that it would be most helpful if they could have the cost of transportation taken care of. Do you have any—

Hon. Mr. Davis: Mr. Chairman, the hon. member has written to us about this. There have been a number of other requests. The problem is the question of providing transportation for the children at the school in Milton for trips home or perhaps for some stays within their own home environment. We are in the process of taking a look at this, because any policy that we develop will have to be equitable for all these students at the school and probably could not be confined to the Milton school alone either. In other words, it would have to have application elsewhere, and of course there are certain fairly significant economic implications—it would cost additional funds.

Mr. Lewis: You were in the process of looking at that three years ago.

Hon. Mr. Davis: Oh no, we have done some parts; this is in addition to that again.

Mr. Worton: Mr. Chairman, I notice that representation has been made to the county board too. Is there no way that their buses, say on Fridays, late Fridays, can transport these children home?

Hon. Mr. Davis: Mr. Chairman, we have been discussing with one of two of the county boards whether this would be feasible. This might provide one of the answers.

Vote 404 agreed to.

On vote 405:

Mr. Chairman: Vote 405—continuing education. I believe it would be agreeable to discuss this as a unit.

Mr. Chairman: The member for York Centre.

Mr. Deacon: Mr. Chairman, in the consideration of 405, the field of colleges of applied arts and technology— the community colleges—I think we should take a pretty good look at thier purposes. I want the minister to clarify for us what he considers the real purpose of these colleges. Are they purely an extension of the secondary school system? Are they for training people to take jobs immediately on their leaving the colleges; or are they a stepping stone to university? Are they for the community or are they really and truly regional colleges where students have some flexibility of moving to one or another within a region? What is the objective that the minister sees for these community colleges?

Hon. Mr. Davis: Well, Mr. Chairman, I guess they are sort of a combination of many of the suggestions that the member has outlined. I could say to the hon. member what they are not—perhaps this might help him form a definition of the function of the colleges. They are not, shall we say, second-rate universities. They were not designed basically to prepare students for admission to university, although they provide that service for those who do go on to university.

They do relate to the needs of the community. They are not confined just to the community. There is relatively easy mobility as between colleges and some course areas, because we have retained a degree of, shall we say—I do not like the word—standardization, but shall we say a degree of provincial level in a number of the basic course areas. Their need really is some alternative in the field of post-secondary education other than the traditional—that is, the universities—and while no programme of this kind in a relatively limited period of time and with the numbers involved can be without its difficulties, I say very basically it has been one of the most encouraging developments in education in this jurisdiction.

The numbers involved in the colleges, the reception they have had by the communities and I think the very positive way in which the students themselves have reacted must be encouraging to all of us. I could spend a couple of hours attempting to further define their functions or their potentials for the hon. member, but I think perhaps that covers them very briefly for him.

Mr. Deacon: With regard to the answer to the stepping stone to university, is it therefore in the plan that some students who go to these community colleges who find the subject or an area of interest that would require university training will be able to get recognition for their courses that would help them enter university later on? Is this something that the department is hoping to have achieved?

Hon. Mr. Davis: Well, Mr. Chairman, some of the colleges have already worked out an approach whereby a student graduating in certain programmes that have been evaluated within the community college will be admitted to the universities. The pattern was established some several years ago—I guess six or seven years ago.

At Ryerson, for instance, in the engineering technology course, where a graduate from what was basically a three-year programme, we will say, first-class, second-class and some of the third-class honours, would be admitted into second year, or the first year of the engineering faculty at the University of Toronto. I believe now at Queen's, and so on, this is the kind of pattern that is emerging in a number of the colleges in their relationships to the universities.

Mr. Deacon: With regard to the boards of governors that have been appointed at various places, people say they are just plain political appointees—I do not know whether that is always a bad thing or a good thing. I do not know but I think we have got to have responsibility for appointees made by our elected bodies. On what basis does the minister have these appointments made? Are they for a limited term? Do they try to get a cross-section of age, representative of the communities and their geographical area? On what basis does the minister endeavour to appoint them, and what is his philosophy behind the people who make up boards of governors?

Hon. Mr. Davis: Mr. Chairman, basically it is to make the colleges as representative, geographically and from the community, as possible. Four of the members are appointed

by the municipal councils or perhaps the county councils within the area. The other eight members are appointed on recommendation of the council of regents. The names come from people within the community; from other board members for replacements; from interested groups within the community. We try to make them as representative as we can. With great respect, in spite of the fact some people will say they are somewhat political as far as the appointments are concerned, I think you will find they are, by and large, quite non-political in their appointment.

Mr. Deacon: Mr. Chairman, it would seem perhaps better, rather than the appointments coming from the board of regents as they now do, to have the board of regents actually appointed by these community colleges, so the representation on that body is the one that is truly representative of the various colleges. Coming back to this matter of the appointments, are they for a limited term or do they keep on being reappointed?

Hon. Mr. Davis: No, Mr. Chairman, they are for a specific period of time. I believe it is a three-year period.

Mr. Deacon: Is it possible to be immediately reappointed or is there a requirement similar to a requirement brought in by the Minister of Energy and Resources Management (Mr. Kerr) in recent legislation, that there had to be a one-year gap at least before a person was eligible to be reappointed.

Hon. Mr. Davis: Mr. Chairman, there is nothing in the legislation to preclude a reappointment or to have that person stand aside for a year or any intervening period of time. He or she is eligible for reappointment at the expiration of the term.

Mr. Deacon: Would the minister consider making that a provision of legislation, to avoid the problem that is arising, I understand, in some of our community colleges. People are staying on term after term. There is a certain polarization of views taking place and perhaps the best contributions have already been made by some of the members of the boards. There can be a new opportunity for community representation if we have this type of requirement to ensure a rotation of the board. Would the minister give his views on such a move?

Hon. Mr. Davis: Mr. Chairman, like everything else, perhaps there is always a time for a replacement or for other people moving into any organization. At the same time, Mr. Chairman, because a person has been there for a period of time does not mean they are not making a very valuable contribution. I think you have to deal with it on an individual basis; and of course they have not been, you know, reappointed time after time because I think the maximum anybody could be on a board even at this point would be, what—five years at this point.

Mr. Deacon: Mr. Chairman, in view of the fact that a situation is developing, I can assure him on some boards, in view of the fact it is not easy to avoid reappointing somebody who has become very interested in remaining part of the little club, a gap of one year would give them an opportunity to be out of it for a while. If they are really so valuable they can be invited to come back after a year. It would be the exception rather than the rule that that would be done. Would the minister not agree that that would give a greater opportunity for strong representation from the community and also keep the age groups moving a little—perhaps with a younger representation than might otherwise develop after a period of years.

Hon. Mr. Davis: Mr. Chairman, I really cannot see any logic in there being necessarily younger representation. I would agree with the hon. member it would provide for new personnel. To serve on the board of governors does not necessarily mean that they will do a more effective job. It certainly would introduce new people, no question about it. But I should point out to the hon. member, as I just assessed it very rapidly, mathematically, if they were forced to sit out for one year and if there was a reappointment of that particular position for three years, in fact, they would be sitting out for a total of four years.

Mr. Deacon: I am sorry I do not agree with the minister there. If they are rotating board members every three years, it is quite—

Hon. Mr. Davis: But it is quite conceivable in this municipal appointment it could be four years.

Mr. Deacon: He would sit out one year and there would be another three-year appointment coming up because every year there would be three new faces.

Hon. Mr. Davis: Mr. Chairman, I do not want to prolong this, it is perhaps totally irrelevant. But if he comes from a particular municipality, if he is a municipal appointment and has to sit out one year, that municipality has the right to reappoint. If they reappoint for a two- or three-year period

then he obviously cannot sit out for a single year if he is to be a municipal reappointment.

Mr. Deacon: I agree this is getting redundant, but I just wanted to point out I am thinking about the eight appointments or nine appointments from outside the regional council. And I think the regional county appointee should also definitely be of a three-year maximum, anyway.

There is another area: What are the minister's views on the success of having faculty and student representatives on the Ryerson board, which I think was instituted—was it two years ago?

Hon. Mr. Davis: Well I would say, Mr. Chairman, that there are some days I have mixed emotions on the subject, and perhaps if the hon. member wanted to pursue this he might consult with the members of the board as to their personal reactions to this. I think, being pretty objective about it, by and large it has worked. There have been a few incidents where there was a little pain and suffering, but by and large, I think the board members would agree that it is worthwhile to continue.

Mr. Lewis: One incident, one serious incident?

Hon. Mr. Davis: Well, one or two.

Mr. Lewis: Well it is good for the board. They mature a little each time.

Mr. Deacon: Mr. Chairman, in view of the fact that lack of communication often develops much greater misunderstanding than where there is the occasional clash which has to be resolved within the board, would it not be wise for the department to change legislation so the faculty and students and the community colleges also have representation, as they now have on the Ryerson board?

Hon. Mr. Davis: Mr. Chairman, we have discussed this before. We are not saying no to any possible change in legislation. All we have said is—and I think perhaps if you discuss this with some of the colleges, you will find their points of view vary on it. Some of them have worked out a very excellent relationship with their faculty and with their students who formed the committees and councils. This has worked, to date, at a lot of the colleges very effectively. Whether you could get better communication and more effective method by having students and faculty on the board of governors themselves, Mr. Chairman, you know it can be argued either way. And as far as I am concerned—

Mr. Lewis: But only one side of the argument is tenable.

Hon. Mr. Davis: No, I do not think so. I would say, Mr. Chairman, that we tend to overemphasize a formal structure. What is really I think just as relevant if not more relevant is the desire of the people involved to make whatever structure exists work. You know we could get into this debate tonight, except we are not on university affairs, to bicameral, unicameral, tricameral, and all of this, shall we say, philosophical approach to structures. But I am just making this very casual observation, that the desire on the part of the administration, the faculty, the students, to make any particular structure function is perhaps as relevant as the structure itself.

Mr. Deacon: Well no question, Mr. Chairman, that the desire of those to make it work is certainly the supreme consideration. But is not the desire of the faculty and the students about as keen as anybody, because they are the ones that are involved day to day in this. They are not just coming to an occasional board meeting once a month to receive reports and endorse what is being done during the month, with which they are not nearly as familiar as others might be? Is it not important that issues which might be aggravating the faculty and the students are fully covered at these board meetitngs?

I suggest, Mr. Chairman, that the minister should deal with this very quickly. There are situations building up as these colleges develop, which will become very sore spots indeed. We had an explosion in Ryerson a year or two ago, a most unpleasant one, and I think the time to deal with these things is now, before the situation becomes too serious.

Hon. Mr. Davis: Well the explosion was with faculty and students on the board.

Mr. Lewis: It is a healthy board.

Hon. Mr. Davis: I am not saying it is not healthy. But, Mr. Chairman, I should point out, I think it is fair to state we have had relatively little if any pressure from faculty to serve on the boards of governors in the colleges. We really have not.

Mr. Lewis: That says a lot about CAATS; tells a great deal about them.

Hon. Mr. Davis: No, I do not think it does. With great respect to the new leader of the

New Democratic Party, I do not think inferring or suggesting that perhaps faculty is disinterested is right. I do not think it is a question of disinterest. I think it is a question that a number of them have found ways and means of involving faculty and students that are satisfactory to them. You see, Mr. Chairman, we are operating here with a relatively small board of governors. It is the same situation at Ryerson.

But you get into areas of some concern if you were to have, say three members from faculty on the board of governors of the colleges—you know, if you add to the total numbers and you decrease the number of lay representatives you get into a decision then and you have to legislate it. Should faculty members be sitting in a unicameral system and voting their own salaries, or do they absent themselves on the very major budget issue? And then do you provide some sort of dialogue here? I do not know. The art college is in the process of working something out and I think it might be quite effective, but it is not that simple a procedure.

Mr. Deacon: I do not think that the faculty are the only ones that put themselves in a position where they are voting on their own salaries. I think we are not the ones to talk about that.

Mr. Lewis: They still have to negotiate at least.

Hon. Mr. Davis: Yes, they do.

Mr. Lewis: Right. You are a fine one to talk.

Hon. Mr. Davis: Are you talking about salaries?

Mr. Lewis: We do not negotiate at all.

Hon. Mr. Davis: No, you just ask.

Mr. Lewis: Right.

Mr. Deacon: Mr. Chairman, another aspect of this very important area of our educational system is the faculty itself and the make-up of the faculty.

One of the things we are really after here is having a faculty that is right up to the minute in the latest techniques in whatever profession or whatever area of trade or vocation in which we are trying to train the youngsters. If we have a faculty that has to spend virtually all its time—certainly 10 months of the year—in the confines of that community college and has to do it year after year and if they cannot leave with any sense of security of being able to return, we are going to have a faculty about as effective as some of the people who trained some of us that went overseas during the last war. They trained us well in the first war techniques but were not up to date at all because they had recently not been in action.

We have to keep this in mind when we are dealing with the faculty of these community colleges. I suggest, Mr. Minister, that we should encourage the boards of governors to grant leaves of absence for at least a year to faculty after they have been on staff for no more than three years, encourage them to take such leave of absence, and get out in the industry, update their techniques and make it easy for them to re-enter the college; because people who do have great teaching ability also have to be able to keep up to date with their particular profession.

We have got to recognize here we are not dealing with secondary school students any longer or secondary school situations. We are trying to train youngsters to get out into life —not only youngsters, but adults as well must be trained to take jobs right away. And for us to have a faculty who find it difficult to keep themselves updated because of our approach to their employment requirements is something we have got to give consideration to.

I would appreciate the minister's comments on this particular problem, as many faculty members I have talked to mentioned this.

Hon. Mr. Davis: Mr. Chairman the boards do have sabbatical leave plans. But listen, let us be very frank about it, if you have x percentage of faculty on sabbatical—that is, they are being paid while they are on sabbatical, which is the only way you can—

Mr. Deacon: What about an unpaid—

Hon. Mr. Davis: Well, Mr. Chairman—

Mr. Deacon: Or work out a deal with an industry?

Hon. Mr. Davis: All right, so you work out maybe with an industry that they are going to pay this person for the year he spends there. I am saying that the sabbaticals, if they are to have any impact in numbers, will have to be on the basis of the college paying the salary of the person, or a portion of it. When a person is on sabbatical it means that somebody else fills in that place, and I guess you are dealing in percentage terms if you are going to have a programme as suggested by the hon. member in large numbers, or shall we say 25 per cent which might be a realistic term—I am not sure of what the

figure would be—then you have to add that percentage to faculty in order to offset the numbers who are away.

Mr. Chairman, I am not saying for a moment that some form of updating or keeping pace in some of the technological fields is not highly desirable, but let us not fool ourselves that when this sort of programme is developed it means some additional cost on the operation of the system itself. Mr. Chairman, the people there now I think are making an effort, and I think by and large are keeping up to date with the changes in their particular fields of interest.

They do have two—I do not say three months in the summer time, because they are involved with some of their other duties within the college system—but they do have some period of time during the summer months for this type of situation. I do not think a person has to go back and spend a full year in industry to upgrade himself, perhaps two months would be sufficient. They also get a month's holiday—and I think this is the general contractural arrangement—so that there is some time available.

Now, Mr. Chairman, I am the last to say that there are not some desirable things that could be developed as long as we are prepared to accept the fact that most of them have some sort of economic impact attached thereto.

Mr. Deacon: Mr. Chairman, I am really disappointed in the minister. Sometimes the minister shows, I think great streaks of brilliance in his comments, but he shows here a complete lack of understanding of the importance of well-trained graduates to the community industries in this province. He does not understand the contribution that well-trained men in our faculties can make to putting forth graduates that are trained for their jobs so they do not have to be trained again when they go into the plants.

Hon. Mr. Davis: They are.

Mr. Deacon: These industries are quite prepared, if the minister will have the matter looked into, to cover the cost or salary of that man. It is not an additional cost we are talking about here. It is just giving the man a clear understanding that when he leaves the college for some time on an unpaid leave of absence or some similar arrangement he is not losing his pension rights and a lot of other rights. We are not cutting him off, he is going out with the understanding that he will have an opportunity to come back in without somebody taking his place permanently. A rotation system could be set up and I think this is something we can do without adding to costs. All we shall do is improve the effectiveness of our programme.

Now the next point I want to bring up, Mr. Chairman, is in regard to the student programmes themselves. They have timetables of 25 to 30 hours a week as though these students were still in the secondary school. We are not thinking in terms of them being in another form of university—

Hon. Mr. Davis: It is not another form of university.

Mr. Deacon: They are in a post-secondary school programme where they should be taught to be on their own and to be able to do jobs on their own. They should not be given a timetable schedule as if they have to be in a classroom all the time in order to learn. These students should be given room to work on their own. Give them that opportunity, and in that way maybe we shall stop treating them as secondary school students, which is one of the problems that is being encountered by the students that go to these community colleges.

A lot of the teachers and the staff are still people who have moved over from a secondary school on the formation of these community colleges, and they cannot quite recognize the fact that they are no longer dealing with high school students.

I also suggest that if we can get away from this atmosphere of a secondary school approach to the situation, we will also encourage more adults to take even limited courses during the day time, so that the classrooms can benefit from not only having these younger students but also adult students.

In other words, let us not require the students to take a minimum number of courses. The adults could take one course, maybe. Or there may be a man who would like to upgrade his own background of training in a community college and would like to work, or go to a course only an hour or two a week, whatever the course involved.

I think in that way we can bring these adults into the colleges to a much greater degree than we do now. We bring them in largely in night courses, but there is not the same opportunity for the adult and the younger students to mix as there would be if we could give the opportunity for limited attendance by adults.

Hon. Mr. Davis: Mr. Chairman, on that last point, this is possible right now, but the problem is with the adults in day courses, say for one or two hours a week, related to the

fact that most of them are presently employed. This is why the greatest thrust is in the evening course programme, but technically they can do this in the day courses right now. There is nothing to prevent them. As far as the hours are concerned, Mr. Chairman, I do not know where the hon. member gets his figures from or whether he is talking of certain course averages on others, but the course average, perhaps in hours, would be closer to 18 to 20 hours a week rather than 25 hours, taking all of the courses at the institution and trying to draw some average from it.

Mr. Deacon: Maybe the figures that I got from the faculty and students that I have talked to are incorrect. They gave me the average of 25 hours.

Hon. Mr. Davis: I think if you totalled the total programme, they would be closer to 18 to 20.

Mr. Deacon: I am interested in that answer with regard to the adults in two of the colleges, Centennial and Seneca, where approaches have been made by people for limited courses. They said that they possibly could sneak them in, but they were not supposed to be doing it, so I thought it was something that was against the policy as set down by—

Hon. Mr. Davis: The cost is $25 a course.

Mr. Deacon: The last point is this matter of how one judge and appraises how well the programme is going and how is it being co-ordinated. Also the department has an item here of $790,000 for the salaries for running this continuing education programme. What is the role of the department compared to the role of the council of regents? How do they correlate and co-ordinate, and what is the special responsibilities here? The regents, I see, cost us $69,000.

Hon. Mr. Davis: Mr. Chairman, with regard to the council of regents, you can not draw any exact parallels, but it is somewhat comparable, if I can put it this way, to the advisory committee, the Committee on University Affairs. These people meet, perhaps once a month, for a couple of days, sometimes at certain times of the year or more often than that. For instance, the Committee on University Affairs meets more regularly during the fall session because they are getting the submissions from the various universities, and the Council acts in an advisory capacity to the continuing education (applied arts and technology) branch as it relates to the work of the branch and the development of the college programme. The full-time personnel within the department, of course, work on matters of plant approval, development of grant formulas, allocation, adminstration of the total programme which is not part of the council of regents' responsibility. They, basically, are a group of advisers to the government with respect to the overall development of the programme itself.

Mr. Deacon: Would it not be possible for us to take a new look at these responsibilities in this fashion? If the council of regents were made up of representatives from each of the colleges rather than appointed by the province, the appointees to the council could co-ordinate. They have available in their budget $69,000; which would provide, I suppose, for a couple of men and a secretary to help them. How do they handle the actual staff?

Hon. Mr. Davis: Mr. Chairman, the actual administration is covered in the other figures. The $69,000 goes for the expenses of the meetings and the per diem amount that is paid to the members of the council of regents. They have some travelling expenses because they make a point of going out to some of the college areas to meet right on campus. That $69,000 figure relates basically to the actual function of the council of regents, not the administration.

Just to relate to the suggestion that perhaps the council of regents could be composed of representatives solely of the colleges, and to have sort of a co-ordinating agency, I think one would have to understand the function of the council. While there are very competent people in the college programme, I think we need some lay involvement with respect to some of these decisions. Some of the decisions have related, and will continue to relate to, shall we say, the priorities, the allocation of capital resources. It would not be easy in my view for those who have a very real interest—if you had, say 12 or 15 on the council of regents and they were all representatives of the colleges involved. I think some of the decisions would be almost impossible for them to come to grips with in a totally objective way.

I think that the public has an interest and that we should continue to have this type of representation or advice and guidance to the department. It works very effectively with the Committee on University Affairs; although there is some academic representation on that committee, it is not composed of representatives per se from individual universities.

Mr. Deacon: Perhaps if the department personnel were concentrating on providing reports on the performance of these colleges and what they are achieving, the performance not being the number of students that they are enrolling in courses but based on many measurements, including the results that students are able to achieve after they leave the colleges, their ability to find employment, to hold employment—there are many measurements, I am sure—that could be brought in by the department people. So its function is one of bringing before the council of regents, and the minister, the comparison of just how the moneys are being spent. This would be a great help to the actual boards of governors in their own considerations of how their colleges are being operated.

Surely that would be a better way than at the present time where in effect there is a great concern on the part of the administration of the colleges to keep in good terms with The Department of Education and to show there are a large number of students going into a course, regardless of quality. I feel that we are not getting as much co-ordination or enough proper measurement of results; we are not getting nearly as good a performance as we otherwise could get if this council of regents were representative of the community colleges and the department's role was one of making the community colleges and the minister aware of just how the various colleges were functioning.

Hon. Mr. Davis: Mr. Chairman, we have heard some of this discussion before. I realize the hon. member has been talking to one or two colleges. There is no question that some colleges feel that perhaps they are performing a little better than some of the other colleges, and I am not saying that this sort of competition, this feeling, is not healthy. Heavens above, we should have some degree of competition as between our post-secondary institutions. This is the only way you make progress. But I think the answer lies in what we did with the universities and what we are in the process of doing with community colleges, so that there is not this feeling that may exist on the part of some of the colleges that if we say the right things or we are nice to the department, our share of the grant is going to be higher.

All I am saying is that the better solution —and we are very close to it, maybe even for the next fiscal year—is that we will move to the formula approach, as we did with the universities for the colleges themselves. I think this perhaps will remove any of the feelings, whether they be true or otherwise, that may exist.

Mr. W. G. Pitman (Peterborough): Mr. Chairman, I would like to follow up on some of the comments that have been made here. I think that in relation to the council of regents for the community colleges, there is surely some argument for a balance.

I get the feeling, as well as the member for York Centre, that those who are on the council of regents do not really have a full grasp of what is going on in the colleges. For one thing they are not on the whole academics, as I think you agree. The Committee on University Affairs, I think, are far more able to grasp what is going on in the universities than you have in the comparable group in the council of regents. On top of that, the Committee on University Affairs has a very real advantage in that the formula of financing is already there, and therefore there is far less—

Hon. Mr. Davis: But it was not there.

Mr. Pitman: Yes, but it has been for some time. It certainly has come very quickly in the university field, and I do not want to get into that.

Hon. Mr. Davis: We operated for 10 years without it.

Mr. Pitman: Yes, but I would say that in what might be called the difficult days since 1968 there has been very definitely a greater grasp by the Committee on University Affairs than on the part of the council of regents.

In fact, I have heard a regent say to me that he had never seen the budget of a college of applied arts and technology in all the time he was on the board of regents. That really is a staggering thing for a regent, actually to state. I do not think there has been the continuing operation; and on top of that I think, because the university presidents and the university administrations are freer, in essence they run their own show.

The Committee on University Affairs does not have quite the power which the council of regents should have over the civil service, you might say, because the minister of the civil service is in a sense the president and the administration of the universities, where you do not have that comparable counter voice in the colleges of applied arts and technology.

I think it might very well be an argument for some degree of differentiation, and I think that we could possibly have people who are knowledgeable in the area of the

colleges on that board of regents as well as the lay public.

I agree with the minister that the community should be represented, the public should be represented, but I think there is a very good argument for having some expertise on that council of regents so that there is a far greater grasp of what the realities are. I think this council of regents had a very difficult time in deciding how much is going to go to the various community colleges. I have heard something of the same statements that the member for York Centre has heard, that some colleges feel that they are performing and they are trying to cut down their costs, they are trying to be frugal, and at the same time they feel there is a spending spree going on in other colleges of applied arts and technology which are getting as a result greater grants and getting a leg up, you might say, in this struggle to get full facilities in the years ahead.

I would like to take a look at the colleges from perhaps a wider point of view. Over the last number of months I have visited, I would say 50, 60, 70 per cent of the colleges of applied arts and technology in Ontario. I will be very frank with the minister, in many of them I have been very impressed by the people I have met, particularly in the administration of these colleges. I have been impressed by their grasp of what they are doing, what they are trying to do. I have been impressed by the way they have developed their facilities to accommodate what they are trying to do. There seemed to be a good deal of imagination and thoughtfulness. I would say, for example of Fanshawe College —I have never met a group of people who were more fully in command of what they were trying to do than the people I met at Fanshawe College. I discussed with them for a couple of hours the programme at that particular institution. I would be the first to admit that.

Now I would like to say, however, that I see very real dangers, and I want to bring these to the minister's attention, because these dangers, I think, could very well explode in the future. I think he has a responsibility to get these colleges in step with what I might call the democratizing influences that are going on both in the secondary schools and in the universities.

I think first there is too much emphasis on job training. I think this is a natural impetus simply because the colleges began to a large extent simply as a reaction to the need for more skilled people at various levels in the industrial system. However, I think that we have to recognize that as times change we may very well be responding to a situation which is passing. I think in many cases the specific job training could more and more be done in the industries, on the plant site, and should be supervised by people from the colleges of applied arts and technology.

In other words I think the frantic race to try to keep their shops and machinery up to date is hopeless and I do not think they will ever keep up. I think that as a result they are going to be getting farther and farther behind and you begin to get a feeling of dissatisfaction on the part of the people who are in these colleges that not only are they, as the member for York Centre says, not quite up to it in terms of their own training because they have been out of this field for two or three years, but the machinery and the facilities and the technology they have within their grasp in the colleges is not sufficient to keep them up to date in the fast moving technological industrial situation that they are training these young people to move into.

So I think there should be a de-emphasis on specific job training and far more moving into on-site activities in the industry. As well as that, the minister is simply going to have to straighten out the Canada Manpower Centres and the role of the federal government in this whole thing.

I went into a community college last year and I was talking to a man there, and the Canada Manpower Centre decided we do not need any more secretarial help in this particular community so we are not going to send anybody. So what does the guy do? He has a room full of machines and he has two teachers to teach this course. Should he fire the teachers? Should he simply sell all the machines? Then, of course, a year later the Canada Manpower Centre turns the tap on again. I suggest that you will never get any kind of rational response until this is taken over somehow as a provincial activity and the federal funds are given to the province and we try to get rid of this dichotomy of training and education. We must realize that it is a fabric which cannot be divided and torn apart. But we cannot allow people to drop between the stools which are created as a result of this dichotomy. I simply say to the minister, he has got to get that problem straightened out for the salvation of his colleges of applied arts and technology.

Hon. Mr. Davis: No, not for the survival of the community colleges—

Mr. Pitman: But that is important to the survival.

Hon. Mr. Davis: Oh, it is, but—

Mr. Pitman: Oh it is not indeed. I have several other items here I want to bring to the minister's attention. That is only one of them.

The problem is this, because there is so much emphasis on job training and providing facilities for job training, in the area of the liberal arts the colleges are not coming up—

Hon. Mr. Davis: Liberal arts?

Mr. Pitman: —in the liberal arts—that they are not—

Hon. Mr. Davis: General arts.

Mr. Pitman:—general arts—well I think we all know what we art talking about here.

The point is that if you take a look at the libraries, if you take a look at the facilities which are available to those who are teaching in the general arts, you find a very real contrast with those who are operating in specific job training. I think we are moving into a leisure society, and as I say again we have got to teach these institutions to be responsive to the problems of now, not the problems of four years ago when they were set up. We have got to get them moving in this direction far more effectively than we have in the past. I would say that this is an area which bothers me very greatly. I support what has been said by the member for York Centre. It was not only in the area of providing people with sabbaticals to get them out of the college into industry and back again, it is also a matter, I think, of providing them with some time to do their own reading and research. For some of these courses—I think he said 20 hours a week. You know a high school student does not have much more than 20 hours a week. You take an hour a period; a high school student might have as many as 32 or 33 periods, but they may be 40 minute periods. In other words, a college of arts and technology student may very well have as much time in class as a high school student, and yet they are very different forms of education.

Surely there should be more emphasis on self education? Surely there should be far more emphasis on providing these young people with opportunities to get out into society and do research on their own? There should be far more opportunities for the faculty to get out and do some research and keep up in their own field.

Now this is partly going into industry, but it is also partly doing the reading and the investigation which is necessary if anyone is going to keep up in an academic field.

I simply say to the minister that this is not a peripheral problem—it is a major problem. It did not happen the first couple of years because of course these people were coming directly out of industry and directly out of their fields of studies at the university or at the secondary school. Now they feel they are falling behind and they look at their confreres, in the secondary schools and particularly the universities, and they say to themselves, "Within two or three years I will not be competent to teach this class. I will not be capable of giving these young people information and training that will enable them to cope with the situation they will find when they get out into the working world."

I think there is nothing more dangerous than an insecure faculty in any institution. And when a group of people feel that they no longer can cope you are in trouble, and you are in trouble in many different ways.

I would like to turn again to the whole problem of democratization and the whole problem in the colleges of arts and technology. Really we need to put some winds of change and winds of democracy in these colleges. They are nice, quiet orderly places. If you want to walk into a building where there is no trouble, there are no sectarian signs, there is nobody trying to boo at the administration, there is no one who wants to criticize, go to a college of applied arts and technology.

Mr. Lewis: They even demonstrate on behalf of the minister.

Mr. Pitman: Yes, on occasion they have been known to do that.

Interjection by an hon. member.

Mr. Lewis: That was humiliation enough, it was from my riding.

Mr. Pitman: All I say is that I had not taken that into account. Things are worse than I thought they were.

Hon. Mr. Davis: They demonstrated from your leader's riding? That is no way to talk to—

Mr. Pitman: Demonstrated in favour of the minister from my leader's riding.

Mr. Lewis: One of the great aberrations of modern student revolts, I meant to say.

Mr. Pitman: I simply say that quiet is not necessarily right in educational institutions.

Hon. Mr. Davis: Well it is not always there.

Mr. Pitman: I am not suggesting that contemplation and quiet and reading are necessarily bad. But what I find is that when I go to a community college and the faculty tell me that they have to go out and try to push the students to get worked up about problems in society—well take for example the last weekend we had on pollution. What a bomb that was. Here were all the colleges of applied arts and technology across this whole province supposedly turned on about a major problem in our society, and what happened? There were a handful in virtually every college across this province.

Mr. Lewis: I went to Niagara. It was like a monastic retreat.

Mr. Pitman: When you go into the university you find you can get 2,000 or 3,000 young people who are outraged by what the society around them is doing to the environment, what the industrial system is doing in destroying that environment. When you go to a college of applied arts and technology and they cannot even get a handful to make a few signs and get out and do a bit of talking, something is desperately wrong in that college of applied arts and technology.

The young people who are coming out of that college are going to be so out of touch with the wellsprings of development in the society in which they are going to work that they simply will be irrelevant to it.

I have brought this up to people in the colleges of applied arts and technology and I have said: "What are you going to do? Here you are going to have these young people going out without any social conscience, without any real concern about what is going on down below."

The problem is, as the minister knows, sociological. In many cases these are young people who have had their first chance to get out and get up and get into a college of applied arts and technology, that is into a postsecondary institution. In many cases they realize they are very soon going to be in an industrial society where they punch a clock at 8 o'clock and punch one at 5 o'clock and make no decisions between those hours, and so therefore there is really not much impetus. But I suggest to the minister that if the Hall-Dennis report means anything, it means that there has got to be a revolution in the way we look at decision-making in our society.

If the young people are going to be turned on in elementary school to making decisions and being socially concerned, if they are going to carry this through in secondary school and then go into the dead end of going to a college of applied arts and technology, where nothing goes on in two years except they learn to perform a skill so that they can be a cog in the wheel of industry, then God help us, because we are in serious trouble.

Hon. Mr. Davis: The effect is created by the students themselves. It is not the structure.

Mr. Pitman: I am sorry. I say it is the structure. I will not say that it is totally the structure. Obviously the structure is not the only answer.

But I say that you have an Act and you have an administrative form in that Act which is not democratically organized, it is not conducive to democracy. I will turn to the faculty in a minute because they, too, relate to this whole business of democracy.

It seems to me when you have legislation which is anti-democratic, which does not respond to movements of students into the administration and being represented within the board of governors, then you do not encourage the kind of well-springing up of concern which might indeed change these colleges of applied arts and technology into something really very exciting.

They are exciting in terms of course content; they are exciting in terms of many of the directions in which they are going. But, my heavens, we surely can do something better in turning out young people that are turned on about the real problems around them. They are going to be in the centre of these problems. Many of the problems that we are faced with in pollution and in urbanization, in traffic control, are problems that must be dealt with by engineers, technocrats, if you want to use that term.

The fact that we are turning out technocrats without any turned-on social conscience in Ontario bothers me more than I can tell you. It really does, simply because, as I see it, what you are going to have are a great many people coming through the social sciences in your universities, in sociology, psychology, and all the other liberal arts, who will be concerned; and they will find themselves unable to get through to the group of people who are going to be manipulating, who are going to be directly concerned with these problems in their place of work or in the government structure, in the

civil service or wherever they happen to find themselves.

I am concerned about this dichotomy and I am sure the minister should be concerned about it. I think it does relates to the structure and relates to other things as well—and we will come to those in a moment.

I think, for example, of the faculty association, or at least the faculty of the colleges of applied arts and technology which do not have a faculty association. I mean the very idea that for three years the people who work in these colleges have not had an opportunity to do what is surely the most basic thing in a democracy, to work collectively for the betterment of their position in that society. They have not been able to carry on anything which could be called collective bargaining; they have not been able to carry on anything which could be called collective action to democratize these colleges. I am not going to say there is a terror in all the colleges of applied arts and technology that these people are wandering, shaking about the halls, terrified of losing their jobs. But I will say this, that I could bring to the minister, one after another, individual cases—and I am not going to bring them to him tonight—of men who have come and said: "Look, I have been in a college of applied arts and technology. I have been wrongfully dismissed. There is no appeal procedure. There is no way that I can get through to the board of governors. There is no way that I can get any recourse, or justice. I have no day in court."

I say that that is totally incongruous in an educational system where we talk about intellectual freedom. It seems to me just simply unacceptable that that should exist at this point in time. Does the minister really think, when he is going to have this vote, whereby the faculties will be able to decide who will represent them?

Hon. Mr. Davis: Mr. Chairman, the date has not been set. We are in the process, and these go back now, I guess until the summer, to determine, you know, the eligibility, and so on. I am not sure just how far the machinery has gone. We are not involved in it, but I will find out for the hon. member.

But I do want to make this point. When he says there have been a number of people, whom he says have been wrongfully dismissed, as Crown employees, and this is the way they have been so defined, they do have the right to go through the grievance procedure.

Mr. Pitman: Where? Within their own college.

Hon. Mr. Davis: No, no, through the service here.

Mr. Pitman: In the civil service? But they are not represented by CSAO.

Hon. Mr. Davis: No, but they can still go through the grievance procedure. We have had some.

Mr. Pitman: Well there certainly must be some of them who did not even realize there was this grievance procedure because they have come to me.

Hon. Mr. Davis: Well I know one who did.

Mr. Pitman: I sent him over to the minister, hoping he would get some justice there.

Hon. Mr. Davis: It is going to litigation now.

Mr. Pitman: I think this is another one that the minister is thinking about, but let us not get into discourses on individual cases. There are quite a number and the minister's department has not even heard of them, because as far as these people are concerned, and this is the worst thing about it, it is not what is the case, it is what people think to be the case. If these people really believe in their own minds that they have no recourse or appeal, then indeed there are sad conditions in a place which talks about intellectual freedom. I just suggest to the minister that this should have been straightened out months ago.

There was no reason, once a little report came out, that the minister felt he had to wait until all the shenanigans in the courts had been sorted out. I can see no reason why this could not have been moved on much more quickly than the minister has moved on it, because I think it is important. I do not think it is peripheral. I think faculty members of a college of applied arts and technology do not feel secure and do not feel they have the proper opportunity to get justice. In an educational institution in Ontario, that to me is a very serious charge indeed, and I hope the minister gets at this problem as quickly as he possibly can.

Hon. Mr. Davis: It is well under way.

Mr. Pitman: The problem is really if the minister had had a different kind of faculty, he would probably have had a good deal more trouble than he has had. To a large degree people who are in the colleges of arts and technology come from business, where

they are used to being told what to do and where they do not expect to find any rights and where they do not expect an appeal. You know, you wait until you get fired and then you are out the door. Or they come from the military, where of course the line of decision is expected, or they come from engineering. For that reason, the minister has had a fairly tight ship, and except for a couple of days of trouble last winter, the ship has kept on course. But I say to the minister that that is more reason why he should be concerned about intellectual freedom in these colleges.

If the minister wishes to bring up what is surely a ghastly example of this, look at the library situation at Conestoga College. Look at this. As an Education Minister I would be boggled if it could happen in the jurisdiction of Ontario that a whole library staff resigns because of a decision on the part of the president that a particular periodical is not acceptable in that library.

But as a further dimension, I understand that the librarian at St. Lawrence College, as the secretary of the Ontario Library Association of Community College Librarians sent a letter to Conestoga College saying: "Look we think this magazine should be in our college and by all means put it in. We will pay for it. We will donate it."

What is the name of the periodical? It is an underground newspaper but it has very good movie reviews and it is a perfectly—

Mr. J. R. Breithaupt (Kitchener): *The East Village Other.*

Mr. Pitman: Yes, *The East Village Other,* or something like that.

Mr. Lewis: *The East Village Other* makes good reading.

Mr. Pitman: Now it is pretty serious when a decision is made that you are going to have censorship in a library in a college of applied arts and technology, in a postsecondary institution. It is even more serious when the library staff feel that they can no longer accept it, because they feel that as professional librarians their job is to stop censorship, not to support censorship. But it is even more serious when the librarian at another college is asked to sign an oath of loyalty, on information I have received, because she had sent a letter to Conestoga College telling them what the library association felt about the action in that college.

Mr. Breithaupt: I thought she was dismissed.

Mr. Pitman: Well, she was finally dismissed. I think this whole thing is being rehashed, perhaps even as we sit here in this Legislature, but I would not be worried, if I was the Minister of Education, at that kind of thing going on. I understand at Durham College that this magazine about school is banned.

Mr. Lewis: Oh, it is a subversive periodical.

Mr. Pitman: Surely there are tips of an iceberg—which would bother me very greatly in terms of institutions which are to encourage young people to be thoughtful and critical and surely are encouraging young people to look critically at the society around them. I simply say to the minister it is pretty incredible, pretty unbelievable, that in Ontario we have that kind of thinking going on in the colleges of applied arts and technology. I do not think there are evil men involved here.

I think that setting up 20 colleges of applied arts and technology in one or two years is a massive task. You are bringing a great many people in who do not have a sense, a full understanding of the tradition of education in this province. If this happened in a university library in Ontario, the minister knows all hell would break loose—and rightly so. Why should it happen in a college of applied arts and technology simply because those involved in the college perhaps are not as sensitive to human freedom and to intellectual freedom as those who are involved in universities. I say it is wrong and I think the minister should be very concerned about it.

I take a look at some of the other events we see going on, at the difficulties that people have with the hiring processes. For example, I could read the comments of one individual who was hired by a community college. He said:

> In February, 1969, I was verbally promised a job at about $9,000 by my division chairman, who did not inform me that he did not have the authority to hire at fixed salaries.
>
> Believing verbal agreements to be binding in the academic world, and therefore thinking that I had a job, I signed a lease and committed myself to other obligations. Two months later I was told I had not been hired and in fact might not be. At this point my salary had dropped to $5,400, but which I managed to struggle up to $6,800. I had no choice but to accept their tender because it was too late to get another job in the area.

What I simply say to the minister is that there are not even the normal recourses for people in these colleges, either students or faculty—I would even say boards of governors—to be able to feel that they are in the Ontario tradition of intellectual freedom. And I think that is the worst criticism that could possibly be made against any institution under the minister's jurisdiction.

Mr. Chairman: Vote 405.

Mr. Spence: In regard to community colleges giving agricultural courses, of course the minister is well aware that we have our agriculture colleges of technology in the province of Ontario which have been doing a tremendous job in regard to teaching agricultural courses at these colleges. I understand—I hope the minister will correct me if I am wrong—that three of the community colleges are teaching agricultural courses. Do those who attend and take these courses get a certificate or are they the same courses which are being taught in the agricultural colleges as are in the community colleges, and do they get a certificate? Another matter that I would like to ask is in regard to whether the minister plans that agricultural courses will be taught in all the community colleges across the province or in the colleges in the rural areas?

Hon. Mr. Davis: Mr. Chairman, there is a close association with the personnel in the agricultural colleges and The Department of Agriculture and Food. I believe there are three colleges offering programmes relating to agriculture. They are not the same as at the agricultural colleges, so the certificates are not identical either. As far as future expansion of the programme is concerned, it will really relate to the needs of the communities that the college serves, and what other services are available to them.

I should point out also, Mr. Chairman, that the commission studying postsecondary education will be, I am sure, assessing the responsibility of the agricultural colleges related to the community colleges to see that there is no duplication of that work and to see whether there can be any expansion in the service for the agricultural community. Quite obviously, when we move into areas like Metro Toronto, it is doubtful that courses with any agricultural orientation will become part of their offerings.

Mr. Chairman: Vote 405. The hon. member for Scarborough West.

Mr. Lewis: I would just like to hear the minister's answers to my colleague from Peterborough.

Hon. Mr. Davis: I am just waiting for any more comments on this vote.

Mr. Lewis: I know you are in want of these great omnibus, round-robin replies, but perhaps in the interests of intellectual freedom you might deal with them one at a time.

Hon. Mr. Davis: I am delighted to deal with them one at a time, several at a time, or any way at all.

Mr. Lewis: Well, I am interested in hearing what you think about the library system in your colleges.

Hon. Mr. Davis: Mr. Chairman, it is not a question of the library system in the colleges. It was a case at one particular college where there was some involvement related to the library and the policy within that particular college. It does not relate to the library system in the colleges. There was a decision made by the president—I believe the decision was made two years ago, not at the time of the actual incident last June or July. The decision was made, I believe, something like two years ago.

Mr. Pitman: Yes, about a year and three months ago.

Hon. Mr. Davis: As I understand it, other influences and other situations were part of the general difficulty that arose. Let us not oversimplify it. Let us not refer to it as the college library system, because it does not relate to the library system per se within the colleges, if I can sort of explain it that way.

To deal with some of the other observations made by the member for Peterborough: I am of course pleased that he has taken the time and the effort to visit a number of the institutions. I knew that he had and that he comes here and very objectively states how pleased he is with them generally, then of course proceeds to pick out those areas which cause some concern. This is important as well but—

Mr. Pitman: That is my job, is it not?

Hon. Mr. Davis: Of course it is your job; but let us not lose sight of the, shall we say, initial part of your offering.

Mr. D. C. MacDonald (York South): Let us not lose sight of the areas he criticized; that is your job now.

Hon. Mr. Davis: Quite. I can even mention one or two other areas perhaps, if I had time tonight to think of them, where I see some possible situations arising in the future too—

Mr. MacDonald: Rather than that, deal with the ones the member for Peterborough just raised.

Hon. Mr. Davis: No. They are not really related to the ones raised by the member for Peterborough, but we will—

Mr. MacDonald: How about dealing with the ones raised by the member for Peterborough?

Hon. Mr. Davis: —resolve them. We will resolve them.

But dealing with the ones the member for Peterborough has raised—

Mr. MacDonald: Good!

Hon. Mr. Davis: I have no objection! In fact it is not really original, but I have to say this to the member for Peterborough as to what the future composition might be on the personnel of the council of regents. As I think I have said in this House, but if I did not I will say it—and I think it is for the second time—until the report from the post-secondary commission is in, I do not plan any major alterations in the administration or the advisory structure for the college programme.

I think one could visualize, Mr. Chairman, and it is just a thought I have, that perhaps the commission will be taking a look at the possibility of a single advisory body related to all areas of postsecondary education. I do not think one should perhaps ignore the possibility of this type of recommendation but in the interim period of time, we do not plan any major restructure although there are vacancies occurring, Mr. Chairman.

I have no objection to academic representation on the council, although I do not really want it related to an individual college or, say, a college president or a college faculty. This is not the policy within the Committee on University Affairs. There had been a group of academics recommended, and quite frankly they have responded very well.

Mr. Chairman, dealing with the other one or two items raised by the member for Peterborough. On the question of the faculty student representation, I have said here before it is not really a philosophical situation as far as I am concerned as to whether there should be faculty and students. It basically relates to: is this the best mechanism to have faculty and student involvement in the operation of the college system?

I think it is fair to state, and it is the point of view expressed to me by a number of people very directly involved, that the colleges have individually worked out what they feel are rather adequate ways of having student and faculty involvement.

Mr. Chairman, if this feeling is not correct, if there is some desire to restructure this department, I am not adverse to taking a look at it. But I have to say this to the members, that discussions with faculty, with students, with presidents and with members of the board, show they feel they have developed other mechanisms that are just as relevant—perhaps even more relevant than having a form of representation on a single tier in the governance of the college programme.

I do not think there is any great debate, Mr. Chairman, between the member for Peterborough and myself on this issue. I think it is really attempting with some experience to find the most valid way to accomplish the end objective.

I have to say to the member for York South, I am not sure I have covered all the points he raised, but I hope this answers a number of them.

Mr. MacDonald: I have one brief point, Mr. Chairman, that I would like to raise with regard to the community colleges. One of the commendable features of the community colleges was the stipulation, or at least the practice that emerged of having labour representatives on the board of governors. I think this is commendable with any postsecondary institution, but doubly so with colleges of applied arts and technology because they relate more directly to a good proportion of people who come from working class families. Now I assume that the minister is not backing away from this practice of having labour representatives on the community colleges, and therefore I want to raise with him on behalf of my colleague, the member for Cochrane South (Mr. Ferrier), who is preoccupied with responsibilities in the other estimates, as to what is happening in the northeastern Ontario college. As the minister will know from correspondence which the hon. member for Cochrane South has had with him, there has not been a labour representative on the board of governors for some little time?

A man appointed in that capacity had to resign because of other responsibilities and recently there has been a vacancy filled and

it was filled by Peter Ferren, the superintendent of public school boards, undoubtedly a very worthy person. I am not critizing him. But I am curious to know why there has not been a replacement of the labour representative on that board of governors.

Hon. Mr. Davis: Mr. Chairman, I will check this out. I believe there is a Mr. Redden, who is vice-chairman of the board of governors. I think he works for the ONR and is a member of the union here. I believe he is the labour representative; but I will check this out and make sure.

Mr. Lewis: What is the name?

Hon. Mr. Davis: Mr. Redden.

Mr. D. Jackson (Timiskaming): Mr. Chairman, may I just say one thing on this. Mr. Redden is also a member of the Northeastern Ontario Development Council. He has never at any time taken an active part with labour and surely does not represent labour in northeastern Ontario. And the minister should look into it.

Mr. Nixon: Is he a working man?

Hon. Mr. Davis: Mr. Chairman, I think it is fair to state we have a representative on the council, as the members are well aware, who is a very active spokesman for labour and makes a very real contribution to the council of regents. And, as I say, it was our information that Mr. Redden was in fact associated with the unions and that he was in fact the representative of that group. We will be quite delighted to check it out.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, there is one point that I would like to clarify. Does the department have statistics available to show a breakdown of the cost, course by course, college by college, including the administrative overhead, the faculty costs, the maintenance costs and other factors, so the college boards have an opportunity to compare just how well others are doing, if they are achieving economies or getting better results at less cost?

Hon. Mr. Davis: Mr. Chairman, I am not sure if it is a course-by-course breakdown in all courses, but we have it in a number of courses; we have a pretty accurate idea as to cost per student at the various colleges. At the same time—and I think one has to accept the validity of this—it would not be fair to compare some of the colleges. We went through this experience with the universities—some have a more viable educational and economic unit—and it would be very unfair to some of the colleges, where they are in, shall we say a less mature stage of development, to compare their costs with some of the larger colleges where they have reached the point where the economies of scale are beginning to take effect.

We know what the comparisons are and these will be built into the formula which I think probably will take into account the variations within the colleges in the same way we did with the universities—and we use the approach here of an emerging grant. In other words, it would not be, I think—well I do not want to get into a comparison—but the presidents and the boards generally know the variations in costs. There is no question that costs per student are higher in northern Ontario, for instance, than they are in Centennial College, Seneca, Humber and so on.

Mr. Nixon: Particularly if half the facilities are not being used.

Hon. Mr. Davis: Well we built somewhat in advance of need, but I am sure the Leader of the Opposition does not object to us doing that in northern Ontario because there are many places there that could use those dollars. But this will be built into the formula considerations.

Mr. Deacon: Mr. Chairman, I was wondering if those figures are available for us to examine at some time, or are they private figures only, because although those figures cannot be accepted absolutely they could be a useful guide to members of the board in comparing just how they are doing with what they would consider to be a similar college and similar circumstances.

Hon. Mr. Davis: Well Mr. Chairman, I think what we can provide is that when we arrive at a formula, the colleges will know that colleges are getting X number of dollars per student for the various programmes, and perhaps we can lump certain colleges with comparable numbers together and other colleges of comparable numbers to give some sort of comparison. The universities have been able to do this—and I think without any real difficulty—in assessing how they are faring compared with their sister institutions. I think we can do this in the formula.

Mr. Deacon: Excuse me, Mr. Chairman. I am not concerned about the formula; I am concerned about the matter of information for judging ways and seeing where there might be ways where these colleges could

improve by comparing with others. It has nothing to do with the grant system. I would think the information is public information, that it certainly should be public to the board and to the faculties when they are judging programmes they may well introduce.

Hon. Mr. Davis: Well Mr. Chairman, I do not want to be misunderstood. All I am saying is that the formula is in the process of being developed and related to the information we have on the various programmes within the various colleges. When the formula is developed, the colleges will know the basis and they will know the general averages related to this that are existing across the province; so they will in fact be able to make these comparisons.

Mr. Deacon: Mr. Chairman, could the minister give me information now that he has on hand on these comparative breakdowns?

Hon. Mr. Davis: Well Mr. Chairman, I think I could get for the hon. member certain provincial averages—

Mr. Deacon: Specific college-by-college breakdowns, I am talking about.

Hon. Mr. Davis: Mr. Chairman, I have this information. If the hon. member wishes to come and discuss it, I would be delighted to do so.

Mr. Chairman: Vote 405 carried? The hon. Leader of the Opposition.

Mr. Nixon: Mr. Chairman, two points: The first has to do with the "building in advance of need" that the minister referred to, as far as the provision of the facilities in certain of the community colleges is concerned. He gives it a name as if this is a policy of the department, that you are reading from a policy statement entitled "Building in Advance of Need," and he is very quick to get on the political defensive, trying to imply that those who might be somewhat critical of building in advance of need mean lack of interest in the development of the north. I do not think northerners are concerned with the building of buildings for their own sake, but for the provision of adequate postsecondary education to meet their own needs. I did not want to let his insertion into the record, as if some great new programme entitled "Building in Advance of Need," was something we should support on all sides.

Hon. Mr. Davis: It is not a new programme.

Mr. Nixon: It is another indication of how you are prepared to justify the waste of public funds.

Hon. Mr. Davis: No waste.

Mr. Nixon: Another matter that perhaps the minister might like to add to his list of proposals from the Liberal Party that would in the long run increase the total cost, because I am going to propose—get out your pen, your deputy is going to make a note of it there, and you can add it to your list.

Hon. Mr. Grossman: You need an adding machine.

Mr. Nixon: The minister is aware that Indian education in the province has changed dramatically in the last year, particularly with the closing of at least two former federal institutions, one in Brantford and one in Sault Ste. Marie, the Mohawk Institute and the Shingwauk home. I used to know how to spell that but I will have to check it a little later, and the Attorney General (Mr. Wishart) is not here so he cannot assist me in this, though it is in his constituency.

I am proposing to the minister that he examine with the Provincial Secretary, who is responsible for Indian matters in the province, the possibility of making a deal with the government of Canada. They either have title to this land or to the buildings. The Indians themselves have title to the land I understand, but surely would be prepared to form a partnership with the government of Ontario to establish some sort of post-secondary unit of education which emphasizes the special needs of Indians and their culture.

I ask the minister to consider this, aside from other pressures and the fact that it comes perhaps as a proposal from the other side of the House, I would ask him to give this his careful consideration. Surely the knowledge that these facilities are there and that they are modern, that there are library facilities and student residence facilities that are going to go unused this fall, should be of concern to him. I have mentioned it to his colleague the Provincial Secretary who is getting almost as adept as the Minister of Education at dancing around the rose bush.

Hon. Mr. Davis: That is not what you said earlier. I have never danced around the rose bush. You had me going around the rosary. That is what he had me doing earlier.

Mr. Nixon: So I would ask the minister in all sincerity and seriousness to come up with some sort of a programme which will meet

these needs. If he wants to blame me for the extra costs, I will willingly accept the responsibility, but we will support him if he will come through with an initiative in this, because we believe that it would be well worth while and we hope that he will undertake it.

Mr. Chairman: Vote 405.

Mr. Lewis: Mr. Chairman, just before it carries, could the minister indicate some of the arrangements within various colleges which allow for the student and faculty in decision-making which he describes?

Hon. Mr. Davis: Mr. Chairman, I cannot enumerate all the programmes within the various colleges but many of them are—I do not like the word president's committee, because I do not think this is the best description—but they are committees developed by the administration whereby students are involved in a number of decision-making processes.

As I say, I cannot elaborate as to how they work within each individual institution, and it is the same with the faculty. All I stated to the House, and I repeat it again, is that in my discussions with faculty—and admittedly recently it has been basically on matters of negotiation—there has been no request for direct participation by the board of governors.

I think there is a growing recognition that perhaps the more important decisions academically are being made, not at the level of the board of governors, and I think this is true. I sense perhaps this is where the thrust should be, not just with the board of governors. As I say, I am not philosophically opposed to student representation on the board of governors; I am seeking what is really the most effective way of doing it.

Mr. Chairman: Vote 405 carried?

Mr. Lewis: Just before it carries, have I got a minute?

Mr. Chairman: Well, we have votes 405 and 406.

Hon. Mr. Grossman: Can you handle them both in one minute?

Mr. Lewis: I am always suspicious of administration committees to accommodate certain sources of discontent, and I think that the community colleges have handled it very neatly. They have absorbed whatever dissent there can be in a system of arrangements, a system of tokenism, which works admirably.

I am not really so much interested in the way in which these committees work. And you would have some disturbing examples to give to the House if you were serious about the way in which the expressed student and faculty representation focuses. I think that there is a certain responsibility in the Legislature to open those colleges up to the expression of direct and often dissenting view by giving to the boards of governors the student and faculty representation by law—by legislation—which they should have.

Only then will the community colleges begin to make any real sense, because in the final analysis, that is by statute where the power lies. It may be that there are certain accommodating arrangements made down the ladder the way President Bissell, through the CUP report, is managing to syphon off all legitimate expressions of change. This is an artistic kind of thing—

Hon. J. H. White (Minister of Revenue): You will not be happy until they put a bomb in the Legislature.

Hon. Mr. Davis: I think that is a misunderstanding.

Mr. Lewis: That is not a misunderstanding at all. It is a very clever device which presidents of your universities and your community colleges have used time and time again to absorb dissent.

Hon. Mr. Davis: In other words you do not support much of the—

Mr. Lewis: I do not support much in the CUP report. I think the CUP report is a stratagem rather than a legitimate method of university reform. I think that President Bissell—

Hon. Mr. Davis: One of your colleagues thought it was all right a while ago.

Mr. Lewis: What?

Hon. Mr. Davis: The CUP report. He asked me what we were going to do with it, you know. Are we going to put it into legislation? I am sure.

Mr. Lewis: No, I think you had better check out where that came from because I have never been given to great admiration for the CUP report or for all the ways in which the appearance of university economy has attempted to develop in the province of Ontario—purely the appearance.

I think that if we are serious about it at the level of the community colleges—and it is important at the level of the community colleges—then you open those colleges up by elevating to the board of governors the students and the faculty in predominant proportion. The only twitch we have had in that direction was from the Minister of Revenue in the University of Western Ontario fiasco over the last several years.

Hon. Mr. White: It worked very well. There has not been any trouble ever since.

Mr. Lewis: It worked very well when you were overruled in the House. That is why it worked. Your little spasm of independence was overruled very quickly.

Hon. Mr. White: I do not know what that means but—

Mr. Chairman: Order! Vote 405!

Mr. Lewis: Mr. Chairman, I just want to put the position very strongly. I do not think this is a philosophic matter. I think this is part of the essential functioning of community colleges. They will not function in the kinds of ways that have been suggested by the member for York Centre and the member for Peterborough, without opening up the central power distribution, the central decision-making focus, to students and faculty by statute, and predominantly, not ordering them to do it, but allowing them to do it in a way which is not now available because there are no statutory incentives.

Vote 405 agreed to.

On vote 406:

Mr. Chairman: Does the hon. member for Thunder Bay have very much to contribute?

Mr. Stokes: No, about two minutes.

Mr. Chairman: We have reached the hour for adjournment. I can sort of look the other way for a few seconds.

Mr. Stokes: All right, one minute. Of the $278,000 that was given to the sports governing bodies in the province of Ontario, very little of it filtered its way into northern Ontario. Witness the 600 youths who were honoured at the sports banquet earlier this summer. Not one person from all of northern Ontario was so honoured. Does the minister not think this was a direct reflection of the inability of the youth recreation branch in the passing out of this money to assist the students and the young people of northern Ontario to get into the main stream of athletic endeavour in the province?

Mr. MacDonald: Well put, 55 seconds.

Mr. M. Gaunt (Huron-Bruce): The answer is yes.

Hon. Mr. Davis: The answer in 10 seconds, Mr. Chairman: We will endeavour to see a greater percentage of the total resources made available for leadership in athletic training in northern Ontario. In the total context of the work I would like to see more athletes and others honoured at the annual provincial banquet for northern Ontario as well. I do not say that added dollars will necessarily bring about this return, but certainly we will take a look at it.

Vote 406 agreed to.

Mr. Chairman: This completes the estimates of The Department of Education.

Hon. Mr. Grossman moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Revenue.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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No. 129



ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Tuesday, October 20, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, OCTOBER 20, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon in our galleries as guests we have students from St. Matthew's Separate School in Toronto; St. Norbert's Separate School in Downsview; Frankland Public School in Toronto and St. Patrick's High School in Sarnia.

Statements by the ministry.

Oral questions.

ONTARIO PARTICIPATION IN DEVISING NEW FEDERAL EMERGENCY POWERS

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, a question of the Attorney General: Is he aware that federal statements have been reported, indicating that the government of Canada intends to consult with the provinces, and particularly the attorneys general, concerning new legislation which has been promised by the government in Ottawa, leading to some special powers statute which is expected to be introduced into Parliament within a month? If he is aware of this, is he making any plans to prepare Ontario's position and can he involve the Legislature in this?

Hon. A. A. Wishart (Minister of Justice): I am aware, Mr. Speaker. We have been in touch with the office of the Minister of Justice this morning. We are aware of the proposals in general, and they would be a modification, I take it, of The War Measures Act, to devise an Act which would perhaps be dealing with civil emergencies or something of that nature—emergency situations which affect the national welfare or good government of Canada. More than that I cannot say, but I would expect further consultations.

As to preparing a position: I have views; perhaps I am not prepared to state them at this moment, but certainly we will be preparing a position in order to discuss with the Minister of Justice, I hope helpfully and intelligently, the stand which this province would take. I think perhaps I should have the opportunity of examining the proposals, and then perhaps consulting with my colleagues before I would attempt to define my views here.

Mr. Nixon: A supplementary question, which perhaps was covered in the minister's last sentence, I did not quite catch it. Would he also undertake to consult with members of the Legislature, or at least to give the Legislature his views upon which we might comment before Ontario speaks to the government of Canada with a provincial opinion?

Hon. Mr. Wishart: I would think, Mr. Speaker, that it would be proper that the Legislature should have some knowledge of the position we might take. Perhaps this would be drawn out either through questioning, or the Prime Minister (Mr. Robarts) might take the matter under consideration. I will have to leave that to his decision.

Mr. Speaker: A supplementary?

Mr. J. E. Bullbrook (Sarnia): More to clarify! In such an important sphere, am I correct in understanding the Attorney General to say that he will undertake to advise us of the established position of the government of Ontario in this connection?

Hon. Mr. Wishart: What I said was that I thought it would be proper that the Legislature should have some knowledge of the position this government should take, but I would leave it to the Prime Minister to make the decision.

Mr. Bullbrook: May we accept that as an undertaking from the Attorney General?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I am afraid I came in late. I did not hear the beginning of this exchange and I do not really know what the hon. member is talking about.

Mr. Bullbrook: I did not question the Prime Minister. I did not expect him to know what I was talking about.

Hon. Mr. Wishart: Mr. Speaker—

Mr. Nixon: For a matter of clarification—

Hon. Mr. Wishart: The subject was the proposal of the federal government to bring in some modification in the way of law to deal with what I take to be civil emergencies affecting the whole national scene, the area of law and order and government, and safety of the public generally. That has been proposed, and it is indicated that the Minister of Justice would consult with provincial Attorneys General. We have had discussions with the office of the Minister of Justice today, and on the question: Should this House be consulted in preparing the position of this province? I would think it would be proper that we would have some occasion in this House to make known at least our position before that law is finalized.

Mr. Nixon: Mr. Speaker, a supplementary: Since the Attorney General was referring it to the Premier, perhaps the Premier is now in a position to express a view on behalf of the government that would consolidate this so we can be sure that these matters can be discussed here.

Hon. Mr. Robarts: Mr. Speaker, being rather sensitive on the areas of federal and provincial jurisdiction, I think we might be consulted, but I rather doubt any more than that. This is a matter affecting all of Canada and the House of Commons has representatives from every square inch of Canada in that forum to make their decisions.

This is, constitutionally, an area of their responsibility, so while we would be delighted to express an opinion, I do not think we should properly be part of the decision-making process by which this decision will be made. I think it is the constitutional responsibility of the federal government in our federal system. Of course, as individuals and as a Legislature we have opinions. These can be expressed, but the ultimate decision must, of course, rest with the government of Canada.

Mr. Nixon: Supplementary question, beginning with the statement: I could not agree more with what the Premier has said. Nevertheless, does the Premier not feel that since he has been requested for an opinion of this government, he might allow the Legislature first to know what the opinion is before it is transmitted; and secondly, if possible, to consult in turn the members of the Legislature who represent every square inch of Ontario?

Hon. Mr. Robarts: Yes, I think these matters are discussed here in the normal course of events and we have means whereby opinions can be expressed. But I am a little diffident ever to put myself in a position where we would be interfering with what I consider to be properly the jurisdiction of the federal government.

Mr. E. W. Sopha (Sudbury): Might I ask a supplementary question? If one is correct, in the light of the news reports that in respect of the abduction of Mr. Laporte the provincial authorities appeared to assume control in investigation of the matter, notwithstanding that, do I understand correctly that in these discussions with the federal government the Prime Minister would be willing to accede that in a similar disturbance the federal government would be the proper agency to take control of the situation, not the province?

Hon. Mr. Robarts: Well we are starting to wander around in all sorts of areas, but if the hon. member watched the sequence—

Mr. Sopha: We are not wandering around. What is the Premier's position?

Hon. Mr. Robarts: Now just a minute. If the member watched the sequence of events as they occurred last week, it was Mr. Bourassa who asked the federal government to intervene and move the army in; it was the civil authority in Montreal that asked for assistance. That is the progression of events.

Mr. Sopha: After they had been in charge?

Hon. Mr. Robarts: Yes, and if we are to be completely formal and go through this, that is the way it happened.

Mr. Sopha: What is the Premier's position?

Mr. J. Renwick (Riverdale): Mr. Speaker, by way of—

Mr. Speaker: Does the Leader of the Opposition have any further questions?

Hon. Mr. Robarts: Mr. Speaker, I would have to say I simply am not going to speculate on what this government might do in a situation that has not yet arisen.

Mr. Speaker: A supplementary?

Mr. J. Renwick: Yes, Mr. Speaker, by way of a supplementary question, because this matter does touch upon the constitutional prerogatives of the different levels of government, is it not reasonable to expect that the position is not all that clear and that such a matter of a redefinition of the extent of the emergency power of the federal government in a limited sphere also touches upon the constitution of this province and that there should be a method of consultation and a method of debate established in this area?

Mr. Sopha: Hear, hear! That is what I wanted the Premier to say.

Hon. Mr. Robarts: Well Mr. Speaker, I can only interpret that as a statement and not a question.

Mr. Speaker: Does the Leader of the Opposition have any further questions?

RE-ESTABLISHING TRADE WITH MAINLAND CHINA

Mr. Nixon: I have a question of the Premier on another subject, if you will permit me, sir.

In view of the fact that the government of Canada is gathering together a trade delegation to visit mainland China and the government of China with the purposes of re-establishing trade with Canada, is there any thought or communication whereby The Department of Trade and Development might take some part in these trade negotiations?

Mr. Sopha: Does the member mean the Minister of Trade and Development (Mr. Randall) is not there already?

Hon. Mr. Robarts: Well he probably has been there and left.

Hon. A. Grossman (Minister of Correctional Services): That is a good thing to do. When in Red China, leave it.

Hon. Mr. Robarts: I am not aware of the particulars of the matter to which the hon. Leader of the Opposition is referring, but in a general way I can say we have never worked in competition with the federal government in trade matters. We have always worked in very close co-operation with them, and I have no doubt the interests of Ontario will be represented in any group the government of Canada may send to Red China, if we can refer to it that way.

Mr. Sopha: Mainland China.

Hon. Mr. Robarts: Mainland China.

Hon. Mr. Grossman: Red China.

Hon. Mr. Robarts: Well, semantics semantics. Is the hon. member going to say that because we recognize them they cease to be red?

Mr. Sopha: Well let us say that we are friends with one-quarter of the human race.

Hon. Mr. Robarts: Come on, let us be practical.

An hon. member: Bury your head in the sand.

Hon. Mr. Robarts: I am quite certain, as I say, that the interests of Ontario will be represented, but I have no knowledge of the particulars at this time.

Mr. Nixon: Mr. Speaker—

Mr. Speaker: Before the leader proceeds, might I say that I am no more enamoured of "in view of" questions than before, and I would suggest that we do not use it. I would suggest that the members who do not know how to phrase their questions might arrange for a meeting with the Clerk on one of these Wednesday noons and we would deal with it.

Does the Leader of the Opposition have a question?

Mr. J. B. Trotter (Parkdale): We will go to school.

Mr. Nixon: All right, Mr. Speaker. In the absence of the Minister of Mines and Northern Affairs, I understand that the Minister of Lands and Forests is answering for that department. Is that correct?

Hon. R. Brunelle (Minister of Lands and Forests): Answering is a very wide term, Mr. Speaker. I would be prepared to hear the question.

Mr. Nixon: I might say the question deals with the Ontario Northland Railway, and since the chairman sits directly behind the minister, perhaps he might indicate to the Speaker that a question placed directly to him would be acceptable from the minister's point of view.

Mr. Speaker, can I have your advice on that matter?

Mr. Speaker: It is quite in order for a member who holds a position as a chairman to answer, provided the minister responsible agrees.

NEGOTIATIONS WITH ONR POLICEMEN'S ASSOCIATION

Mr. Nixon: I would like to ask the Chairman of the Ontario Northland Railway if the management of the railroad has been attempting to negotiate a settlement with the policemen's association of the ONR, part of which would mean that they would give up their powers to organize and to negotiate collectively with the management?

Hon. Mr. Brunelle: I will be pleased to take this question as notice and give a reply tomorrow.

Mr. Nixon: Meanwhile, perhaps we might hear from the chairman who was on his feet and was prepared to say something about that.

Mr. Speaker: Does the minister wish the chairman to reply at this time? The minister has taken the question as notice.

Mr. A. Johnston (Parry Sound): Mr. Speaker, I think this was caused by a delay in settlement at CN Railways. They have been carrying on negotiations since January 1 and we usually accept their settlement. Our unions were complaining about the length of time. Our general manager offered them the CPR settlement and they claim this is union busting. I think it is that simple.

Mr. P. J. Yakabuski (Renfrew South): They do not want it.

Mr. Nixon: I would like to ask a supplementary.

Mr. Speaker: The Leader of the Opposition has the floor.

Mr. Nixon: Thanks, Mr. Speaker. A supplementary question prompted by the member for Nipissing (Mr. R. S. Smith), who is deeply concerned about this matter.

Can the chairman assure the House, and in turn those employees concerned, that, in fact, the management of the ONR is not union busting and will do what they can to maintain the union's position where they can?

Mr. A. Johnston: I can assure the Leader of the Opposition that if the general manager of the ONR attempts to do this he will be fired.

Mr. Speaker: Has the leader any further questions? The member for Riverdale.

ENFORCEMENT OF WAR MEASURES ACT

Mr. J. Renwick: Mr. Speaker, I have one question for the Attorney General. Would the Attorney General advise us of any subsequent exercise of powers under The War Measures Act since his report to the House yesterday?

Hon. Mr. Wishart: What actions have been taken? So far as I am aware, no arrests—as far as I have knowledge—since yesterday. The security in certain areas of the province which I outlined yesterday has been continued.

I do not know whether that meets the hon. member's question or not.

Mr. J. Renwick: By way of supplementary question: Are there presently any persons detained in the Province of Ontario by the virtue of the exercise of this power?

Hon. Mr. Wishart: I think the three persons who were arrested have been released; I cannot be absolutely certain.

Mr. Speaker: Has the member for Riverdale completed his questions?

The member for Sarnia.

Mr. Bullbrook: Mr. Speaker, is "having regard to" the same as "in view of?"

Mr. Speaker: The hon. member will place his question.

COMPENSATION FOR LOSSES SUFFERED BY POLLUTION

Mr. Bullbrook: Having regard to the report in today's edition of the Toronto *Daily Star*—the question, Mr. Speaker is of the Minister of Energy and Resources Management. As this minister's department intends to bring to this House legislation which would enable the government to take action on behalf of those who have suffered pecuniary and other loss as a result of pollutant activity by others, and having regard to the fact that last year during the course of the emergency debates the minister regarded such suggestion by me as "stupid", would he please rationalize the distinction?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, in view of the hon. member's question regarding a newspaper article which appeared today in the Toronto *Daily Star,* I would suggest to the hon. member he knows full well that these same remarks have been made on a number of occasions by me in this Legislature as to the possible steps we might take to recover damages from various sources of pollution in Ontario. I would assume that in the fullness of time, when we are able to draft and submit legislation to this Legislature, some of the items and steps suggested in the article will be taken by the government.

Mr. Bullbrook: A supplementary, through you Mr. Speaker. Does the minister wish to apologize to me now for calling my suggestion stupid?

Mr. Speaker: In answer to the member for Sarnia's original question, I would say after hearing this exchange that apparently three "having regards to" equal one "in view of".

Hon. Mr. Kerr: That was during the heat of battle.

Mr. Speaker: The member for Hamilton East.

EIO LOAN TO MCCOY FOUNDARY, HAMILTON

Mr. R. Gisbsorn (Hamilton East): Mr. Speaker, my question is of the provincial Treasurer, in the absence of the Minister of Trade and Development.

Inasmuch as the McCoy Foundry Company in Hamilton has now received a final settlement from the city of Hamilton for expropriated plants and properties in the amount of $950,000–$200,000 of which is for disruption of business and relocation of plant and factory—would he review the $500,000 loan they received from the Equalization of Industrial Opportunity programme with a view to its being justified at this time?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, yes, I will review the matter.

Mr. Speaker: The member for Parkdale.

PUBLIC TRANSIT PASSES FOR SENIOR CITIZENS

Mr. Trotter: Mr. Speaker, a question of the Minister of Social and Family Services: Would the minister take any action to prevent senior citizens from being forced to have their photographs taken in order to get passes on public transit in Ontario?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, I assume the hon. member is referring to the scheme that several municipalities have with respect to the issuance of these passes?

Mr. Trotter: That is right; Toronto transit is one.

Hon. Mr. Yaremko: Mr. Speaker, that is a matter, of course, completely within the jurisdiction of the issuing authorities. I would be pleased to bring the hon. member's remarks to the attention of the relevant authorities.

Mr. Trotter: By way of a supplementary question, does the minister in his position approve of such a procedure when senior citizens must be mugged in order to get the passes?

Hon. Mr. Yaremko: Mr. Speaker, I do not pass judgement on the decisions of local councils in this matter.

Mr. Trotter: The minister should certainly have an interest in the senior citizens.

Hon. Mr. Yaremko: I have an extremely great interest.

Mr. Trotter: I doubt it.

Mr. Speaker: The member for Oshawa.

ONTARIO POLICY ON BENEFITS UNDER GENERAL WELFARE

C. G. Pilkey (Oshawa): Mr. Speaker, a question of the Minister of Social and Family Services.

In view of the fact that Mr. Munro, federal Minister of Health and Welfare, is alleged to have stated in British Columbia that everyone who is not fully employed is eligible for benefits under any general welfare programme, what is the policy of the provincial government in the light of that statement?

Hon. Mr. Yaremko: Mr. Speaker, the alleged statement of Mr. Munro has been one of the most difficult to trace down; and when traced down it is very difficult to know the full meaning of his remarks.

I can state that there has been no change in the provincial policy as it existed prior to Mr. Munro's statement, and to our knowledge his statement had no bearing upon the provincial policy in existence. I may say that I will be pursuing the matter with Mr. Munro at some future date.

Mr. Pilkey: A supplementary, Mr. Speaker: Could the minister elaborate on the policy of the government in respect to workers who might be on strike in terms of receiving general welfare benefits?

Hon. Mr. Yaremko: Mr. Speaker, the entitlement and eligibility to social assistance under The General Welfare Assistance Act is laid down within that Act. There are two pertinent sections. One, of course, is that the applicant who is employable must be avail-

able for employment and must be seeking employment. It is felt that the man who is on strike does not, in the ordinary sense, meet the requirements of the statute when he is completely engaged in carrying out the purposes of a strike.

However, the welfare administrators are bound to deal with each individual case on its own merits and on its own circumstances, to see whether the circumstances of the individual come within the meaning of the Act. Apart from that, there is a general provision whereby the local administrator is enabled to give two weeks' emergency benefits without having passed judgements on them.

Mr. Pilkey: A final supplementary then, Mr. Speaker, of the minister: Is he saying then that it is possible under certain circumstances for workers who might be participating in a strike to receive general benefits under his programme?

Hon. Mr. Yaremko: Under very unusual circumstances, Mr. Speaker. For example, if a striker is just out of work, and I imagine if he would have nothing to do with the strike and would go to seek employment somewhere else very actively, that means he would be in the same position as any other individual who was employable and seeking employment. But if he restricts himself to carrying out his responsibilities as a union member with relationship to a strike, I cannot conceive of a situation where he would come within the eligibility clause.

Mr. Speaker: Has the member for Scarborough Centre, a supplementary?

Mrs. M. Renwick (Scarborough Centre): Not now, Mr. Speaker.

Mr. Speaker: The member for Essex South.

RELAXATION OF HUNTING LICENCE REGULATIONS

Mr. D. A. Paterson (Essex South): Yes, a question of the Minister of Justice and Attorney General: Can or will the Minister of Justice make arrangements with the Minister of Lands and Forests to not prosecute those 15-year-old youths who have just recently completed their lands and forests safe gun handling course, obtained hunting permits and now have to apply to the OPP district office for a permit to go out into the field to hunt, due to the very great backlog of these applications which is now confronting the Toronto office?

Can some relaxation in this measure be given for the next two or three days in view of the opening of the hunting season?

Hon. Mr. Wishart: Mr. Speaker, I would be most happy to look into this matter—I am not aware of it—and to examine the law which relates to it and to consult with my colleague. I will certainly do this and do it at once.

Mr. Paterson: Yes. Might I ask a supplementary? In the discussions, would the Minister of Justice try to make arrangements so that this short period of time will not occur next year after the completion of the lands and forests exams?

Hon. Mr. Wishart: I am sure that when my colleague and I have examined it, we will have some solution that will prevent it from recurring.

Mr. Speaker: The member for High Park.

BAN ON USE OF HERBICIDE 245T NEAR AQUATIC AREAS

Mr. M. Shulman (High Park): I have a question of the Minister of Highways. Why has his department not obeyed the federal ban on the use of the herbicide 245T around aquatic areas? And secondly, when this matter was specifically drawn to his attention in relation to the use of the herbicide getting into Mountain Lake, why was the use of the herbicide not stopped?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I will look into this matter, but my information is that we are not using any herbicide that is not approved.

Mr. Shulman: As a supplementary, if I may, Mr. Speaker: Is the minister aware that a letter has been sent out over the signature of Mr. A. T. C. McNab, deputy minister, saying that this herbicide is being used?

Mr. Speaker: The member for Scarborough East.

SECOND-LANGUAGE TRAINING OF IMMIGRANT MOTHERS

Mr. T. Reid (Scarborough East): I have a question of the Provincial Secretary.

Is the minister's department now assuming responsibility for stimulating the expansion of second-language training of immigrant mothers as recommended on page 41 of the immigrant integration report of the Ontario Economic Council?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, not only are we, but we were doing so long before that report was tabled. During the course of the discussion of the estimates of this department in the House, we discussed fully the Earlscourt United Church project and three other projects which were specifically designed from an experimental point of view for the assistance of mothers and pre-school children who are coming along with their mothers. And I would be very happy to share the results of that work in report fashion with the hon. member, Mr. Speaker.

Mr. T. Reid: A supplementary question: Was the minister's concern restricted solely to the Metropolitan Toronto area or was it a province-wide programme? And secondly, how many immigrant mothers were involved in these programmes for each year over the past three years? And what does the minister expect that programme to expand to over the next three years?

Hon. Mr. Welch: Well Mr. Speaker, all the programmes of our department are province-wide. Secondly, I would have to get the specific information which the member has asked for in his last two questions.

Mr. Speaker: The member for Thunder Bay.

ADVERTISEMENT FOR INTERPRETIVE PLANNER

Mr. J. Stokes (Thunder Bay): Mr. Speaker, I have a question of the Minister of Lands and Forests. Will the Minister of Lands and Forests explain why the parks branch advertised for an interpretive planner in the October 16 *Globe and Mail*? What are the duties that will be performed by an interpretive planner? And does the minister know of any college or university in Canada that gives a degree in ecology, as demanded of those who are making application?

Hon. Mr. Brunelle: My colleague, the Minister of Energy and Resources Management, tells me that there is a degree at Western University. I am not aware of this ad. I will look into it and let the hon. member know.

Mr. Speaker: The member for Etobicoke.

BRIEF FROM ETOBICOKE YOUTH BOARD

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I have a question in two parts of the Minister of Justice and Attorney General. Can the Attorney General tell the House whether there has been acknowledgement sent to the Etobicoke Youth Board concerning their recent brief, in which they asked for a satellite juvenile and family court for northwest Metropolitan Toronto? Secondly, can the minister state whether there are any concrete plans for such a juvenile and family court for Etobicoke or northwest Metro?

Hon. Mr. Wishart: I cannot be certain, Mr. Speaker, standing here at this moment, whether a reply has gone or not. I would anticipate it probably has. I will be glad to check that and let the hon. member know.

As to the latter part of his question, Mr. Speaker, we have for some time been taking steps and actually decentralizing the juvenile and family court into various areas of Metropolitan Toronto and area. We are still considering the matter and we are in hope of further decentralization.

There are some advantages in doing this and some disadvantages, because we have a very capable professional staff with the central court and as you decentralize, the hon. member will understand, you have to take that staff and break it down, and perhaps there are not enough to make a complete advisory or counselling staff if you make a number of decentralized courts.

But we have been studying the matter, and as I tell the hon. member, and he is aware, in my estimates we discussed very thoroughly the decentralization which has already taken place.

Mr. Speaker: The member for Middlesex South.

REQUEST FOR LONDON CITY ENGINEER'S RESIGNATION

Mr. K. C. Bolton (Middlesex South): Mr. Speaker, I have a question of the Minister of Municipal Affairs. Is the minister aware that the city engineer of London has been requested by the board of control to submit his resignation? Is he aware that the mayor and one member of the board of control have been involved in construction work adversely criticized by this engineer? In view of the circumstances, will the minister inquire as to the possibility of a conflict of interests?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, I am aware through press reports of the former part of the member's question. I am afraid I am not aware of the implications in the second part of the question.

No, I will not inquire into a possible conflict of interest. The avenues are open to any citizen of London to do so.

Mr. Speaker: The member for Huron-Bruce.

DHO DISPOSITION OF GUARDRAILS AND PILINGS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Highways. Is it the general practice of The Department of Highway crews to dispose of old guardrails and pilings by dumping them into the rivers and lakes, as they did at McGowan Lake?

Hon. Mr. Gomme: I would say Mr. Speaker, that this is not the usual practice. I am not aware of the particular situation the hon. member speaks of, but I will look into it.

Mr. Gaunt: A supplementary, Mr. Speaker: Would the minister instruct his crews to clean up this mess; and would he also order that they desist from this type of practice in the future? I will send him over the photographs to prove the mess that has been created there.

Mr. Speaker: The member for Oxford.

RESTRICTION ON INTERPROVINCIAL MOVEMENT OF EGGS

Mr. G. W. Innes (Oxford): Mr. Speaker, I have a question of the Minister of Agriculture and Food. Has the minister conferred with the Minister of Agriculture in Manitoba in connection with the restrictive practices imposed on interprovincial movement of eggs by the Quebec government? And is he aware that the supreme court of Manitoba did turn down the request to make it valid?

Hon. W. A. Stewart (Minister of Agriculture and Food): In answer to the first question, Mr. Speaker, the answer is "No". I have not consulted with the Minister of Agriculture in Manitoba.

In reply to the second question, I was not aware that the supreme court of Manitoba had been asked to deal with this situation. I understand that the appeal court in Quebec had been asked to deal with it, but that the Supreme Court of Canada has been asked by the Manitoba government to deal with the situation.

Mr. Innes: A supplementary: Does the minister not feel that the province is vitally concerned and that his department should be making every effort to promote national marketing boards, sir, so that barriers are not set up in all provinces for the movement of products? There could be a chain reaction unless something is done immediately.

Hon. Mr. Stewart: Well Mr. Speaker, I am quite concerned about the reactions to which my hon. friend refers, but of course he is speaking hypothetically; no action such as this has taken place in other than in the commodity of eggs or in broilers. However, there are always possibilities that it might be expanded somewhere else. We have not any reason to believe that it will be.

We are concerned with the interprovincial movement of eggs; however, the egg producers' marketing board in the province of Ontario has forwarded congratulatory messages to the Quebec egg marketing board on the action they have taken. I would therefore feel that since the Ontario Egg Producers' Marketing Board represents the egg producers of Ontario, this must be the feeling of our egg producers in the province.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. M. Makarchuk (Brantford): Could I ask a supplementary on this?

Mr. Speaker: Supplementary?

Mr. Makarchuk: Yes, to the same minister. In view of the sort of vulgar implications of the restriction of interprovincial trade and the fact that the Manitoba government is taking the action to the Supreme Court of Canada to clarify this matter once and for all, would the minister consider some form of joint action with the Manitoba government to eliminate this or clarify the situation for purposes of trade?

Hon. Mr. Stewart: Well Mr. Speaker, it is a matter that could be taken under consideration.

Mr. Speaker: The member for Sandwich-Riverside.

THEFT OF MERCURY AT SARNIA

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy and Resources Management, concerning the theft of mercury at Sarnia at the end of August. Was the minister not disturbed by

the police comment that "there is a ready market for mercury in this area"? Has the minister looked into the implications of that remark?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows, there are one or two plants in the Sarnia area that use mercury. I am not aware of the results of the police investigation of that particular theft, but the only implication from the hon. member's statement is that it would not be hard to unload the stuff.

Mr. Burr: Well, Mr. Speaker, is the minister suggesting that the two companies using mercury might buy stolen mercury?

Hon. Mr. Kerr: Certainly not!

Mr. Burr: Well then, what is the minister suggesting? As another supplementary then—

Mr. Makarchuk: They probably use it for fish food.

Mr. Burr: Inasmuch as the mercury was stolen from Dow Chemical, it is hardly likely that anyone would have the audacity to sell it back to them.

Mr. Speaker: The hon. member should be asking a supplementary question. He is making a statement of some sort.

Mr. Burr: Besides the Dow Chemical company and the hospital, I suppose, is there any other user of mercury in that area?

Hon. Mr. Kerr: Mr. Speaker, many of the schools and universties in any area, of course, use mercury in their labs. It is quite possible that if there are some farm fertilizer companies in that area, that mercury might be a substance they would use in their manufacturing.

Really, I am not sure just what the intent of the questions are, Mr. Speaker.

We are concerned, of course, that such stuff would get into the wrong hands or would be disposed of improperly. If that is what the hon. member is concerned about and I know he would be, I must admit that I do not know what the results of the investigation of that theft are, or whether the people who are responsible have been dealt with. I can find that out.

But certainly, we would be concerned if that substance was improperly disposed of, or got into the wrong hands, which eventually would mean some improper use.

Mr. Speaker: The member for Welland South has the floor.

EXPROPRIATION OF PARK LAND NEAR FORT ERIE

Mr. R. Haggerty (Welland South): Mr. Speaker, a question of the Minister of Public Works.

Will the minister inform the House concerning the expropriation of some 300 acres of land for a provincial park, lying west of Point Abino on Lake Erie, in the town of Fort Erie, as to when this transaction will be completed?

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, I would have to get the information for the hon. gentleman. I do not have it with me this afternoon.

Mr. Speaker: A supplementary?

Mr. Haggerty: Is the minister aware his department committed itself once and then cancelled options to purchase the land in the area and that it has now left the door open for land speculators to be involved in the purchase of the options dropped by his department?

Hon. Mr. Simonett: Mr. Speaker, again that would be information that I would have to get from the department. I am not aware of this happening, but I will find out and report back.

Mr. Speaker: The member for Wentworth.

DATE OF ANNOUNCEMENT ON REGIONAL GOVERNMENT IN HAMILTON

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Municipal Affairs.

Are the people in the Hamilton area, including Hamilton, correct in their assumption that the minister is not going to announce a date for the implementation of regional government in the area prior to the municipal elections being held this December?

Hon. Mr. McKeough: I have no idea whether they are correct in that assumption or not.

Mr. Deans: Is the Minister going to make an announcement prior to December 6, indicating when regional government will be implemented in the Hamilton-Wentworth-Burlington region?

Hon. Mr. McKeough: I have no such plans at this moment in time, but I do not like to close my options. I do not know that there is a great connection between December 6 and any announcement that I might make.

Mr. Deans: A supplementary question then: Does the minister realize that by not making an announcement prior to this municipal election he is then left with one of two options—either to hold an interim election, an election some time during the next 24 months, or to then postpone it until 1973? And if so, does he not feel it would be only fair to those people who are presently running for office to know how long their term is likely to be?

Hon. Mr. McKeough: Those are all considerations which we take into account.

Mr. Speaker: The member for Huron-Bruce.

ESTIMATE AND COST ON PORT DOVER DRAWBRIDGE

Mr. Gaunt: Mr. Speaker, I have another question of the Minister of Highways.

How much was the original estimate of the Port Dover drawbridge and what is the up-to-date cost of the bridge?

Hon. Mr. Gomme: Mr. Speaker, I cannot give those figures, but I will get them for the hon. member.

Mr. Gaunt: When he is inquiring about these particular figures, would the minister also find out why the department did not tender the job out to people who specialize in this type of work rather than having it done within his own department?

Hon. Mr. Gomme: Mr. Speaker, I might point out that this is a completely new design for a bridge, one which will probably be of great benefit to all the people of Ontario. All of the design was done by our own people and the—

Mr. Nixon: Does the minister mean they are going to build another one like that?

Hon. Mr. Gomme: We probably will, and there will be others around the country that will follow that pattern. As I explained yesterday, we had some unfortunate circumstances, but they will straighten out and it will be a very functional bridge for the people of that area.

Mr. Gaunt: Are they going to tear it down and start all over?

BAN ON SALE OF FISHING LICENCES BECAUSE OF POLLUTION

Mr. D. Jackson (Timiskaming): Yes, I have a question of the Minister of Lands and Forests.

In view of the fact that many of our prime fishing lakes are polluted with mercury, will the minister consider a ban on the sale of fishing licences? That is, will he allow fishermen to fish without a licence until those lakes are cleaned up, in view of the fact that he has stated that the purpose of the licence is to improve the fishing in Ontario?

Hon. Mr. Brunelle: Mr. Speaker, as I have mentioned several times in this House, we are very fortunate in this great province of Ontario to have somewhere between 250,000 to 400,000 lakes. At the present time there are not more than about 100 for which we have issued warnings.

Interjections by hon. members.

Mr. Speaker: Order, order! The member for Port Arthur.

IMPLEMENTATION OF ANTI-SQUATTER REGULATIONS

Mr. R. H. Knight (Port Arthur): Mr. Speaker, I have a question of the Minister of Lands and Forests.

In view of the growing outcry by fishermen and hunters in the north with the department's implementation of its anti-squatter regulations in the north, does the minister plan any amendments to that legislation, any changes in the manner of implementation?

Hon. Mr. Brunelle: Mr. Speaker, I missed part of the hon. member's question with reference to the squatters, that they are—

Mr. Knight: Mr. Speaker, I am referring to what are called anti-squatter regulations through which the department puts up a sign or something on a hunting lodge or cabin in the bush, notifying those who have been occupying the cabin that this cabin will be burned down in a certain period of time.

I understand there is quite an outcry. I have had a number of letters concerning the manner in which the department is doing this and I am just wondering whether that outcry has been loud enough yet for the minister to consider amending the manner in which this is being done.

Hon. Mr. Brunelle: Well I would say, as the hon. member knows—he is a member of the land use, recreation and zoning committee in his area—this is one of the matters that the land use zoning committees deal with. Also, I have issued a directive to my own staff that no cabin be destroyed unless it has received my approval.

Mr. Speaker: The member for Sandwich-Riverside.

AGRICULTURAL USAGE OF MERCURY IN ONTARIO

Mr. Burr: Mr. Speaker, a question of the Minister of Agriculture and Food. Are any agricultural uses of mercury still permitted in Ontario?

Hon. Mr. Stewart: The only use of mercury in Ontario that I am aware of is the mercury that has been used in mercurial compounds for the treatment of seed grains in the 1970 spring season and anything prior to that. Some wheat was treated in the fall of 1969. This wheat was carried over with mercury treatment on it and its planting was allowed this year, in the fall of 1970. But the federal government's regulations—and all the provinces, to my knowledge, have concurred in these regulations—specify that no mercurial compounds will be used for seed to be treated after 1971. That is there will be none used next year, but any grain that is treated will be allowed to be planted rather than let it fall into someone else's hands or have it used for some other purpose. We feel it is better to keep it closely confined, to put it in the ground and plant it, rather than to take any chances on it being used for some other purpose.

Mr. Burr: A supplementary: Does the minister understand the reference that the Minister of Energy and Resources Management made a few moments ago to the possibility that mercury might be used in fertilizer plants?

Hon. Mr. Stewart: Well I must confess that I am not aware of that use. I have not heard of it. That does not say that it has not been used, but I do not know of such use.

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Motions.

RESOLUTION

Mr. Robarts moves, seconded by Mr. Nixon:

That, the members of the Legislative Assembly of the Province of Ontario, on behalf of the people of Ontario, express to the people and government of our neighbouring Province of Quebec our sympathy and support;

That the members of this assembly express to the family of the hon. Pierre Laporte our condolences on the tragic and senseless death of this loyal Canadian. His death leaves all of us with a sense of deep personal loss;

And that this resolution be forwarded to the government of Quebec and to Madame Laporte.

Resolution concurred in.

Hon. Mr. Robarts: Mr. Speaker, I do not see that there is much one can add to the wording of this resolution. It is simply an expression of something I think we all feel.

Mr. Nixon: Mr. Speaker, I want to say just a word or two about this myself. Having just come back along with several other members of the Legislature from services held in St. Michael's Cathedral and city hall square. I have been very much personally moved and impressed by the spirit expressed by the people of this city.

No words can restore Mr. Laporte to his colleagues nor to his family. Nevertheless, I think that we should perhaps try to find some kind of a lesson in what, as the Premier has said, is an absolutely senseless and rapacious murder. I guess it has to do with violence itself. More and more in our Canadian communities and communities around the world, there are those who consider violence as one of the alternatives to a continuation of a frustration that they feel or imagine.

The evil and senselessness of this alternative is something that must impose itself on all of our sensibilities and which we must do our best to teach to those who will listen to us, because obviously we in politics feel a special grief for Mr. Laporte. There is some kind of a vicarious association. We think of the responsibilities that he and Mr. Bourassa's government have shouldered for the last few days and try to imagine sometimes how we would respond here. So there is this close feeling of grief.

As I said, words cannot restore the man. I did not know him personally. I heard of his family, a large family, a happy group. It is

characteristic that he was abducted while he was out playing football with the young people. I certainly feel that the Premier has taken the appropriate step in channelling the feeling of all of us as members of this Legislature in the resolution that is before us.

Mr. J. Renwick: Mr. Speaker, on behalf of this party and in the absence of the leader of the party, who is in Montreal at the funeral, along with the deputy leader of the party, we join in support of the motion of sympathy to Madame Laporte and family in the loss of what must be not only a man potentially a great Canadian, if not a great Canadian, but also one who suffered a savage and brutal and senseless death.

I share very much with the Prime Minister, and we in this party do, and with the Leader of the Opposition, the sense that every free assembly of men in democratic society throughout the world has suffered a loss, as we here in Ontario have suffered, in the death of Pierre Laporte. The manner of his death is one which has depressed me, as I am sure it has depressed others, for several hours now. We want to associate ourselves with the motion of the Prime Minister, seconded by the leader of the Liberal Party in this expression of condolence and warm sympathy, to Madame Laporte and her family.

Mr. Speaker: Introduction of bills.

Orders of the day.

Clerk of the House: The nineteenth order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, THE DEPARTMENT OF REVENUE

Mr. Chairman: Estimates of The Department of Revenue, page 146. The hon. minister.

Hon. J. H. White (Minister of Revenue): Mr. Chairman, it will be recalled that I announced my determination to lower the costs of compliance for our taxpayers and the internal costs of The Department of Revenue when I became the first Ontario minister responsible solely for the revenue branches of the government, which was two years ago this month.

Now I am pleased to inform the hon. members that satisfactory progress has been made, as evidenced by the following facts:

1. More than a half a million tax reports a year have been eliminated.

2. Every form in use by the department has been simplified and clarified.

3. A new, readable bulletin published regularly informs taxpayers of tax requirements.

4. Regulations and legislation have been revised and improved.

5. The staff, according to the civil service annual report, has been decreased from 1,364 to 1,300, while the number of corporate taxpayers has increased from 87,472 to 100,511; the number of retail sales tax vendors from 98,979 to 116,261; and the number of estates from 8,206 to 9,068.

That this increased volume could be handled with even greater efficiency by a smaller staff reflects great credit on the officials and staff members of The Department of Revenue. For this achievement, I extend my gratitude and my congratulations.

Now, Mr. Chairman, I stand prepared to defend the estimates of The Department of Revenue.

Mr. Chairman: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, once more we have come to the annual occasion on which the hon. minister, the benign member from London South, is called upon to justify the existence of his department.

He sits there smiling and reminds us of Mrs. Arabella Fermor in Pope's "The Rape of the Lock." Perhaps, Mr. Chairman, I might therefore be permitted this brief parody before we get down to somewhat more serious business.

> Not with more glories in the ethereal plain
> The first sun rises o'er the purpled main,
> Than, issuing forth, the rival of his beams
> Launched on the bosom of the silver Thames,
> Fair deputies and clerks around him shone
> But every eye was fixed on him alone.
> His lively looks a sprightly mind disclose
> Quick as his eyes, and as unfixed as those.
> Favours to none, to all his smile extends;
> Oft he rejects, but never once offends.
> Bright as the sun, his eye the gazers strike
> and like the sun, they shine on all alike.
> Yet graceful ease and sweetness void of pride

Hide many faults, and faults he has to hide

To this portfolio do many errors fall.

Look on his face, but don't forget them all.

As the minister had mentioned, the first time this department came before the Legislature to have its estimates approved was for the last financial year of 1969-1970. On November 4 last the estimates were debated for some three hours and in the end, surprisingly enough, the minister prevailed and his two votes carried.

Today I think that the time to pass these votes may be even shorter, for while the first vote has increased by some $200,000 and the second by $376,000, I believe that the principles upon which this department was set up in the first place are the same as last year.

Fourth from the bottom in size of the budget by ministry, The Department of Revenue remains less important in separate identity than do those other three: Financial and Commercial Affairs, Mines and Northern Affairs, and the Provincial Secretary—and that list, of course, excludes the Prime Minister's office, the Treasury Board, the Civil Service and the offices of both the Lieutenant-Governor and the Provincial Auditor.

In the opposition, we continue to believe that the Revenue job is an integral part of the Treasury function; the fiscal policy is then indivisible. There is no established need for a separate ministry; at least there is no need for a department under a separate minister. The minister will refer to the Smith committee report, chapter 25, on this matter, but remember that where a separate department was called for nothing was said about a separate minister. And this remains true no matter how affable the minister remains after his elevation from the "lowing herd." My friend from Lakeshore (Mr. Lawlor), who carries his critical task for this portfolio on behalf of his party, as I do for the official opposition, no doubt will be in agreement with me.

As chairman of our select committee on taxation, we know some of the minister's talents only too well. I believe that this minister could be doing more and better and useful work in any number of other tasks within this last aging Conservative administration in Canada—

Mr. D. C. MacDonald (York South): He has got his foot in the door now.

Mr. Breithaupt: Several departments cry out for leadership and drive and spark. This minister could make a manful try providing such attitudes and abilities elsewhere. His talents languish where he now is.

The minister will recognize that advance preparations of a critique in regard to this portfolio has, on this occasion, been bedevilled by much uncertainty. This is especially true as to the final form of federal legislation with respect to succession duties, capital gains taxes and corporation tax. The mills of democracy in this area grind slowly but the man in the street is painfully aware that they grind exceeding small.

For this reason, we in the opposition were initially impressed by the Treasurer's recent comments on the degree to which personal income tax would have to be elevated to take care of school costs beyond the estimate of 51 per cent or so that the provincial government is now assuming.

Well Mr. Chairman, it is, of course, a cardinal point of our platform that 80 per cent of these costs must be taken over and it seemed to follow that a new formula was urgently needed, whereby the province would have a much stronger voice in determining the tax base. How long, we wondered in caucus, could abatement of a federal base serve these urgent purposes in Ontario. The question seemed to be one of balance.

Then came the tragic events of these last two weeks, posing perhaps the most fundamental issue which we have ever had to face as a nation. The whole question of Canada's future has now opened up. The Premier of Ontario has hitherto shown marked reluctance to embrace the concept of equalization payments to the less fortunate areas of Canada. I strongly suspect that even his opinion on this issue may now have changed to some extent. Surely even this Tory government in favoured Ontario, where nature and the people work hard and the administration takes credit for everything good that ensues, surely even this government must now come to recognize that the federal income tax to which Ontario contributes more than it receives is the prime instrument for the preservation of Canadian unity and Canadian sovereignty in this increasingly unsettled world.

It is in these terms that we must now consider the Treasurer's (Mr. McNaughton) statement and his earlier reluctance to modify Ontario's taxation system along progressive social lines. Actuarially, he may have been right, in that we would lose out to Ottawa in a narrow fiscal sense by increasing

the amount of direct taxation in order to relieve the property tax of most of its educational burden. But socially and morally we would gain, by being wedded into the family of Canada through this common funding formula. Such a formula would assure Canada's social progression from inequity and disparity and should go far to assist its underprivileged and disadvantaged citizens.

We cannot on the one hand be pious, and on the other hand tight-fisted. We have to regard our provincial revenue policy as a tool of unity.

More than this even, we have to regard it as a front line of our defence of our way of life against the very real possibility of continuing attacks upon it. Our enemies will feed on the dissatisfaction of our peoples. They will incite such dissatisfaction. They will find ready ears, willing trigger hands, if we do not recognize the gross discrepancies that are beginning to polarize us and to paralyze Confederation.

In the following votes we are going to be looking at matters which seem mundane in comparison with the epic nature of the struggle for men's minds that now overwhelms us. But as we try to refine the mechanisms of revenue collection and attempt to inject more provincial fairness into the items, the methods, the definitions and the exemptions, we must not lose sight of the fact that in the process we are strengthening Ontario as a bulwark against lawlessness and anarchy. The corollary of this, however, is sharing. Prudence demands this as much as humanity. The claims of compassion in this regard are flanked by the imperatives of survival.

The basic question then is, why are we collecting this money at all? And the answer surely is so that lawful government can proceed and that peace and order can prevail. Ontario's tax policy must reflect the reality of our times. It must lean toward Canada. It must reach out to maintain and preserve our way of life. For this reason, I hope that the Premier (Mr. Robarts) will intervene in this debate, if only to acknowledge that the Treasurer's recent statement regarding the cost of the income tax alternatives to property taxation cannot stand up to these new conditions of our daily lives.

Having acknowledged this, the government can count upon the loyal opposition to demonstrate more effective ways and fairer ways of achieving its ends. But, first, let us have an affirmation from the government that in fact it does back Confederation with its pocketbook as well as with its rhetoric; and that the smugness that on occasion has unfortunately characterized such recent utterances as the ones with respect to a nation-wide securities legislation will not be paralleled by a similar smugness in regard to national social goals. The stakes are too high for Ontario to be smug. The people are waiting for this kind of an affirmation of faith and I believe that any member in this House can furnish it to us now.

Mr. Chairman: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Chairman. Perhaps a few quotations to lead off, in the vein of my friend from Kitchener. A somewhat famous tax expert, who has his shops along the wayfares of Canada and Ontario, Richard Block, chairman of the tax consultant company, said:

> Taxes are entirely too complicated and they get worse every year. All you have to do is simplify them one more time and no one will be able to understand them.

That is the process the hon. minister described in his report given to us a few moments ago—far less elaborate noticeably, Mr. Chairman, than it was last year; it was quite full of rhetorical flourishes. There was a brave new world ahead. This year he has somewhat diminished in size, in force, in structure and in intent, apparently. In all ways, the minister grows more diminutive; it is a curious thing to happen to a man of his qualities, his potentialities in a number of other spheres.

Plato said: "When there is an income tax, the just man will pay more always, and the unjust less, on the same amount of income." And then to kind of even off, let us hear what J. P. Morgan has to say. He says:

> Anybody has a right to evade taxes if he can get away with it. No citizen has a moral obligation to assist in maintaining the government. If Congress insists in making stupid mistakes and passing foolish tax laws, millionaires should not be condemned if they take advantage of them.

So much, you know, has changed in the world since that time. There is a shift in our mentality in terms of our responsibility to the social whole, both with respect to, say, highway traffic offences and with respect to our obligations to carry our share of the burden in a society. And I think that those Neanderthal notions that I mentioned weigh strongly against what Plato might say in those circumstances.

Mr. Chairman, this is a nuts and bolts department—

Mr. MacDonald: More nuts than bolts.

Mr. Lawlor: —in which one's natural afflatus toward poetry or toward a lancing critique of the society as a whole has no word play at all. It is the most humdrum, mundane, pedestrian of affairs that we are going to engage in.

Last year we spent a good deal of time, quite irrelevantly really, on discussing tax policy. Since I for one at least have had my fill of tax policy, having discussed it at length with the Treasurer, who is really the responsible minister under this head, throughout laset week, it is not my proposal except perhaps in one or two areas, possibly in succession duty—to review those thoughts and those nostrums.

I do get the feeling in this department that while one has made requests on the floor of this House for all the information that would be valuable and available, without breaking any confidences, to the members of this House and particularly, the critics of the department, it is not made available. I do not see any flow of rulings or of opinions or of circulars or notices or literature of any kind, for that matter. Once in a while a tax bulletin comes in. I am sure that a good deal more goes through the department which would be perfectly available and I would seek to prevail upon the minister to keep that very much in mind.

I am sure the member for Kitchener is completely open to whatever information, however unimportant you may think it, may be emanating from your policy, particularly in the area of opinions. These opinions, under Smith and by definition and as you acceded to last year, ought to be made clearly available if the opinions touch matters of anticipating a situation; if someone wants an advance opinion before he makes a particular transaction. Just as the DBS and the other tax reports that are available under The Income Tax Act and other Acts are extremely valuable sources to test and to weigh the sagacity of a goverment in handling these very minute and trying matters in taxation, so, also, should this minister be more open and more elaborate in supplying this kind of information to us.

I think of what was given to us in *Hansard* in the debate last year. Having read it over in the past few days, it struck me forcibly that very little, actually, has been accomplished, whatever the minister may say.

The whole situation of the succession duty field remains at a stalemate. He must certainly—given his aggressive personality—have some role to play in those negotiations. Ontario wants its 75 per cent cut in order to get out of the field. I have expressed my disagreement in the past and will reiterate it until it is necessary to shut up—that this is a bad move on the part of government. We, in the Smith committee, agreed it was a bad move.

It takes away from you one of your fundamental instruments within the whole area of taxation and what you are doing is gradually divesting yourself of the ability to set up a totally equitable position, touching on taxes, either with respect to the personal on one side, the corporation, the sales or the death taxes, and eliminates, having divested yourself, in effect, a major role in personal income taxes. Although you make sputtering noises from time to time, particularly in your budget statements every spring, nothing, again, of any great moment has happened in that particular field.

The Ontario government has come forward with a number of budget proposals which—except for some fancy dancing on minor matters with respect to the savings allowances and some kinds of credits—do very little but spell out what it already has said in the two previous years, and particularly in the last previous year.

The 25 per cent capital gains tax rate and so forth have been reviewed before the Treasurer. The Prime Minister of this province has promised us an opportunity to debate, in this House—I suppose before we adjourn—the full relevance and impact of the proposals under the tax scheme.

There are some, not malleable, lord knows, but valuable contributions made by Ontario under this head but, by and large—and you have to weigh these things in some large balance—I think there are quite petrifying failures in the direction of equity which you prate about as being basically constitutive of your own proposals for tax reform. It indicates that nothing has come about.

I think of the role of Inco and Falconbridge in Sudbury; what we said in our tax committee report; and how impressive was the testimony given to us by the people of that town. The whole problem of domiciliary municipalities; the business of these major companies, particularly Inco, having escaped municipal taxes over the years. The ostensible overtures made to our committee that they were quite prepared to pay these taxes, and the years flowing by under our hands and nothing being done. A report was handed down but it seems that time washes away. Three years passed, and we have no greater

prospects standing here at this moment of an incorporation into that total situation than we had the day we settled our own report.

We of the Smith committee felt that it was an overwhelming obligation to the town of Sudbury and to the adjoining municipalities that this be done forthrightly and immediately. Again, this touches only laterally on the minister in this regard, and yet it seemed to me an appropriate moment to voice my measure of discontent with our failure to move in this particular direction.

The minister, in his report of last year—which, as I said, was a far more swelling and elaborate document than he has pretended to bring forward this year—at page 2, under administrative improvements promised us the first annual report, planned for publication in 1970, would include selective statistics of value to economists, accountants and others.

It is not quite over yet but another year has passed; it is almost a year to the day that we had our last round in this House touching these particular estimates. I see no sign of an annual report. Perhaps the minister in his reply will indicate where that purported report stands and when we can anticipate it. I do think it would be of exceeding value in terms of both Treasury and of the estimates involved here.

Another matter I would want to bring to the minister's attention is recommendations made by the Smith committee—acceded to, as I recall, by all of us and yet nothing whatsoever has been done about it—and that touches the whole problem of compensations to vendors. We felt that industry does not, when it pays its income tax, get compensation from the federal government for so doing. In no other area of taxation is this a factor. We felt that firms and businesses engaged in the way of trade would not be unduly afflicted if this was withdrawn.

I wonder, under this head, that since 2.5 per cent is given to firms on up to $1,000 and one per cent on the balance of the tax collection—that is, on sales and transactions of $1,000 or more—if the minister, first of all, has any facts in his head as to what the other provinces in this country do with respect to the payment of those rebates? The whole principle is at stake.

If you are under inflationary pressures of 4.5 per cent per annum, does not this raise disproportionately the benefits coming to those who get a percentage of the sale price by way of collection procedures? I wonder if the minister has taken under advisement, or will take under advisement, the removal of this particular tax?

It has a further iniquitous factor which was not brought up in the Treasurer's estimates but affects yours too. The sums coming in on retail sales tax are given in gross, without diminution, without the subtraction of the deductions of the rebates given to the collectors of the tax. So we do not have net figures under that head, which we certainly should have, because that is not the true money coming into the Treasury of this province at all.

Secondly, we would then know of a certainty what the degree of compensation amounted to. I suppose it must be in several millions of dollars, at least. Many millions of dollars are being lost to the revenue of the province through this particuar agency, which I think—once the tax was in effect, once the thorns and the pitfalls of the thing and the aggravations that the tax caused, to the vendors particularly, have been ironed out and once they have become habitualized and used to it, the remuneration in the situation might very easily be removed.

I am using up, Mr. Chairman, a certain amount of my material in these introductory remarks because, first of all, I do not know quite where they fit in to the total picture of the estimates themselves. In any event, it is a good thing to get it over with now since we have a 6 p.m. guillotine, as far as I am concerned, on this debate, so I will cover as much ground as I can while I am on my feet.

I would like to know what the final cost of the Smith report was, not only in terms of the 3.2, or four, or whatever it is millions of dollars that were expended with respect to the work itself, but what did the tax committee cost—our committee? And, if it is possible to give me figures, I would like to know of the task force within the government—the time expended there and the estimated costs of that. Finally, I would like to know about the chartered accountant and legal costs that went in to producing that report. Because as I have indicated in the past, the impact of the report has had, really, so little effect upon the total picture, except as an encyclopaedia of facts which might very easily have been gathered together without the large measures of opinionation which have gone to naught. The thing might have cost a considerably less sum of money and could have been compiled—as I trust that the minister would be compiling the facts of statistics of this kind within an annual report—interdepartmentally, at great savings to the taxpayers of the province.

Last year, at 7989 of *Hansard*, you spoke of the work of three distinct groups operating within your department—these outside people whom you had approached, who had approached you. There is a group whom I call the new 12 apostles, curiously enough, from London, Ontario, of all places. There are 12 accountants, 12 lawyers and 12 everything on that particular committee. It is called the Estate Planning Associates, of London, Ontario.

I know that they have done some work on the succession duties. No doubt they had something to say about the rather minor alignments that you brought about in your budget between you and the federal government under the head of succession duties. But the wider range of their work and whether they were an on-going committee or not, and what they are doing presently would interest me greatly.

The second committee is the legal advisory committee, appointed through Osgoode Hall, and which the minister gave good praise to, am sure deservedly, particularly since they are working without fee. In that particular area they were apparently discussing the qualities and need of a review board. In this area, pages 9, 10, 12 of Smith, third volume, and page after page of McRuer, as I will point out in a moment, seemed to try to bring down as forcibly as may be on the head of the minister the necessity for the recognition of certain procedures for the protection of the taxpayer by way of court procedure. Really, so far as I can glean, very little has been carried out under this particular head. I see nothing done, for instance, about the most peculiar type of legislation which still remains in effect and has not been in any way abrogated. The minister has not seen fit, as yet, to move into the area of legal civil rights reform within his own department, which has been and was made by both of those reports a fundamental condition of his good tenure of office.

If one looks at The Logging Tax Act, for instance, at section 19, very curious and strange provisions of appeal procedures remain in effect there. Then, on top of all that, section 19 says:

> The appellants shall thereupon give security in the sum of $400, or such other sum as the Treasurer—

Now the minister of revenue—

> requires, for the cost of an appeal in a form satisfactory to the minister, but in lieu of other security, the appellant may pay into the court the sum of $200, or such other sum as the minister requires.

What kind of legislation is that? McRuer takes up here that you should be able to thwart an appeal, actually or theoretically, by demanding incremental costs on the appeal. You can set your own costs figures and thereby wipe out the possibilities of the chagrined and really abused citizen continuing in his appeal. That sort of thing should be removed. You had some opportunity to move in the area. I would seek to prevail upon you, at this stage, to give considerable thought in the next few months to a review in your department of these various excrescences and these denials of civil liberties and the proper hearing procedures before the court. Act after Act that you administer—and I want to give you a few examples in a moment—do betray, run counter to the fundamental nostrums of any tax procedure and any civil libertarian idea of how that should be carried out.

The retail sales tax has a similar provision except that there is a limitation of $400, and the minister has not got this extremely wide discretion. I always hear in this House, mostly from non-legal people who have no real appreciation, I suspect, of the impact of what it means to leave these things wide open, that "You can trust us, we will give a good hearing on the matter. You do not have to worry about these appeal procedures. I would not use my discretion to impose an arbitrary sum of costs upon somebody who probably had a valid claim against me."

But that is not the point. In a democracy we forfend against arbitrary power. Somewhere along the road it is quite conceivable that another man may overstep those boundaries and not have as full and deep an appreciation of his responsibilities under this head as the sitting minister no doubt has. So it is for the law, impersonally and objectively, to safeguard the citizenry against the possibility and not to leave the doors open for abuse. That is what is involved here, so far as I am concerned, under this head.

Again, the three or four questions I asked about the estate planning committee, I would ask also about the legal advisory one. Not only under the heads of appeals but whether or not your review board—and that is fine as far as it goes; it was recommended certainly by Smith and I think by McRuer—was an intra-departmental board in effect. But it is the appeals from that board through some superior body or, finally in the alternative, in some instances, the minister himself, that concern me, and for which proper provision has

not yet been made; nor is there legislation before this House which would indicate precisely what direction we may take. We have, through the Attorney General (Mr. Wishart), a new court of appellate jurisdiction being founded, to which no doubt there is the full application of the procedures under these Acts. But if that is the case, these Acts, in my opinion, will have to be amended because they leave open a second route always where the route is being proposed. I think those routes have to be foreclosed, and a single procedure in an overall way established.

The third institute is the Institute of Chartered Accountants Advisory Committee, and that contains my friend Glen Cronkwright. They were probably engaged in work with respect to The Corporations Tax Act and recommendations arising thereunder. Mr. Chairman, I raised this point last year; again, nothing has been done, or virtually nothing.

Under that, as the minister well knows, there are 47 or 48 recommendations in an appendix to Smith under The Corporations Tax Act, where there is a misalignment between your Act and the federal Act. After all, you are working very closely in conjunction with the feds in this particular matter, and, while you have obviated a few of those—and I am not going to spend a great deal of time now—you could go over each of them with a fine tooth comb, they are highly intricate and demanding sections.

My theory is that, by and large, the minister has not moved in on that situation in order to bring the kind of uniformity that was promised in his requisite to make good sense of the administration of The Corporations Tax Act in this province.

The minister said a year ago that—page 7,990—I would like to bring this back to his attention and elicit his reply at this time. We were engaged at the time, Mr. Chairman, in a discussion on tax havens. The question was asked as to what steps could be taken. The minister was a little dubious, and he said, "I am sorry, I just cannot give an answer to that. I can conjecture, I guess that would not be very helpful. Let me discuss that with the Treasurer and I will provide you with his reasons." And I said that I would be very pleased to hear these reasons as to how you propose to deal with tax havens.

In one way you have given an answer in the past year. You said, in line with what was said by Benson, that upon emigration, individuals would suffer the full impact, as I say, of the capital gains tax; or when, of course, the gain was realized. But on emigration, I was interested on just how that would be carried out. If that is an adequate closing of that enormous loophole, which works so much to the detriment of the province, with people that have earned their money here, acquiring large sums, taking off in order to escape the consequences of either capital gains taxation or death taxes, as they grow older.

There were a number of other smaller points that I do not think I ever found particularly clarified and they occurred on page 7,993.

The first one has to do with the work that was carried out by Glen Cronkwright and Professor John Allan. You say they have been working in the department, but in no place here do you spell out what work they have done.

Now Professor Allan, to our knowledge, has now been engaged by the federal government as a tax consultant, and I wish him God-speed and every benefit, because he was of inestimable value to us in the course of the tax discussions. I think he has that degree of non-partisanship that he can serve in that degree of social goodwill and social justice.

He can feel the needs of the whole population and can advise any government in the direction of equity. It is a bad thing to have to lose John Allan but I would be interested in seeing what they did.

Then, I am even more interested in the 19-point programme that you mention, in which your good and great friend—and I trust mine too, up to a point—Mr. Ward Cornell, campaign manager for the member for London South, has made certain overtures and advised him, I am sure sagely, in a separate 19-point programme as to good public relations and communications. Is this something to which the members of the House cannot be privy — what specifically these 19 recommendations were? If they are at all available, I would like to see what they are and I can gather precisely then, knowing what they are, how they have been carried out in terms of your tax bulletins. There is a certain *joie d'esprit* present in those bulletins now, a certain playfulness, which is altogether appropriate in the tax field, that makes the stuff rather easier to read, with the odd light moment or so. If that is part of their work, I give them good credit for it. In what other range, apart from that, these points became valuable in your depiction of policy, I would like to know also. And I would like to know the cost of carrying that out.

There is a study on gasoline done by Woods, Gordon in which again there were certain recommended changes. May the members of this House be privy to this document, this $5,000 survey? Maybe it is more than that—a $20,000 survey? It is an efficiency study of the gasoline branch. If we may pursue such a document and weigh its efficacy over against what you are presently doing, I would think that would be of value to the people of the province also.

I am also bemused and a little taken aback by your mention in the previous year of your preference in the case of granting some kind of exemptions or subsidy, or what you will, to industry to bring in anti-pollution equipment, to give them some relief for taxes. I think the minister will have to agree with me that his own prelections in this regard have been ignored, or at least shunted aside, in favour of an accelerated depreciation proposal put forward by the Treasurer in its place.

Somewhere along the line I would like him to explain to me what he means when he says, "My own preference would be to handle that kind of subsidy openly on the expenditure side." My hon. friend, the member for Sudbury, may know of a very large and wealthy company, I daresay, with a pollution problem, which is well able to provide its own anti-pollution equipment. There may be a sawmill out in the bush that has a tough time getting along; this mill needs a subsidy beyond the amount of the tax on pollution equipment, needs the state as a whole and the people who are using the streams in the area of the logging operation to pay some substantial portion of the installation.

By using the expenditure side rather than the revenue side, all of these variations may be accommodated. But that has not been done. Does the Minister not feel some chagrin? Was he not able to bring his considerable tongue upon the head of the government in order to make them see the light in this regard? Just what happened to these brave words of the minister last year as to handling some kind of alleviation, particularly for the small industry, in the fight against pollution?

Now, I am going to briefly run over four or five statements from McRuer in which he is concerned with various areas of taxation law in which this department comes under some critique. I would say to the minister, before I do this—I have not made a definitive study of this—that within his own department he has the full utility of a good staff who should prune out, I suggest to him, under McRuer, all these areas and sections having to do with a very wide diversity of issues where he may give some thought to rectifying his present procedures and the hive of activity inside that department.

He talks for instance, about section 29, of The Succession Duty Act, and it has to do with investigations and the wide powers of investigation conferred by that statute. The investigations under these provisions are intended for the purpose of ascertaining whether any duty, etc., is due or payable. But section 29 extends the provisions of the previous two sections which confine the examination and investigation to purposes related to The Succession Duty Act.

Section 29 would appear to remove any restrictions on the scope of the investigation; it expressly allows inquiries into areas which may not be relevant.

The section may not have been used as authority for improper investigations, but it is capable of such use and as such is an unjustified encroachment on civil rights. I would ask them to take those nostrums under consideration.

At 406, with respect to the demand for the production of documents from industry and individuals under The Corporations Tax Act, he finds there is a great deal wanting, that the demand he suggests be served should have specific information set forth thereon so as to enable the person upon whom the demand is served to determine the relevance of the documents and the information requested.

And he goes on to say that the specific area within such a limit should be set out in the demand and then not have wide-ranging carte blanche impositions made upon the taxpayer which are quite unnecessary and which only aggravate and cause the taxes to be treated even more venially than they presently are.

The same thing applies in 398, I think it is, with respect to The Hospitals Tax Act. He claims under that head that the imprecision of language is so great as to leave all kinds of scope to the minister, which McRuer at least, and so do I, will find most questionable. The statute ought to be amended and altered in this particular regard.

He makes mention, too, of The Charitable Gifts Act as to the distinction between a subjective and an objective interpretation of the Act. The Charitable Gifts Act leaves him too much subjective discretion without any way of getting behind it or into the mind of the minister as to why he feels—and the word is feels—that a certain institution is or is not

a religious charitable education or public institution. The same thing with The Gasoline Tax Act at 469—the powers of inquiry under that Act are much too extensive and should be brought into question.

If one looks at the area of the tax statutes of the province under this particular head, as to the preservation of civil liberties, we are gravely deficient. One could take another occasion on which to attack the unnecessary complexities and the internal references in what it does say under The Corporations Tax Act, but I think this is a more pressing issue—a thing that you can get down to with a fair amount of ease, work out and come to some decision on in the next six months. It would be a great alleviation to the business community to start with and to pretty much all the citizens who are under obligations to pay tax, particularly those having to make remittances to the government by way of the sales tax picture.

These are the basic thoughts that I have on the matter which I think would be of some assistance in the forthcoming year to the minister. Other matters are even more nitty gritty, if I may say so, than the propositions put forward this afternoon by me to the minister. They are basically not pinpointing propositions, having very little to do with policy decisions, but then again that is not the job of this minister. I see no point, either, in seeking to spend a great deal of time interrogating and much less to flagellate him over failures in policy or wrong policy decisions reached. I am sure that these estimates, therefore, can proceed apace and that most of the issues can be brought to a head within the next two hours.

Hon. Mr. White: Mr. Chairman, a year ago I felt obliged to thank the critics of the opposition parties for their comments during their opening remarks.

I feel under no such compulsion today. Their remarks are unhelpful, uninformed, inaccurate, outdated, and downright misleading, as I will attempt to prove in the next few minutes.

My hon. friend from Lakeshore, whose personal characteristics and whose delightful personality I admire, hopes that these remarks of his may be of some assistance. Well, they are not and far from it. A great disappointment it is to me that the socialist party of this province and the Liberal Party of this province cannot turn up a couple of men who know something about business and finance and economics in order to bring a degree of light to this very important department.

Mr. Lawlor: This is the first time I have seen you come out fighting; it is quite a change.

Mr. E. W. Sopha (Sudbury): It is all pompous pedantry.

Hon. Mr. White: I am not going to debate anything with the member for Sudbury who drops in here very rarely to massage his own enormous ego.

Mr. Sopha: I notice the quality of your performance goes down when I am away.

Hon. Mr. White: The member for Kitchener mentioned an increase in estimates, but he did not choose to reveal that the increase amounts to something like 5 per cent, whereas salary cost increases have averaged 9 per cent. What he did not choose to mention is that during my ministerial responsibilities, in spite of an increase in collections of something like 40 per cent, and in spite of an increase in taxpayers of something like 20 per cent, we have decreased the staff in this department by 4.7 per cent.

My hon. friend had some interesting, if convoluted, remarks to make on the subject of tax philosophy—

Mr. Lawlor: With all the computer equipment you have been buying you ought to be able to do something.

Hon. Mr. White: —and he attempted to connect that with the dissent and discontent which one observes here and there.

Without entirely disagreeing with my hon. friend, he will recognize that this is not my responsibility. While I do have views on tax reform, and while I do agree completely with the tax reform programme enunciated in the Treasurer's budget of March 4, 1969, it is not my function at this time to elaborate on that, much as I would like to do so—

Mr. Lawlor: It is very difficult to find out what your function really is. You have the most evasive department in the government.

Hon. Mr. White: —or to explain how impossible it is to proceed with tax reform in this programme—

Mr. MacDonald: You are just a revenue janitor.

Hon. Mr. White: —when the federal government through its white paper has alarmed every taxpayer from the Atlantic to the Pacific. We are not going to attempt to structure a tax system here until we know what the primary tax system of this country is going to be.

Interjections by hon. members.

Mr. Chairman: Order!

Hon. Mr. White: There is nothing else in the remarks of the hon. member for Kitchener that warrants any comment, or invites any comment. If he has other questions or comments later, I will be glad to try to deal with them.

My hon. friend from Lakeshore in the last 30 or 40 minutes has given me a list which amounts to something like 17 points. I feel compelled, Mr. Chairman, to deal with each of those in turn.

He says that taxes are too complicated without offering any evidence, without offering any illustrations, without offering any solutions. In point of fact, taxes are ever so much less complicated than they were two years ago. We have adopted federal definitions wherever possible; we have adopted federal formulations; we have adopted federal practices; we have, in consultation with and co-operation with the province of Quebec. We have developed ways by which duplicate taxation can be avoided, and I can give any number of illustrations if my hon. friend wants me to do so. We have taken the leadership in bringing uniformity to tax application all across Canada. We have conferred with neighbouring jurisdictions in the United States, at tax conferences and in private meetings arranged by me, and we have obtained information and exchanged information with these neighbouring jurisdictions.

My hon. friend accuses me of some diminution of intent and accomplishment and he cites my brief opening remarks today as evidence of that. In point of fact, my opening remarks today are about five times as long, I should think, as my opening remarks a year ago.

What I did do a year ago was to provide a memorandum—which my hon. friend holds in his hand—in which we enumerated some of the improvements made in the department. We published a similar summary last May, and we will have a very extensive summary contained in the annual report of the department, about which I shall refer in greater detail later, when that is published 10 days hence. That is the reason that I did not predict the contents of that report in a separate memorandum at this time.

Now my hon. friend says that information is not made available. In point of fact, the opposition parties and the opposition critics recognize that this is not a particularly newsworthy department of government—

Mr. MacDonald: And your own back benchers.

Hon. Mr. White: —and in their selfish quest for power they are turning their backs on their responsibilities in this respect and climbing—

Mr. MacDonald: Only nine of your members here listening to you.

Hon. Mr. White: —on the bandwagon of this day's most scandalous episode. I am going to tell you, sir, that these critics have not prepared themselves, and they stand condemned for not preparing themselves.

Mr. Lawlor: You sit on too much information, you do not tell the opposition anything.

Hon. Mr. White: And I am going to show you how the hon. member for Lakeshore has made not one mistake today, he has made 10 or 20 mistakes today, and the most glaring and obvious and disgraceful charges.

Interjections by hon. members.

Hon. Mr. White: I have established not one but several meetings with my officials for these opposition critics which at the last minute they were not able to attend for reasons unknown. I have arranged one tour for the hon. member for Lakeshore and invited him to attend to see other branches.

Mr. Lawlor: That is completely unfair. You know why he could not attend.

Hon. Mr. White: The hon. member for Kitchener has never evinced that kind of interest. We do, every day of our lives, offer advance rulings to the tens of thousands of taxpayers in this province, just as the federal government has now undertaken to do. And unlike the federal government we do not charge for that service. We will be publishing those opinions that flow from the tax review board.

Mr. Lawlor: You have been there for two years. Why have you not been publishing them before now?

Hon. Mr. White: And this tax review board will be announced within the next two weeks, after—

Mr. Lawlor: Is it not marvelous how you did everything within a few hours of your estimates, eh?

Hon. Mr. White: Now just a minute. I will not accept that. This is a very basic change in the entire application and appeal

review of taxation in this province and I am not going to do it until I know exactly what I am doing.

Mr. Lawlor: Are you sure you are going to know that next year?

Hon. Mr. White: The advisory committee nominated by the Law Society, the advisory committee of chartered accountants nominated by the Institute of Chartered Accountants, have met and considered this matter on a number of occasions in the past 12 or 18 months. We have scheduled the next meeting, and I think the final meeting, for about one week or two weeks hence, at which time the final document concerning the tax review committee will be put in front of them for their final approval. I make no apology for this delay.

Mr. Lawlor: You do not.

Hon. Mr. White: This revolutionary change in the application—

Mr. MacDonald: Revolutionary?

Hon. Mr. White: —and collection of taxes in this province is of such great importance that I am going to take whatever time it takes to do it properly and to ensure we do not open up loopholes and inequities that cannot be dealt with later.

Now my hon. friend, wanting the best of both worlds, says he does not like the Treasurer's announced intention of vacating the death duty field, and then he chastises us for not having done it as he said we were going to do.

Mr. Lawlor: I do not recall chastising you on that.

Hon. Mr. White: He criticizes us for not proceeding with the personal income tax, although he must know in his mind and his heart that no such thing could be attempted while the federal white paper was under review, and while nobody in this country knows what the federal government is going to do in the income tax field.

Mr. Lawlor: Yes, you huff and you puff and you do nothing. We have to listen year in and year out to that nonsense.

Hon. Mr. White: Now my hon. friend makes some mention of Sudbury and says nothing has been done. In point of fact everything has been done that was recommended. That is to say, the municipal taxation of smelters and such like has been attended to—not by this department because it is not my responsibility but by the Minister of Municipal Affairs (Mr. McKeough), and I will leave him to explain privately or publicly what those changes involve.

My hon. friend chastised me on October 20 for not having the 1970 annual report for The Department of Revenue and, as I mentioned earlier, that will be available in 10 days' time, so that will be a couple of months before the end of the year and not too bad, I would say.

My hon. friend mentioned compensation to vendors and he wants to know what is done in other provinces. Well, I have the statistics for each of the provinces and I will read them to him now or send them over to him, whichever he prefers.

Mr. Lawlor: I would like to see that.

Hon. Mr. White: I will send these over to my hon. friend. He chastises the government, Mr. Chairman, for not withdrawing compensation to the 116,261 retail sales tax vendors in this province, once again demonstrating the anti-business bias and more particularly the anti-small-business approach taken by the socialists in this province.

Mr. Lawlor: I protest, Mr. Chairman. He voted for it, you know.

Mr. MacDonald: Just because you croak it has not increased the size of the litle frog in the little puddle.

Hon. Mr. White: And I can reaffirm that the government has not seen fit and has no intention of withdrawing that remuneration—

Mr. MacDonald: That kind of abrasiveness has got you into enough trouble in your own party.

Hon. Mr. White: —to the more than 100,000 small businesses in this province.

Mr. Sopha: It sounds like a pool-room brawl.

Hon. Mr. White: Well, you leave the room and the manners will improve.

Mr. MacDonald: Not as long as you are here today.

Mr. Chairman: Order!

Hon. Mr. White: Now the next subject with which my friend would wish to deal, the taxes collected and the remuneration paid, will be included in great detail in the annual report 10 days from now.

The member for Lakeshore asked for the cost of the select committee, and as evidence of his lack of preparation I direct him to the public accounts of the Province of Ontario for the fiscal year ended March 31, 1969, page 7.10, which shows the cost in great detail, including the moneys paid to each of the consultants and the other cost elements; those amounts total $124,566.17.

My hon. friend asked for the cost of the Smith report, and those figures are available in the years prior to 1969. He asked for the cost of the task force work; this cannot be separated because there was an input from every department of government and from many agencies and commissions of government, all of which were part and parcel of the regular function of that branch of The Treasury Department.

He has queried me about the several outside groups that are advisory, one of which he mentioned was the Estate Planning Association in London. That is a private group which I addressed and to whom I explained our tax reform programme. They made some offhand comments, but it has no more to do with me as a regular event than does the Rotary Club of Lakeshore itself.

Mr. Lawlor: Thank heaven for that.

Hon. Mr. White: The advisory committee of lawyers has met with me regularly, as has the advisory committee of chartered accountants. And, as I mentioned, I have a meeting scheduled for two or three weeks hence at which the final announcement of the tax review committee will be considered and decided upon; the consideration by the committee and the decision, naturally enough, by me and my cabinet colleagues.

In addition to that, sir, I have met time and time again with private organizations of every kind—with restaurant associations, with manufacturing associations, with tourist associations—with all kinds of groups who have an interest in the subject of taxation.

At the most recent meeting which I had with one of these groups, I informed them of the change we were making in applying retail sales tax to on-site construction. This is to bring ourselves once again into conformity with the federal government, because of my undiminished determination to follow federal leadership in these matters so that Ontario taxpayers, corporate and otherwise, will not have to go over two sets of appeal hurdles, through two sets of bureaucracies, through two labyrinths of regulatory requirements and so on.

When I informed them that we were now adopting the simpler federal formula, they offered their congratulations to us on that particular improvement. I said to them: "Now, what else are we doing wrong that you do not like?" because I am meeting this group every other month—"what else are we doing that you do not like?" Silence. "What other suggestions do you make to improve the system?" Silence. Like the opposition right now. "What changes do you want us to make?" Silence.

I said to them, "In other words, you cannot think of any way in which to improve our collections at this point?" They said, "No, Mr. Minister, you are entirely right."

It does not mean to say that other imperfections will not be found. It does not mean to say that other improvements will not be made because, of course, they will. This is part and parcel of a continuing evolving department in a very important function. But they did not have any suggestions for me at that moment, any more than the member for Sudbury has any suggestions for me at this moment—

Mr. Lawlor: No I guess not, just because they could not think of something at the moment. We can think of thousands of things.

Mr. MacDonald: Big croaks from a little department.

Hon. Mr. White: Any more than the two opposition critics had anything helpful to say.

Mr. MacDonald: There are more members of the opposition here than there are government members and backbenchers listening to you. They know what importance your department represents.

Interjections by hon. members.

Hon. Mr. White: All right! I do not see you leading any riotous packs outside the buildings these days. I thought you might be. What happened? The hon. member was so anxious to jump to the front of every mob.

Mr. MacDonald: They caught up with you in Middlesex South.

Hon. Mr. White: Are you lying low these days?

Mr. MacDonald: Boy, you are a demagogue.

Mr. Sopha: Revolution is out of style these days.

Hon. Mr. White: Out of style, yes.

Mr. MacDonald: You are trying to increase the size of the little puddle you are in.

Hon. Mr. White: Go on, try it out and try to find a mob to lead.

Mr. MacDonald: I am looking at one little section of a mob right here.

Hon. Mr. White: Now, Mr. Chairman, the member for Lakeshore dealt with rights reform. We have, in fact, provided a wide area of appeals in the legislation that were not previously to be found. We have been and are co-operating with the Attorney General on all-embracing overall legislation to affect all departments for the safeguarding of our people.

Reference was made to the misalignment with the federal corporate income tax legislation. In point of fact, in the last 24 months we have made scores and scores of changes in our legislation, scores and scores of changes in our regulations and scores and scores of changes in our practices to bring ourselves into conformity with the federal government. I, myself, have visited the federal Minister of Revenue and have pledged my co-operation to him in attempting to find common ground in a wide variety of matters. I have expressed my hope, with which he concurs, that we will be able to combine tax collection and tax auditing at some future point in time.

Incidentally, I think I should say that I have asked the Productivity Improvement Project, through their chairman—and he has acceded to my request—that they study the possibility of unifying collections for various departments here in Ontario, for various boards and commissions and such like, so that we will have one auditor and/or one collector going into to collect funds on behalf of this level of government.

When some future progress has been made on this undertaking, to which the Prime Minister himself pledged our interest in the climax to the throne speech a year ago, then we will be in a very much stronger position to go to Ottawa and say: "Here is what we have accomplished; now let us work with you to have one agency looking after corporation tax," or whatever. I have very great hope that modern equipment like computers and modern techniques will make this more and more possible as time goes on.

My hon. friend referred to tax havens. I think he was thinking of other nations, rather than other provinces.

Mr. Lawlor: Right.

Hon. Mr. White: Certainly other provinces become a problem if one province, as did Alberta, determine—

Mr. MacDonald: They are your bedmates.

Hon. Mr. White: —to rebate a certain tax in the hope of inducing capital and people to flow into their province.

Mr. MacDonald: Following their lead next year?

Hon. Mr. White: It is very difficult for us to circumvent that. This is an illustration, I think, where a uniformity of tax application from coast to coast is desirable. This is further evidence, it seems to me, that the leadership we have given in bringing about uniformity is going to be very helpful to all those concerned.

So far as tax havens in other countries are concerned, as my hon. friend knows, The British North American Act entitles this province to direct taxation, which is to say that we can only tax the person or the property in this province. The consequence of that limitation is that we have no control whatsoever, nor can we acquire any control whatsoever, over the movement of capital and poeple from this country to other countries.

Even if we did attempt to impose on the citizens and taxpayers of this province some extraordinary inhibition, nothing could be easier than moving themselves and their property to Manitoba, to Prince Edward Island, or any other such place, thereby escaping our regulations and from that point going to a foreign nation, whether that be the West Indies or someplace else.

Mr. MacDonald: At this point you have lost all the cabinet except the other janitor, the Minister of Public Works (Mr. Simonett).

Hon. Mr. White: That does not worry me. I have not lost you, as much as I would like to.

Interjections by hon. members.

Hon. Mr. White: And therefore international tax havens become the obvious responsibility of the federal government. As my hon. friend has said, the federal government have this uppermost in their minds, and, in fact, have announced certain changes which are designed to prevent that kind of thing from happening.

Reference was made to Professor John Allen, who was the consultant to the select committee and more recently consultant to my department. He was very helpful. I will give the hon. member details about the research projects he undertook for me if he so desires.

He is now the director of the fiscal policy division of The Department of Finance in Ottawa and I think I speak for the member for Lakeshore and the member for Kitchener when I say that we wish him every success in that very very important responsibility. I think I can say further that we welcome that important appointment, because he has some feel for provincial concerns. He has some knowledge of our problems and, I venture to say, he has some rapport with members from each of the parties here in this Legislature, because of the very good work he did with the select committee on taxation.

My hon. friend has queried the 19-point communications programme and I will undertake to provide him with a complete list of these items. Let me spend a moment or two, if I may, on several which I think will be of some assistance to him and perhaps to others.

One of the points was that I should visit each of the 33 branches of my department, as indeed I have done, and I take this opportunity—

Mr. Sopha: Yes, I noticed you did not call on me when you went to that taffy pull up in Sudbury.

Hon. Mr. White: I did not think you would be interested. You have not expressed any interest in the department, so I did not want to burden you further.

Interjections by hon. members.

Hon. Mr. White: Now I want to say, Mr. Chairman, that in these visits to the branch offices I have been tremendously impressed by the interest and the vigour demonstrated by the men and women who work in these offices, and I am very much interested in the concern which they bring to bear on behalf of the taxpayers with whom they deal. Obviously they are in the front line and obviously they come in contact with the tens of thousands of taxpayers—

Mr. Sopha: It is a military organization.

Hon. Mr. White: —in a way that I myself do not, and it has bene very helpful to me in making visits to these 33 offices to ask one what we are doing wrong and what we—

Mr. Sopha: Generalissimo!

Hon. Mr. White: —could do better. And I can assure you, Mr. Chairman, that many suggestions have been forthcoming and that these are being implemented.

Perhaps this is an opportune time for me to mention another of the 19 points, which was a suggestion award campaign. We had launched the campaign about May 15 by sending a letter from the minister to each of the 1,300 staff, in which we provided a suggestion award form. The contest proper came on May 28, or something like that, and ran for a period of 10 days or two weeks. From our 1,300 staff members we received nearly 300 suggestions, half of which won awards ranging in value from $5 to $500.

Mr. Sopha: The other half said the minister should resign.

Hon. Mr. White: The young woman who won the $500 award was a clerk too in the department. She suggested that the gas tax branch go from manual typewriters and a certain procedure to electric typewriters using a somewhat different procedure. Our systems and operations men looked at that and decided it was a good idea; they went a step beyond that to an automated electric typewriter. This eliminated three people in the department and resulted in a saving of $22,000 a year.

I think the suggestion award campaign was enormously successful. We have determined to do it at least once a year. We think it has the nod over a continuing award campaign as practised in other industries and with which I was intimately connected with Stelco in 1947, because it is impossible to sustain interest in these on-going programmes—if not impossible, very difficult. The genius of this particular approach—and I take no credit for it personally, I assure you—is that we had a two-week suggestion award campaign; then we closed it off and made the awards. And, indeed, we intend to repeat it because of the success of the first venture.

Mr. Sopha: The first prize was a week in Toronto; the second prize was two weeks in Toronto.

Hon. Mr. White: I was glad to hear my hon. friend make reference to the bulletin, which I think is just about as clever and as interesting and as readable as a tax bulletin can be. We had 200 letters from taxpayers, believe it or not, saying this is the smartest thing we have ever seen.

An hon. member: And you worked in the tax department? I cannot believe it.

Hon. Mr. White: If our hon. friend has not seen some of those letters, I think I would like to show them to him.

Hon. J. P. Robarts (Prime Minister): No way.

Hon. Mr. White: Now the gas tax changes which were mentioned were dealt with in the consultants report. If my hon. friend wishes, I will tell him the substance of the Woods, Gordon report. I can assure him we implemented it in full and I will describe, if he wishes, the consequences this brings with it. It will probably take me five minutes to do so.

Mr. Sopha: Well, have you stopped that loss of public money in that branch which you have been allowing to be lost over the years?

Hon. Mr. White: My hon. friend is referring to a statement I made not long ago that we were determined to stop the evasion of diesel fuel tax. He should be aware that there is evasion in every tax field and, believe it or not—he, being a lawyer, perhaps will not be aware of this—some people even cheat on their income tax to the federal government. Yes, I hate to inform you of that: there is evasion in every field.

Mr. MacDonald: Ask Stafford Smythe.

Hon. Mr. White: It is obviously our responsibility to minimize that evasion and we are fulfilling that responsibility very well. I have drawn attention to this diesel fuel problem because of the concern of the Quebec officials. The organized criminals are taking an interest in the matter in the city of Montreal, and I have announced our complete determination that this situation should not be exacerbated by people in that part of the country. We are working with the Quebec officials, and my senior investigator has conferred with the investigators for The Department of Revenue. I myself have asked the new Minister of Revenue in Quebec to meet with me toward the end of this month so we can pursue this matter further, and I am announcing an increase in investigators from five to between 11 and 15. I welcome the opportunity to reiterate my determination that these tax evaders are going to go to jail. We are going to ensure that this loss is minimized.

Interjections by hon. members.

Hon. Mr. White: As I say, I am glad to describe the changes in the gas tax branch if that is the wish of the members.

Mr. Sopha: But what about this money?

An hon. member: They will go to jail for it.

Hon. Mr. White: It will only take me a few minutes to explain.

Mr. Sopha: Could I ask a question? Will you tell us if you have done anything about the enormous—

Mr. Chairman: Order, please. The member—

Mr. Sopha: Oh yes, he told me I might ask him a question.

Mr. Chairman: Well, let him speak.

Mr. Sopha: This enormous loss of money—was it strictly the result of bankruptcies and the failure to collect the gasoline tax and the concessions that you make to the oil companies in relation to those offices? Have you done anything about closing that loophole?

Hon. Mr. White: Yes, we were paying a very modest amount of money—I do not know if it amounted to $100,000 or what it was; it certainly was not very much—to those oil distributors who had losses through the taxable component because of the bankruptcy of their customers.

The amount was not $100,000; it was closer to $20,000 a year—and I now have made arrangements with the industry that no such claim will be entertained unless it exceeds something like $1,000; this will eliminate 90-odd per cent of the requests that came to us. It will serve to reduce a lot of paperwork; it will save the industry a lot of paperwork. The amount of money concerned is not very great and as a matter of fact, I want to go on and cancel the whole thing out because it was not a matter of significance to the oil industry. I was prepared to do it in two stages and indeed I have.

Mr. MacDonald: You seem to have run out of steam.

Hon. Mr. White: Oh no I have not. The best is yet to come.

Mr. J. E. Bullbrook (Sarnia): Lots more steam where that came from.

Mr. C. G. Pilkey (Oshawa): Did I miss a part of it?

Hon. Mr. White: My hon. friend suggested that the expenditure side should be used in this matter of pollution equipment. Has he lost track of the fact that this is exactly the way we are doing it, as announced by the Treasurer?

Mr. Lawlor: They do not know what is going on.

Hon. Mr. White: Does he not apprehend that this is not a tax exemption but rather a tax expenditure grant and it meets—

Mr. Lawlor: You recommended a subsidy.

Hon. Mr. White: I did not recommend an exemption at all.

Mr. Lawlor: A subsidy.

Hon. Mr. White: This is a tax expenditure rebate on all fours with a point of view which he himself expressed.

Mr. Lawlor: You do not even like accelerated depreciation. You say it is just a loan.

Hon. Mr. White: This is not accelerated depreciation. This is a tax expenditure rebate I am talking about. My hon. friend drew attention to the McRuer report; now listen to this if you can believe it—and complained about section 29—

Mr. Lawlor: Wait a minute before you—

Hon. Mr. White: He will have another turn. He complained about section 29 of The Succession Duty Act and, in accord with Mr. McRuer, said how dreadful and terrible it was. Well, my hon. friend, we repealed that with no delay on June 26, 1970.

He complained about The Hospitals Tax Act and quoted Mr. McRuer as saying how awful this statute was and how it should be amended and altered, and he himself said, "It must be amended and altered." Well, we repealed that on March 31, 1969.

Mr. Lawlor: These are examples of your ineptitude.

Hon. Mr. White: Of whose ineptitude?

All right. On The Charitable Gifts Act we have established, as a matter of announced policy—

Interjections by hon. members.

Hon. Mr. White: —that if a charity is exempt for federal income tax, it will be exempt for Ontario tax purposes. I am not going to set up a separate set of definitions and a separate procedure and a separate system of appeals in this matter. If it is tax-exempt for the federal people, it is tax-exempt for us; it is as simple as that.

Mr. Pilkey: If it is good enough for General Motors, it is good enough for Canada.

Hon. Mr. White: Now my friend concluded by saying there are unnecessary complexities in the legislation and I would say to him, prove it.

Mr. MacDonald: That was an awful lot of blasting—

Hon. Mr. Robarts: Oh, come on.

Mr. Chairman: Vote 1901. The member for Sudbury.

Mr. Sopha: Yes, I wanted to make some short remarks in respect of one specific aspect of the spending of money here, and that is in relation to the expenditure on proposals for tax reform within this department, to which this minister has referred in several different ways. But in parentheses I say that seldom have I seen such a display in the Legislature of unadulterated conceit as we saw at the opening of his remarks; as he told us on this side of the House, in effect, stating categorically that only he was gifted with omniscience in regard to taxation matters. Indeed, the display of a love affair with himself at one point became so indecent that I was thinking of sending for the police to put a stop to it.

Mr. Lawlor: He was huffing and puffing.

Hon. Mr. Robarts: Where have you been all these weeks?

Mr. Sopha: Where have I been? Where have you been?

Hon. Mr. Robarts: I have not heard you—

Mr. Sopha: Where have you been? Because there are few members in the House who attend less regularly than you. There are few.

Hon. Mr. Robarts: I hear it all, but I have missed your voice.

Mr. Sopha: That has applied to you. For about the last two years. Now what do you do with your time? I would like to know.

Hon. Mr. Robarts: I missed your voice.

Mr. Sopha. Now you are not under oath! You can tell me, you know.

Hon. Mr. White: This is the first day the member for Sudbury this session—

Mr. Sopha: I always miss you.

Hon. Mr. Robarts: But I do not always miss you.

Mr. Sopha: As I said to my friend, it applies to you, too, the quality of your performance goes down when I am away, you see, when I am not here to keep you sharp.

Hon. Mr. Robarts: That has got to be conceit if I ever heard it. That is the ultimate in conceit.

Interjections by hon. members.

Mr. Sopha: All right. Could I get back to one oblique reference made by the minister to the Treasurer's proposal that succession duty taxation be given over to the federal government under an estate tax programme? I want to say, and I have waited a long time to say it, that I well remember the night that I went to my pillow with sadness having heard the three speeches in this House. It was started by the member for Riverdale (Mr. J. Renwick), the refrain was taken up by the Treasurer and subsequently this minister from his perch in the second row joined in the chorus.

All three, it is fair to say, if one looked at that *Hansard*, were beating their breasts about the iniquity of succession duties. The member for Riverdale—I state accurately—started it by reference to what he called the inquisitorial provisions of the bill and the wide powers given the minister. The Treasurer got in on a different note, and started to talk in general terms about the evils and the oppression of succession duties upon people. I want to state before voting this money, unequivocally, that succession duties are probably the fairest tax ever devised by mankind; probably. As a matter of philosophy, I can state quite baldly that I see no right in any human being, when he goes to his great and eternal reward up there, in any way by his dead hand controlling the expenditure of the money—

Hon. Mr. Robarts: There is an assumption there.

Mr. Sopha: Pardon?

Hon. Mr. Robarts: There is an assumption in that.

Mr. Breithaupt: That is toward the press gallery.

Mr. Sopha: Yes, there is an assumption. That he has the moral right—and I am speaking seriously—to, in any way, control the expenditure of money.

I quickly add two things in that respect; that, insofar as I am concerned about the avoiding of succession duty inheritance by the creation of sophisticated trusts and foundations and institutions and things of that nature, I take the position on a moral basis that very largely that money is ours which is administered by those foundations. That money belongs to the people of this province, of this country. To illustrate: If J. P. Bickle takes $14 million out of northern Ontario, as he did; and if W. H. White takes $47 million out of northern Ontario, as he did; when they go to their eternal reward—the Premier does not like that expression—when they go to their death, as far as I am concerned, as a philosophical, amoral proposition, that money then belongs to the people of this province. I add the qualification to it that, of course, there is an obligation to provide for the widow, the wife. She has become accustomed to live in a state consistent with her husband's accumulation of wealth. She, in many cases, has worked alongside him to assist in that accumulation, therefore she is entitled to adequate and fair provision.

There is almost no obligation to his children; there is almost none. The obligation to his children who very largely have contributed nothing whatsoever to either the acquisition of the wealth or the advancement of the economic well-being of this country, stops at providing them with all the education which they can profitably absorb, and nothing more. They have no more right to come into that wealth and start to engineer or govern its direction or use.

I will never, as long as I represent the people of Sudbury and have the privilege of a place in this Legislature and am entitled to a vote, I will never support any bill that gives up the right of this province to levy succession duties, in whatever form it may fall. It is a very dangerous thing, I think, for this province in the light of the attitude to the Ottawa government, and in light of the stance and posture that the first citizen takes when he goes to the conferences, to be talking about making any concessions in revenue-generating affairs.

He will not even give up a concession; he will not even concede that from a practical point of view securities ought to be regulated on a national scale. Therefore, it is quite paradoxical and pathetic to me for the government on the other hand to be talking about a willingness to give up a tax field, when historically they fought with the federal government over the decades for the maintenance

and, indeed, the increase of revenues to be generated from those fields.

As I say, I remember that night of the beating of the breasts, you might call it that, the night of anguish, when these three that I have identified stood in their places here and talked about the evils of succession duties, I intervened from my seat—I never did get the floor that night; they talked too long, as is their wont—I did not have the opportunity to intervene, but I did it by way of interjection.

For people to stand here and to perpetuate privilege in this way, when our society is working toward the inculcation, the encouragement of equality of opportunity, the abolition of privilege, to me it is not only incomprehensible but it is antithetical to the whole philosophical development of our society. They are trying to eradicate privilege, and part of the eradication is surely consistent with the deprivation of individuals to amass and control large quantities of wealth. And when they seek to do that, after they have gone to their grave, then philosophically it becomes entirely indefensible for them to do it.

And the time is going to come—I end on this note—probably within the next decade, when we are going to have to look at these trusts and foundations and evaluate what social purpose they serve. Much can be said about them. Much can be said about the privileges, the latitude, the flexibility, the discretion that they have in ordering all sorts of affairs in the areas of education, health services, charitable works, investigations, inquiries, research. They certainly have a wide latitude of action in them. We are going to have to have a look and see to what extent they have become powerful as a result of their immunity from taxation, and that is what it really results from: the insulation that governments have given them by way of immunity from taxation.

I go on record as saying that not only am I opposed to giving up the field to the federal government, but I say categorically and with great assurance that the fairest pact ever devised by man, the fairest one beyond all others, was the one that levied, for social purposes, a major portion of the money on the death of the one who accumulated it. Or to put it another way: If one individual reaps it from the soil during his lifetime—using soil in a literary and graphic sense—then what is more just than that upon his death it is ploughed back into the soil which produced it—and the soil can quickly be translated into the word society; it should be given back to the society which produced it. Because, when all is said and done—and let us remember that much more is said than done—great wealth is not earned, it never was; it is accumulated.

Great fortunes are accumulated while the person who accumulates them sleeps; that is the secret of wealth. If you are making money when you are sleeping, you have the chance of making a lot of money. If you are awake, you can only make money by being a lawyer, who only earns when he is awake—some do not make a lot of money because they are not awake when they should be awake—or a dentist, or a doctor, while you are awake. But the great fortunes are accumulated through the labour, sweat and toil of others. And normally, when the time has come when the grip of the person is released upon them, they should be given back to the vehicle of government, social agencies, to the people whose work created them.

Hon. Mr. White: Mr. Chairman, I do not know what inspired those impassioned remarks. I can only surmise that the frequent and prolonged absences of the hon. member for Sudbury have caused him to forget the policy of this government.

The policy of this government has been clearly outlined. We are not in any way urging the elimination of death duties. What we are doing is two things: We are suggesting that one jurisdiction rather than two impose death duties on a family in bereavement shortly after the death of the testator in order to eliminate—

Interjections by hon. members.

Hon. Mr. White: Well, I am going to take as long as I need on this one.

We are going to eliminate two sets of radically different statutory provisions engendered by The British North America Act. We are going to eliminate two different systems of bureaucracy through which lawyers drag their clients at a time when their clients are least able to cope with the might of the state because of their personal circumstances. And we are going to do as seven other provinces of Canada have done, and that is to take a portion of death duties collected by the federal government in return for our vacating the field.

I agree that death duties are a very fair and maybe the fairest system of taxation, and I remember very well, my friends, in 1947 during an election campaign when George Drew came to the Royal Connaught in

Hamilton and said in almost the exact words used by the hon. member for Sudbury, "This is the fairest tax ever devised." This was one of the issues, you will remember—

Mr. Sopha: What are you abolishing it for then?

Hon. Mr. White: By the way—I draw it to the socialists' attention—when Mr. Drew walked into the hall that day socialists and communists sitting in the balcony showered him with leaflets criticizing the OPP and the orderly nature of our society, and I observe, and as my hon. friend observed earlier, they are not as quick to jump in front of an unruly mob now as they were a few weeks ago—and we will not let them forget that; do not think we will.

We do agree there should be death duties; we think there is no need to have them at two levels of government, with the duplication and the additional expense that it involves. By the way, it is argued time and time again to me that, we must have our own definition of, for example, on-site retail sales tax application because ours is better than the federal government's. All right, we will conform to their definition now, and if that is imperfect we will add our voice to the voices of affected taxpayers urging that the definition be improved upon. That is no defence for having two sets of definitions; nor is it any defence to say that the estates tax is imperfect and therefore we should stay in the succession duties business.

If the estates tax legislation is imperfect, the way to solve that problem is not to have duplicate legislation and duplicate collection facilities here. The way to do it is to have one system of taxation and we will help, as others will help, to improve that federal legislation.

There is just one PS I think I should mention. While I agree that death duties are perhaps the fairest kind of taxation imaginable, I agree with the Prime Minister's remark that with the imposition of a capital gains tax, if you pay as you go, you should not have to pay as much when you get there.

Mr. Pilkey: If you disagree, you will not be there.

Mr. Sopha: Did he say that? I thought he said, "Ho hum."

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I was rather interested in the rather truculent defence which the Minister of Revenue made of his job.

Mr. Lawlor: The word was truculent; that is right.

Mr. Breithaupt: It certainly added some heat to the Legislature but I do not think very much light.

He was indeed most unfair to our colleague from Lakeshore for repealing legislation without giving him the chance to deal with it.

Mr. Lawlor: Oh, he wounded me. I am bleeding over here.

Mr. Breithaupt: In any event, he put on a good show. I wonder if the price of admission, the $15,000, is not just a little bit high though?

Hon. Mr. White: Well, we have saved the economy about $20 million.

Mr. Breithaupt: Well, I believe the points which I made in my comments have some validity. I think that there are some principles there with respect to the operation of the taxing function within this province that are useful, and as far as qualifications are concerned, I believe that the member for Lakeshore certainly would have adequate qualifications to operate the department that the minister has, and I might even presume to them myself.

In any event, in first looking at vote 1901, we notice of course the usual small changes of figures. The minister has commented that his staff has decreased from 1,364 to 1,300 persons and that increased revenues have been received by the province. Well, that is indeed most commendable, and nothing in my remarks or the remarks of the member for Lakeshore presumed for the slightest that the collection procedures of this department are inefficient.

Our comments, or at least my comments, relate to the requirement for a separate ministry, and that comment that I made in my remarks, I believe, was a valid one. I see no reason—at least I thought I saw no reason—that those remarks would so upset the minister. However, I note in vote 1901 that some $30,000 has been budgeted for studies. This is the same figure we saw last year, and I am wondering if the minister can advise on just what studies the moneys were spent last year. Are there specific plans at the present time for the use of the funds in this vote since our year is well under way? I would

presume that most, if not all, of the studies that might be paid for are under way, or perhaps indeed some may have been completed. Perhaps the minister could advise us what they are.

In the area of operational audit, certain comments with respect to salary increases were noted and obviously the minister has made the point and, no doubt, validly, that various increases in the costs of employees within his department occasion larger salary amounts. Obviously that is the case. Again we are back to the total figure decreasing and I once more repeat that is commendable on behalf of the minister. I would just appreciate knowing how the 1,300 personnel in his department are divided among the various sales tax collection branches.

Each of the other subitems in that vote, I do not think need delay us. I note the charges for data processing have decreased by a few thousand dollars, from $395,000 to $387,000. Is this because the basic information required for the department has now been placed on record? If that is the case, presumably we then have a need for continuity and improvement and increase of information for future years. Perhaps the funds are being spent in that area. I would appreciate the minister's comments as to the expenses for data processing within his department.

I am wondering, Mr. Chairman, what studies the minister's department has made in co-operating with the Productivity Improvement Programme study. Are there any involvements that you have with this separate view of government operations insofar as tax collection is concerned? With this development of a planning, programming and budgeting system, we are, of course, coming to the same terms that the American federal authorities are reaching with their own Defense Department model. Are we developing studies on our own or in co-operation with the federal authorities concerning this PPB approach to our economy? Perhaps if these studies are being developed within this grant in the minister's department, he might advise the House of it.

With the Ontario statistical centre developing as a clearing-house for provincial needs and for co-operation among the departments of this government, is there any work for The Department of Revenue that is being done in that centre? In the estimates of The Department of Treasury and Economics, we were discussing the development of this area within government as a clearing-house for the operations of programming and for the assurance that compatible forms of information that could be mutually useful would be developed within Ontario. If The Department of Revenue is involved in this kind of programme and co-operating with it, then I would appreciate hearing it from the minister.

Now in any budget of course, financial control must join with both managerial control and strategic planning to develop the whole approach to the finances of Ontario. Are your officials doing any budgetary studies? Perhaps the minister could answer these questions on vote 1901.

Hon. Mr. White: Yes, I would be glad to. We show a figure of $30,000 for special studies and of that sum of money to date $4,785 has been paid to Ward Cornell Limited. That is the total amount expended. I have several matters coming up in the immediate future for which some extra promotion will be required. I will be making an announcement about the provincial savings office for instance about November 1. I am a little surprised that the member for Lakeshore did not inquire about that.

Mr. Lawlor: I will get around to it.

Hon. Mr. White: Not prepared for it I suppose.

Mr. Lawlor: I am waiting for you. It is going downhill.

Hon. Mr. White: At any rate, we have—

Mr. Lawlor: Under your supervision, it has gone down. You may have to close it up.

Hon. Mr. White: —in point of fact, eight major changes in their early stages. I will, I hope, in the next month or two be able to announce some number of these eight programmes and, without doubt, some of these will require some consulting services.

Reference was made to the operational audit. This is a maintenance figure, and it shows an increase of $500. Is that the sort of thing you wanted to know?

Mr. Breithaupt: No, my comment solely in that area was with respect to the point that I had developed from that point that there was a minor salary increase there which obviously is of not too much consequence within the size of the department. I had asked, though, what the breakdown of the various numbers of personnel might be, just as an aside, among the various areas of your branch.

Hon. Mr. White: Under this particular vote, departmental administration, we have the following as of April 1, 1970: minister's office, five; deputy minister's office, four; revenue research, seven; legal services, 15; operational audit, 11; general administration, three; accounts, 16; library, six; office services, 27; personnel, 17; Assistants in Programming, 28; for a total of 139.

As far as data processing is concerned, we are the largest user of the Computer Services Centre. This Computer Services Centre does not come under any one department. It is very greatly used by a number of departments and, as I say, The Department of Revenue has the most time on it. Deputy ministers from The Department of Revenue and from certain other affected departments, like Lands and Forests and Transport, and certainly from the Treasury and, no doubt, one or two others, constitute a committee which is, in a manner of speaking, a board of directors which runs the Computer Services Centre. We become a client of theirs. They are on a nil balance budget—I think that is the phraseology. For every dollar they expend, they collect from their clients of whom we are one.

Mr. Breithaupt: They are wearing two hats.

Hon. Mr. White: As a matter of interest to the hon. member, we revised our input in such a way that our time demands for retail sales tax have been diminished by one-third and that accounts for a significant decrease in one of the items in this vote.

Interjection by an hon. member.

Hon. Mr. White: I mentioned during my remarks that I have had several sessions with the chairman of PIP and at my request they have undertaken to study the possibility of amalgamating auditing and collection functions for those departments of government, and for various boards and commissions, in an attempt to decrease costs internally and lower the economic cost of compliance—and could I say the emotional cost of compliance so far as taxpayers are concerned. We had done some work on this but quite frankly, I am prepared to confess we have not made the progress I had hoped we might realize.

It is very difficult for a department to insist upon information from another department, particularly when that may involve some rearrangement of responsibility. It does not mean that the people in the other department are not efficient, it does not mean that they have not got complete dedication to the public well being, it just happens in the very nature of things.

This is true in your own family and it is true in your own business. Those people think they are doing the best job possible with respect to a particular function and it becomes extremely difficult, I can tell you, to get complete information and to achieve the objectivity necessary to decide whether or not that should be switched from another department into one's own department of government.

It was for that reason—that I was not satisfied with the progress to date—that I asked the Productivity Improvement Project chairman if they would take this on. They agreed to do so and they are now studying the matter. I am glad to say that the chairman also agreed to give it priority and I think they said they would try to have a report out sometime around the first of next year. It will not be one of those studies that goes on for ever—and this is an interesting aspect of the study, by the way—they are not holding everything for one great, big, huge report, they are studying by subject.

PPBS is a fascinating idea. In essence it brings greater rigour to the consideration of alternative expenditure programmes. It forces those with the responsibility for managerial decisions to consider the options in a way that perhaps may not be done if this form of analysis did not impose this more wide ranging examination of options. We have no more to do with that than any other department of government. In point of fact, that comes under The Treasury Department, and we are shoring up input for them as is every other department, but I cannot tell you a lot about its progress. That question should be addressed to the Treasurer.

The idea of a statistical centre is a very interesting one. I learned just a week or two ago that the State of New York has a Director of Planning and Fiscal Research, or some such facility, and when I learned that I wrote to the chairman of PIP—attaching a copy of the magazine article and asking him if we should not perhaps study the feasibility of doing something the same.

At the present time we have a small revenue research branch of seven people, under a director. They do collect information about our revenues. They have been very, very clever in extrapolating revenue receipts into the future to the point that, for instance, on our retail sales tax which will develop more than $600 million, we are within $1 million of the forecast and the year is half over. I

think I would like to take a moment and pay credit to Mr. Wilbur Smithson, the director, and to his staff, because they have been uncannily accurate in a way that has not been true of certain federal forecasts I might add.

The third thing has to do with budgetary studies. Like other departments of government, we are required by Treasury to run our expenditures forward for the next five years, or something like that. They asked me a few months ago if I could live within an increase of something like six per cent a year and I said indeed I could, and if they set a lower limit we would live within that too. My hon. friends, quite rightly so, chided me for being so proud of this department and for singing the praises of our accomplishments. I do not blame you at all, but I am going to tell you there is not a better department in any government anywhere—

Mr. Lawlor: Oh, that is narcissism. You better be careful.

Hon. Mr. White: —and that, I suppose, is the reason the opposition cannot lay a glove on us.

Mr. Bullbrook: Our reach is not long enough.

Mr. Breithaupt: I certainly share, and I thought it had been fairly clear that I shared, the pride of the minister in the atmosphere, the attitude and the abilities of the personnel within his department. If he is able to increase the revenues of this province at lower cost, within a system that is much tightened up, then I am the first to give him credit. That does not necessarily give justification to the separate ministry. We, of course, referred to that before. Now as far as the Ontario Statistical Centre is concerned, it now exists under The Department of Treasury and Economics. I thought from the comment that you made, Mr. Minister, you thought this was a suggestion; that was not the case. I was wondering what co-ordination there was with the centre we now have and any facilities within your department?

Hon. Mr. White: This revenue research branch in my department provides its services to The Department of Revenue, to the Treasury Department and to the Treasury Board. I am sorry if I did not make that clear.

Mr. Breithaupt: All right, thank you.

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: Mr. Chairman, just two or three picayune questions. In the 1969 public accounts there is an item having to do with fidelity insurance under the administrative division which does not appear at all for the course of your estimates now. This is under the revenue estimates on page 19.2, an expenditure of $71,000. Perhaps the Minister could give me some indication of what disposition has been made of that item? Secondly, the total bankruptcy; despite all the huffing and puffing that we had to put up with from the minister today—talk about Don Quixote attacking windmills! What he needs is a Dulcinea del Toboso to cuddle up with, I think—that the only thing would take the edge off the man, she was his paramour. You know I am very angry; in studies you have taken—

Hon. Mr. White: You are lucky I do not understand you.

Mr. Lawlor: You are not doing anything in the areas of special studies. You have allocated $30,000 but you have run out of ideas apparently and the only on-going thing is with your friend, apparently, at the present time. Surely, Mr. Minister, there are considerable areas of investigation that would be on-going studies — particularly in the area of TPBS and what not—which would affect you, particularly in the machinery of your collection function and with the computer techniques. Two other areas I want to mention — one of them has to do with the library. You have an excellent library there and since we have reached such loggerheads today I would like to extract from you a public statement that at least the critics and other members of the House might on occasion be welcome to visit that library. I have not had much chance to use it but we were in there on occasions. You have a wide range of periodicals. It is one of the finest setups for taxation legislation that I have seen. While a certain amount is duplicated over here, you have stuff they do not have and which I would certainly like to have. You know, you have previously offered access to that library should we so desire to use it.

The last item has to do with the change of the systems and programming area. You must have made a considerable expenditure. You went from $6,500 up to $79,000 under that particular item. Perhaps you could give us some indication of what is involved in that increase?

Finally, having to do with the Province of Ontario Savings Office, striking things are apparently happening to that office in spite

of the studies that you commissioned last year to give it a lift. You say you are going to make a statement and I trust you are, because if you look at the financial report for 1970 for the Province of Ontario under non-budgetary transactions you will see that the Province of Ontario Savings Office net receipts are declining from a 1969 high of $10,329,000 down to $1,743,000.

I wonder what the reason for this tenfold decrease in receipts is? Is there something defective about the operation of the savings office? In any event I am sure the minister will be able to enlighten me on that. I think we agree on this, that either those offices go out of existence entirely or there is an ongoing process. It is like everything else in business life and in human life; unless you are increasing, you are decreasing — you are going out of the picture.

It seems to me that a certain stratification has set in in the operations of those offices. For some reason they cannot make the same appeal as the banking industry. It must be something defective in your advertising. Your rates of interest are commensurate with the other institutions, yet by and large your growth rate is not in a parallel with the commercial banking.

I suppose the trust companies are making some inroads on the operations of those offices, the fact that you cannot make loans probably detrimentally affects the attractiveness of the office itself. Somewhere along the line you are going to have to make a decision whether or not it is worth the trouble of keeping them in existence. Have you any thoughts on that?

Hon. Mr. White: Yes, I have. We are glad to have any hon. member visit and use our library. It is a highly specialized technical and professional library with both books and periodicals—I think more than 100 periodicals—dealing with taxation and fiscal and monetary matters. We would be very happy to have you avail yourselves of that particular facility at any time. There is no necessity to phone. You may just go over and use it as you would use the Legislative Library here. No prior arrangements are necessary.

Fidelity insurance is now acquired and paid for by the Treasurer's department for all departments of government. This combining of risk into one policy and into one premium decreased the cost and is another way in which the Treasurer has sought to make the operation more efficient.

My hon. friend made mention of a particular increase, and I am sorry to say that I have not been able to spot that. If he could repeat the reference I will—

Mr. Lawlor: The systems and programming area.

Hon. Mr. White: Under 1901?

Mr. Lawlor: Under 1901. It was $6,500 last year and this year it is up to $79,000.

Hon. Mr. White: Oh, I see. And the figures again please?

Mr. Lawlor: $6,500 to $79,000.

Hon. Mr. White: Yes, under the systems and programming branch. This is not a systems and programming expenditure as such. We provided a $72,500 increase for consultants' fees for work on taxation systems. The work which was done on the tax reform programme up to and after March 31, 1969, was of a planning nature, and we thought—and I expect my hon. friend will agree—was accommodated by previous estimate votes. We provided the $72,500 in case it was necessary to get into the early operational stages of a new taxation system, and we thought it could not properly be charged to the votes which we had had available before. That is the reason for that.

None of that has been expended. I would not care to predict whether or not it would be expended before the end of March.

Mr. Lawlor: You have not hired the consultants at all?

Mr. R. F. Nixon (Leader of the Opposition): What about the bank?

Hon. Mr. White: No, we have not. On the provincial savings office, one of the projects that Mr. Glen Cronkwright and Professor John Allen took on for me had to do with the provincial savings office. They studied that internally, if I may express it that way. They came up with a list of a couple of dozen suggestions, half of which I accepted on the day the recommendations were received.

They suggested, among other things, that we embark upon a sophisticated managerial-management consultant study which I agreed to. That became available to us two or three months afterwards. It consisted of—

Mr. R. F. Nixon (Leader of the Opposition): How long ago would that be?

Hon. Mr. White: It was in the previous fiscal year. I think it was about a year ago. That was what I would call an external study. That has led to a certain policy recommendation, the nature of which and the status of which I am not prepared to reveal at this time. It is a matter of government policy and that policy will be revealed, I should hope, within the next three weeks.

Mr. Nixon: If I might ask a question leading directly from that, Mr. Chairman. Does the minister conduct his own internal study of the efficiency of the savings office and the appearance that it presents to the public who wish to visit it?

Hon. Mr. White: Yes, indeed we do and we have modernized most of them. The one in Brantford for particular and peculiar reasons has not been modernized. We are occupying space there that may have been a branch of the Home Bank or something like that. The people who own that property have some wish, I think, to dispose of it. We, I think, at this time are not prepared to purchase it. Neither the landlord nor ourselves want to embark upon expensive renovations because of the rather short period of time left on the lease. For these reasons this particular provincial savings office in Brantford has not been modernized. Nearly all of them have.

Mr. Nixon: A further aspect of the internal study would be your view of the efficiency of the selection and training of staff. Has this been a part of an internal study conducted by the department or the PIC or even, let us say, the minister's personal view of the efficiency of the operation?

Hon. Mr. White: I think the operation is quite efficient and I have visited the 21 branches. I have met the managers and the accountants and the members of the staff. I have gone into each of their vaults and into each of their safety deposit areas and I have observed everything that one can see on a tour of that nature.

I think we have got very good staff. In the external study undertaken at my instructions by Woods Gordon we got a return of something over 50 per cent, believe it or not, of the queries sent to depositors. One of the things that shone through was the loyalty which our depositors have for the staff members.

I expect that if my hon. friend has any dealings with the Brantford office he would concur that they are—

Mr. Bullbrook: The depositors are the same as the staff.

Hon. Mr. White: —first class men and women and, as a matter of fact, they are. I am going to get in an area here on which I am going to make a statement within a few weeks. In the meantime, I cannot reveal, I am not prepared to reveal, the change in government policy which will be made known at the appropriate time.

Mr. Lawlor: What about the question I asked touching on the financial statement about the falling off of the receipts?

Hon. Mr. White: Our deposits have increased absolutely but not relatively. They have gone up year by year. For instance on March 31, 1960, there was $73 million and I will read, if I may the year by year situation from that point up to and including 1970: 1961, $75 million; 1961, $77 million; 1963, $77 million; 1964, $80 million; 1965, $81 million; 1966, $79 million; 1967, $81 million; 1968, $92 million; 1969, $102 million; 1970, $105 million.

We have increased our deposits absolutely. We have not kept up with the increased deposits in the chartered banks of this country, nor have we kept up with the deposits with trust and loan companies and such like.

Mr. Lawlor: That is fine as far as deposits are concerned, but in the net receipts as reflected in your liquid reserves in table C1 of your budget statement, it has been declining drastically for the past two years.

In the 1967-1968 year it was $13 million. In the following year it was $10.3 million and then, I say to you, it has come down from that to $1.7 million. In your budget statement you do not even care to predict, apparently, what you think it will be, but you do in the financial statement.

Hon. Mr. White: I understand the hon. member's query now. Those are the moneys which constitute the difference between the cost of operation and the margin allowed to the provincial savings offices and the decrease which is a form of profit. By the way, I must be clear to say that this would not be the equivalent of a private company's total profit because if we were to calculate it that way it would amount to ever so much more.

This difference is paid to the Treasurer, and I think I will read the explanatory note I have here:

> All moneys received on deposit and not required for current operations by the

savings office are transferred to the credit of the consolidated revenue fund. Treasury allows the savings office interest on the effective daily balance in the consolidated revenue fund. This amount is intended to cover the operating expenses of the savings office, including interest allowed to the depositors. The savings office operates at cost accordingly.

And this is the key line,

Any profit at the year end is applied to reduction of the interest allowed by the Treasury.

Mr. Chairman: On vote 1901, the hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, the few questions which I had—since apparently we are discussing the statutory involvement of the provincial savings office as a portion to this vote. The minister has said that he is about to make a statement. While I do not wish to interfere with the necessity of his waiting to make that statement, I had a few comments which I was going to ask of him.

In the Treasury estimates, a question had been asked of the Treasurer concerning the development of these 21 branches. The Treasurer stated that in no case was this the only financial institution within a community. Is that correct? Or would you know, Mr. Minister?

Hon. Mr. White: I do not know any community in which this is the only financial institution, no. I am sure that in places like St. Mary's there will be a half dozen or more financial institutions serving not the town itself so much as the hinterland.

Mr. Breithaupt: At least available, yes.

My questions, of course, were going to be based on some view of the matter concerning any present intentions to develop this programme into an effective banking system. I was going to ask you about any studies that had been completed on the role of the institution, and then I further had hoped that we might discuss the involvement of this institution with the other types of nearbanks which are involved. The caisse populaire situation in Quebec and perhaps some of the same kinds of initially agricultural development banks in some of the western states of the United States are examples.

However, I would imagine that comments in that area will have to wait until we have a statement from the minister. I would think we would not be able to usefully go into that kind of thing if there are decisions yet to be made in the area.

Mr. Chairman: On vote 1901. The hon. member for Lakeshore.

Hon. Mr. White: May I interrupt for a moment? I now have a copy of the 1970 budget and I have the figures to which you referred. My explanation related to something quite different, so I think I should correct myself.

These savings deposits shown are the net increase, which for that period, 1966-1967, was $1.2 million and which was just over $10 million for the last period. They are simply increases in deposits which reflect themselves in increases in the consolidated revenue fund.

Mr. Lawlor: Therefore the net increases are declining.

Hon. Mr. White: Well they went from $3 million to $13 million to $10 million. Is that an increase or a decline?

Mr. Lawlor: From $13 million to $10 million down to $1 million—they have been going down for the last three years. You start off at the first year, where you are low, so you can begin to climb. I am talking about the last three years.

I am not going to press that matter. I just wonder, under special studies—

Hon. Mr. White: Well, the $1 million is not correct. Where does the $1 million come from?

Mr. Lawlor: I refer the minister, under this particular head, to the Province of Ontario 1970 financial report, at page 14. If he has not got it, I will send it over to him, and he will see the difference in the figures.

While I am doing that, I am going to ask a question on tax studies. In special studies, have you considered doing any exploratory work, or has anybody been appointed with respect to a guaranteed annual income, or a negative income tax, as to its impact and potential working in Ontario?

Secondly, if the federal government proved completely recalcitrant and along the road, from your point of view, how would you pigeon-hole your tax credit scheme into the extant federal government recommendations? We can envisage how they might be modified as far as personal income tax is concerned, but would it not be proper for your department to do those on-going studies in either of those areas—guaranteed annual income or credits?

Hon. Mr. White: I think it would not be appropriate because the Treasurer, who is the Minister of Economics, has a separate branch which does nothing but this kind of research work. We do work closely with them and we do provide not only data but comment and opinion on this system and that system, but we have no initiatory powers. Outside of the personal relationships and the Cabinet cameraderie, which naturally enough we have, we have no formal responsibility for this. And it would be a mistake for us to attempt to duplicate that work which is now being done by the Treasury department.

Vote 1901 agreed to.

On vote 1902.

Mr. Chairman: On vote 1902 I note that there are various programmes of activity under this vote which perhaps could be dealt with separately.

Is there anything under administration?

Mr. Breithaupt: I have a couple of things that—

Mr. Chairman: I would think that particular section would be applicable to each of the following four programmes.

Mr. Breithaupt: Mr. Chairman, the comments which I have deal with some specifics under each of the collection of taxes programmes. I can make them seriatim and the minister may wish to respond or otherwise.

First of all, in the situation with respect to the collection of taxes, we of course see the 10 statutes which the minister handles, and as a result of the collection under funds here, the citizens of Ontario of course continue their various contributions to the provincial cash register.

However, it was interesting to me to see that there appears, at least in the breakdown in this area, to be no specific funds for any studies as to the development of tax programmes. Are we then to presume that any of the internal improvements within the various areas are dealt with by the studies figure under 1901? I am just wondering if each of these activities have personnel within the activity who are involved in continuous updating and development of those areas. Perhaps the minister could be kind enough again to give me the breakdown of personnel involved under each of the five activities that are set out within the vote; the three amounts of salary and travel expenses and maintenance seem simply to repeat themselves rather monotonously. I thought that if there was an area of actual study or development, then that might be separately shown. However, there may be some reason why it is not shown in this area. Then I have a few questions on each of the areas.

Hon. Mr. White: Well we have used outside consultants to some extent. I very much like that. I think they bring us a degree of objectivity and they bring us in touch with the world of the taxpayer in a way that perhaps is not the case if one relies exclusively on one's own officials and staff.

Nearly all of the work done, however, and nearly all of the improvements implemented, have come about as a result of work done by the deputy minister, by the executive directors, by the directors and by others within the various affected branches. In addition to which, in our administrative division, we have a group which is called systems and programming and whose particular responsibility it is to increase our efficiency. The office services department touches on this on certain matters when we talk in terms of forms and such like. So we do have these rather specialized staff functions available to us. Does that answer the hon. member's question?

Mr. Chairman: Vote 1902?

Mr. Breithaupt: Mr. Chairman, in the area of gasoline and tobacco tax collection, I am wondering if the minister can give any further comment with respect to the decision to tax more vehicle fuels, such as propane and natural gas, on an equivalent basis to gasoline. He may recall that at the time of the release there was some comment made by the Leader of the Opposition concerning incentive for pollution abatement. I am wondering if the minister has reflected further in this area and whether he could announce at this time if there are any studies which are being used so far as the favouring of one type of fuel over another because of its anti-pollutant effect.

I would have thought that conversion of vehicles would be something which may be upon us within Ontario, and it might well be that a change in tax structure to encourage this kind of conversion would be a reasonable use of the tax dollar in order to bring benefits in the pollution problem areas. We are all aware that the problem is a most difficult one and that it will take several years to have the stronger pollution emission controls in new automobiles and other vehicles. It would seem to me that some encouragement from the revenue point of view or some remission of tax, in effect, would be a worthwhile tool to be used in an overall anti-pollution programme.

I am wondering if the minister can advise us if there will be any further studies done concerning this kind of tax differential?

Hon. Mr. White: Within the last year we have put propane gasoline and other motor fuels on the same basis. We have brought them into conformity so far as tax status is concerned in a way which was not the case before. That is not to say that the rates may reflect BTU or some other measurement; that is not what I mean. I mean if the use of gasoline in a particular application is taxable, we have now brought our statutes to the point that it will likewise be taxable for diesel fuel or propane or something else.

In recent months I have wondered to what extent a tax system might be used or should be used to induce anti-pollution activity. As the member for Lakeshore has said, he and I and many experts on the subject are reluctant to see exemptions from tax used to bring about a particular result, however desirable that might be. He and I and most other experts would much prefer to see that done through the expenditure side. Now, without changing my basic position, I think we must study very carefully the ramifications of using taxes and whatever technical or theoretical disadvantage that might seem to have. As a consequence, four weeks ago or six weeks ago or something like that, I instructed the deputy minister to assign one of our most senior tax experts to do a study on this area. About ten days ago I received an interim report from him in which he described the various methods being used in different parts of the continent. When his research has been completed, when his report is available, I will be discussing the matter with my colleagues, the Minister of Energy and Resources Management and the Treasurer, and we will have to decide obviously at that time whether we want to use taxes or the expenditure side to bring about an improvement in the anti-pollution programmes.

Mr. Chairman: On 1902, the hon. member for Lakeshore.

Mr. Lawlor: I have a number of questions I would like to ask under this head.

Having set up your department and with the basic theory in mind that you would be presumably a Minister of Revenue and have your finger in the pie of most revenue in the province, it seems to me there are too many areas over which you have no control or interest and which do not affect you, and yet they are taxation or licensing areas. Most of page 93 of the 1970 budget show that the total revenues coming into the province from various sources lie outside your department. One thing I would like to have from the minister immediately—I mean within the next few days—if he could give it to me some time, concerns items at the bottom of the list on page 149. You know the list of the various kinds of money flowing in from tobacco tax and logging tax and what not, about 16 of them—it says "other taxation"—which will amount to in excess of $5 million. I wonder if he would give me a complete definitive breakdown of what the "other" involves and indicate perhaps how it affects his department.

One thing that crossed my mind—I do not know if it comes through his department at all—is the water power rentals which bring money in on a scale of about $19.5 million through Hydro. My feeling—I am not sure of this—is that the minister has no control over that; that that money does not reach him; that it goes from Hydro probably directly to Treasury. And in most instances, coming down to the Liquor Control Board, the health premiums and hospital premiums, the various forms of moneys coming in from mining revenue, all bypass his department and he has no range of authority over these taxes at all. Does he think this should be so? I know last year he simply took the rather astute position, "Well, if they want to give me the authority, I am quite willing to accept it". But now that his department has consolidated itself in the past couple of years, ought not a greater range of revenue be coming into the minister's hands?

The last question I have to ask under this kind of general head without getting into the specific kinds of taxes has to do with licensing revenues of all kinds or any kind. Is the minister the recipient of any form of licensing revenues at all and, if not, how is that kind of revenue handed internally to the Ontario government?

Hon. Mr. White: No, we have no licensing revenues. There are a wide variety of licences, of course. I suppose every department has them. You have to have a licence for an elevator or for an automobile or to catch a fish, but, to the best of my knowledge, we have no licensing revenues within our department.

Attention was drawn to the $5 million item of other taxation. To the best of my knowledge, that does not flow through the Revenue Department.

The important point raised by the hon. member naturally enough is the function of

The Department of Revenue. There is no doubt in my mind but that these other revenue sources, all or nearly all of them, should come within The Department of Revenue. And I think that we will observe this happening over a period of time, whether that be two years or 20, I do not know. I have made some small effort in that direction, although as my hon. friend knows perhaps in private conversation. I determined to get my own department in the best possible condition before reaching out for this or that revenue source, now being attended to by other departments. I do observe a very real reluctance, as I mentioned earlier, on the part of the other departments to tell us how efficient they are, and so forth. It is for this reason that I, in a manner of speaking, enlisted the assistance of the chairman of PIP, because he has the authority to explore that and he has the objectivity and I think can do it in a way that perhaps we with our biases cannot do it.

Mr. Chairman: On vote 1902, the hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Chairman, might I ask of the minister whether his department has done any studies in relation to the sales tax on gasoline as it affect pleasure craft? I believe I drew to the minister's attention this summer the fact that the marinas in the Detroit and St. Clair River areas were suffering great loss of business as they had built up a substantial trade with U.S. visitors. I do not want to suggest at any point that we should show a preferential tax treatment to them, but I wonder if you have done any studies on what the impact on the overall picture of revenue to retail sales tax, gasoline tax and, say, liquor tax, in these border area has been. I believe there is a very substantial loss of visitor traffic because of the imposition of these taxes on gasoline for pleasure craft. Have you done any studies in this regard?

Hon. Mr. White: I asked our people to submit to me the volume of gasoline being sold along that water frontage now compared to what it was before. No such statistical analysis was available within my department and no such statistical information was available from the industry, which has different regional groupings. The affected marinas, however, have brought me figures which I am prepared to accept and which show that their gasoline volume is off very considerably —fallen by half in some instances—and I have no reason to dispute that. No doubt the withdrawal of gas—

Hon. W. D. McKeough (Minister of Municipal Affairs): The mercury can take the credit for that.

Hon. Mr. White: Thank you.

Hon. Mr. McKeough: It is true. Do not take all the credit.

Hon. Mr. White: No doubt the withdrawal of gas rebates to pleasure boats has had a bearing on their sales, but there are other factors at work. For example, unemployment is very high in western Ontario, thanks to the economic policies of the federal government. There were 15,700 people in London last spring, out of a work force of 100,000 people.

Interjections by hon. members.

Hon. Mr. White: Thirdly, the mercury problem must have very greatly affected the use of those waters. Fourthly, of course, the floating of the Canadian dollar and the disappearance of the premium which was so attractive to Detroit visitors and others. There are many variables at work here. I know the withdrawal of rebate has not been at all helpful to these marina operators and others. One of the suggestions they made to me was that the rebate be reinstated for Americans and Americans only. I think I explained successfully how impossible it would be to give a rebate to a non-Canadian while not extending one to a Canadian.

Mr. Paterson: We do not want that.

Hon. Mr. White: I think the only solution is for us to make assistance available to the affected people, whatever the cause may have been, through our department of tourism and perhaps through our department of trade and development.

Mr. Chairman: Vote 1902; the hon. member for Lakeshore.

Mr. Lawlor: Thank you very much, Mr. Chairman. I am interested in exploring a number of other areas in which revenue comes in; as to whether or not it reaches you, and whether it does or not, indicating certain deficiencies. Do you receive the 1 per cent of the take, not less than 1 per cent and not more than 5 per cent of the gross gate under The Athletics Control Act?

Hon. Mr. White: As my hon. friend will see, the 10 statutes for which our department is responsible, are right in these estimates, and I would be glad to read them off. I think it would be much easier—

Mr. Lawlor: Is The Athletics Control Act in there? That is all I want to know.

Hon. Mr. White: —than querying each one in turn. We administer The Department of Revenue Act, and any Acts assigned to the Minister of Revenue by the Legislature or by the Lieutenant-Governor-in-Council. At the present time we have been assigned the following: 1. The Corporations Tax Act; 2. The Gasoline Tax Act; 3. The Income Tax Act, the operation of which, of course, has been turned over by contract to the federal government; 4. The Land Transfer Tax Act; 5. The Logging Tax Act; 6. The Motor Vehicle Fuel Tax Act; 7. The Motor Vehicle Fuel Tax Act of 1965, which has not been proclaimed, and which I expect will not be proclaimed in the foreseeable future; 8. The Race Tracks Tax Act; 9. The Retail Sales Tax Act; 10. The Security Transfer Tax Act; 11. The Succession Duty Act; 12. The Tobacco Tax Act.

Of those 12, you will see The Income Tax Act is not administered directly by us, and The Motor Vehicle Fuel Tax Act, 1965, has not been proclaimed, so in practical terms we administer the other 10.

Mr. Lawlor: Yes, you do not have anything to do with The Athletics Control Act, which is again revenue coming in. I would ask you to look into that. That may be a good area to start. It probably goes to the Minister of Tourism and Information (Mr. Auld). Under The Race Tracks Tax Act, have you given any attention to the—there was not actually a recommendation, but a new point was made by Smith at 290 of his report, paragraph 45. He points out, about the revenue coming from that source, that the Quebec Royal Commission on Taxation, recommended that the tax be applied at rates that increase as winnings increase. Thus, for a $2 bet that pays up to $5, the tax would be 7 per cent; for winnings of from $5 to $25 it would be 8 per cent and so on.

> The Quebec commission gives no estimate of the revenue implications of the change, nor do they examine the administrative problems. Certainly the essential simplicity of the tax may suffer. We did not see fit to undertake the rather essential research that would be necessary to make confident estimates of the effect of the progressive tax. In our view Ontario should consider such a scheme only after careful examination of its successful introduction.

Has the minister, under his tax studies ever thought of bringing in a graduated tax on race track revenue?

Hon. Mr. White: There is a very important qualification in the words read to us by the hon. member—namely, after successful introduction elsewhere, to use our talents hence. If you have got a 5 per cent tax on a $5 ticket and a 10 per cent tax on a $100 ticket, how many $100 tickets do you think you are going to sell to the fellows who go to the races? Not only does one lose simplicity but, I suspect, Mr. Chairman, one gains not one penny in revenue. A man will simply go over and buy a smaller parimutuel ticket.

Mr. B. Newman (Windsor-Walkerville): You encourage chiselling there.

Hon. Mr. White: Even the member for Sudbury agrees with me on that.

Mr. Breithaupt: To follow the race track item for a moment, Mr. Chairman; I notice that, of course, the topic of off-track betting had been discussed at some length. We see some changes within the state of New York, and there has been permissive legislation for New York City, with respect to the implementation of gambling parlours as such, and the allowance of betting on certain other items. Apparently, local referendums will have to be adopted elsewhere in New York State, if this law is to be applicable. While a new five-member commission is going to operate this situation and examine the details, the statement has been made that at least some $50 million are expected to be raised this year and some $200 million in a full year of operation.

Whether we want this kind of situation in Ontario or not, I think that it is a function of the minister to be aware of whatever potentials in revenue might exist in this area. Of course, there are other potentials—of criminal activity and various other social and moral problems—which may arise, but your function, I would suggest in this instance, is to look at the revenue potential. What surprised me in the minister's answer to the question raised by my colleague from Welland South (Mr. Haggerty) was that Ontario at the present time is at least not interested in this as a source of revenue.

I would have felt that it was your function, sir, to investigate all sources, whether or not in fact we were going to develop them or use them. Has there been a feasibility study made into this area? I notice that the minister had said that collection costs would be higher here than they might be in other jurisdictions. If there has not been a feasibility cost, how do we know that that, in fact, is going to be the case?

Certainly the operation of off-track betting shops is with us. In the Treasury estimates, the Treasurer admitted that it is apparent that many of these dollars are not reaching the tracks. The bets which apparently have been made are really being bilked. Surely, we cannot allow this kind of foolish situation to continue? On one hand, we encourage the law to be flouted and on the other hand we do not collect the proper share of revenue that would be available to us if these funds were, in fact, reaching the race tracks. I was wondering if the minister has completed any studies concerning any revenue losses which may have occurred? Does he have any intention to do feasibility studies on this problem, solely as a source of revenue, and are there any of these completed studies which are going to be available to us?

Hon. Mr. White: No, I have not had any such studies made and I would not undertake such a study unless the Treasurer or the Attorney General asked me to do so. I am unalterably opposed to using gambling methods, of whatever kind, to raise revenue. It is a tax on the poor, and more regressive by far than the property tax or any other regressive tax we now have.

It is very expensive to collect. It is not a good revenue source. You say the funds in New York may raise $200 million. They talked in terms of turning up $100 million and $200 million from Day 1, and what are they turning up? Maybe $30 million in a budget of $7 billion or $8 billion. It is not a good revenue source.

I have no deep-seated objection to having an off-track betting parlour or whatever, and quite frankly, I rather look forward to seeing that attempted selectively and experimentally perhaps in a place like downtown Toronto. There are many reasons why that might be advisable, but revenue, I think, is not one of them.

Mr. Breithaupt: I appreciate the minister's comments in that matter. There was one other point that I wanted to discuss—

Mr. Lawlor: It is an old Puritan hangover, that business of gambling being vile.

Hon. Mr. White: Oh, no. You know better than that.

Mr. Breithaupt: There was one other matter I wanted to discuss under this vote, Mr. Chairman. The minister rated a certain comment when once again he referred to the creation of unemployment as being solely a federal decision. Yet I would think it is fair to say that the remaining tax on production machinery is one of the more pernicious taxes, because it appears to me at least to determine the cut-off level at which industries will go under in a very highly competitive market. It certainly must be an influential effect.

Now if this kind of a tax is working against the gross provincial product, since it is working against productivity as well, surely we have a clear responsibility within this province to review very carefully the imposition of this kind of a tax within the manufacturing industry of Ontario.

Today, in the publication of the seventh annual report of the Economic Council of Canada, we were told that to achieve our goals for 1975 the economy is going to require an average growth rate of 5½ per cent and that 1,300,000 new jobs are going to have to be created in Canada.

If we look at the recommendation concerning the retail sales tax in this item, within the Smith committee report, we see—this is recommendation 3 of Chapter 29—the following comment:

> Present exemptions from sales tax be reviewed and revised so that a) all purchases of machinery and other goods that enter into the direct cost of manufacturing and producing will be exempt, and b) purchases of all goods entering into indirect costs of manufacturing and producing will be taxable.

Now it seems to me that the policies of the government at this time do not really satisfy this recommendation fully. We have seen a rather complicated method of reimbursing manufacturers for installing pollution equipment. For example, in this case, your department to collect the initial taxation amounts and Energy and Resources Management to refund a certain amount. But in the case of manufacturing machinery, it is only the parts which wear out quickly and are quickly replaced that are going to be exempt from taxation.

This kind of an approach, I think, does nothing realistically to aid the development of more and newer equipment, which is ordinarily amortized over a five- or ten-year term. It is this kind of amortiaztion that I think is the most important area in which The Department of Revenue should be developing a further view of the policy.

We are at the situation where the kind of taxation imposed is—once again from your comment—going to be based solely on what the thing is. In other words, we are going

to tax all fuels equally and them make a decision. I agree with you that the implementation of a tax must not be in a helter-skelter manner. We must know what we are taxing and then decide whether we are going to make some other arrangement.

This kind of an approach—which allows for the collection of revenue and then perhaps from another source, for other policy reasons, a diminution or refund of that revenue, is I think the best way of handling it. In other words, not giving tax relief but paying a subsidy when we know what the subsidy will cost and when we know that we can either agree to that subsidy or not in the future.

The whole problem of the tax exemptions in the various municipalities for various charitable establishments is the kind of problem that is no longer an adequate approach within Ontario. It is far better to tax and then give a charitable institution a grant of the amount of taxes, because we know then exactly what it is costing us and everyone is being treated equally. But there are some areas in which the problems of this kind of failure to grant tax exemption or an effective refund for these costs, are becoming more and more important. I think this is nowhere more evident than in the automotive parts industry. And, of course, here the fight against foreign competition, and the stimulation of our own economy and the automotive industry within it, is a most important area of growth within Canada. In a letter, the president of the Ingersoll Machinery and Tool Company Limited, Mr. J. D. Loveridge, writes as follows:

> Virtually all the purchasing for the whole of the industry is now done from Detroit. Canadian companies already have the massive hurdle to overcome of buyer prejudice, but to this is added a five per cent tax.

In a further comment, Mr. D. S. Wood, the executive vice-president and manager of the Automotive Parts Manufacturers' Association, who called this afternoon to the office in response to a request for information, stated that your department auditors are even now reneging on short-life tool tax allowances on the technicality that Detroit had not set the final consumer prices for 1971 automobiles by September 30.

I think that the Minister of Revenue should very carefully review the exemptions and clarify the situation with respect to productive machinery taxation. The intent of recommendation 3 of chapter 29 of the Smith report may be clear to the minister. I do not think it is clear to the industrialists within the province, because there are certain details of a middle area of items that are not immediately used but which will be used over, whether it is six months or a year, or whatever it might be. I think that a more commonsense approach should be developed herein. I would appreciate the minister's comments on my view that what he may lose in revenue by some kind of a net grant programme, will be more than made up in savings, especially as, again, pollution equipment is installed and various other kinds of items are installed for which tax benefits have been given.

Hon. Mr. White: These automobile industry executives understand it; there is no lack of clarity. They do not like it, but it happens that our taxation policy is not made in Detroit. Even though they stamped their feet and had some very rude things to say subsequent to March, 1969—in a way that I think reflected no credit on them as individuals or as heads of organizations or as heads of corporations. We are designing this tax policy for the 7.5 million people here and not to satisfy their masters over the border.

It is very clear what is taxable or what is not taxable, and I am going to tell you. Consumables and other items in that range contained within the clearly defined limits in The Excise Tax Act schedules are exempt. I say clearly defined because the exchequer court over a period of decades has defined what constitutes a consumable, etcetera. It is also tax exempt if it is an expense in the year of acquisition or fully depreciable in the year of acquisition for federal corporation income tax purposes. Now it cannot be any clearer than that, and I am not going to accept the criticism that it is unclear as a reason for getting rid of the tax.

Mr. Breithaupt: I appreciate the minister's comments. I just wanted to make the point after these two items were made aware to me, I wanted to ensure that in fact the clarity was there within the view of the minister. If the tax clarity is there, then of course decisions can be made after that, once the definitions are known.

Mr. Chairman: Vote 1902. The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, I was interested to hear the minister say that he does not approve of gamb-

ling as a method of raising revenues. I would like to ask him whether anything has come of the suggestion I made to him a little while ago and which he was discussing with the provincial Treasurer concerning the method used in New Zealand for raising funds. The government there was able to use it, instead of borrowing from private sources.

Very briefly, the system there is that every month the government holds what I suppose is a lottery. The public is invited to buy bonds and every bond has a number—in fact if it is a $10 bond, it has 10 numbers. At the end of the month, an electronic draw is held and prizes of considerable amounts are awarded to the lucky holders of those numbers. The prize fund is equal to four per cent interest annually on the money that is borrowed.

In this way the government is able to borrow money fairly reasonably and the gambling instinct—which, we are told, all of us have—is satisfied without any harm coming to the poorer members of the community who are buying these chances. Because the more —I use the word "gamble" in quotation marks —the more they "gamble," the more they save, the more thrifty they become. It is a kind of paradox. The more they gamble the thriftier they become.

This is a new twist which has been introduced in New Zealand—well, it is not really new in New Zealand, it has been done in Great Britain as well, I believe. But the poorer people in the community, many of whom suffer from boredom and, perhaps, from personal financial problems, have a kind of an antidote—a monthly anticipation to look forward to some winning. Even if they do not win money, they certainly do not lose money. As I say, it is a kind of paradox.

Mr. R. F. Ruston (Essex-Kent): That is socialism.

Mr. Burr: It is socialism? Well, it is a new definition of socialism, but I think they would accept it if you will describe it in that way.

Mr. Ruston: Is that your new party policy?

Mr. Burr: This is an idea I picked up in New Zealand when I was visiting there this summer at my own expense, thank you.

I would like to know whether the minister has given this any further consideration and whether he and the Treasurer together have any intention of working on this idea, perhaps as an instrument of monetary and fiscal policy?

Hon. Mr. White: I think it is quite an interesting idea. I think it originated in Russia where the Communists, as you may know, did not like the idea of paying interest on borrowed funds.

When they came to the point that they realized that people wanted to generate savings and that the state, or some sector within the state, wanted to generate capital, they turned, I think, to this particular method. They were interest-free bonds, but if your bond was drawn you got a very substantial sum of money by way of a prize. Then, as the hon. member says, I think it spread to a number of other countries including Great Britain. I am quite intrigued with the idea, but actually it is the Treasurer's responsibility.

In concluding this point, I would say that I have wondered if we should not move our provincial savings office interest down from 6.5 per cent, I think it is, to four per cent or something like that, and put that 2.5 per cent increment into a pool. I do not know. At any rate, as I say, on that matter of savings offices we expect to have a policy decision soon, so I have not explored that idea further.

Mr. Chairman: The hon. member for Essex-Kent.

Mr. Ruston: I wonder if the minister could tell us—and I do not think I missed the first part—if he has anything new to report with regard to the diesel fuel tax that has been lost to the trucking industry and if he has anything new to report on that?

Hon. Mr. White: This was discussed earlier. Yes, we are expanding our staff from five investigators to between 11 and 15 investigators.

I wrote to the newly appointed Minister of Revenue in Quebec early in October in response to a letter which I had had from his predecessor, the Hon. William Tetley, which was dated about September 24. In this exchange of correspondence we furthered the co-operative endeavours we are making to locate and punish the tax evaders in this field.

In my letter I suggested that we might have another meeting, together with our officials, in Quebec City—the last meeting having been here in Toronto—on October 22, or 23, or 29, or 30. Almost immediately after writing that letter the dreadful chain of events in Quebec was commenced and I have not had a reply.

The meeting we planned may have to be postponed, but we are going to have a series

of meetings with them and we are going to work very closely together, and we are going to stamp out this organized evasion.

Mr. Chairman: Shall vote 1902 carry?

The hon. member for Oshawa.

Mr. Pilkey: First of all, I want to know what the minister is doing with the sales tax on production machinery and equipment. I want to once again make the appeal that there are many small plants in the automotive industry that are being placed in a very uncompetitive position—

Interjections by hon. members.

Mr. Pilkey: I heard the member for Kitchener and I am going to say once more—a very uncompetitive position as a result—

Mr. Ruston: Does your leader agree with you?

Mr. Pilkey: I do not care who my leader agrees with. I am saying that you are putting industry—

Interjections by hon. members.

Mr. Pilkey: That is one thing you can say about this party. You can say what you like to say. You do not have to genuflect to anyone.

Hon. Mr. McKeough: You are going to go to the back row.

Mr. Pilkey: That is right, I will go to the back row, but after I get through with the automotive production machinery and equipment.

Mr. Chairman: I want to point out that it is six of the clock.

Mr. Pilkey: If you will just give me two minutes, we can carry the vote. Well, we will do it this evening.

Mr. Chairman: Order! I have no assurance that it will be carried in a few moments. If it will be, fine.

Mr. Sopha: Will it carry? All right!

Mr. Chairman: All right, let us try it.

Mr. Pilkey: All I am saying is that there are many small industries in the automotive field that are being placed in an uncompetitive position as the result of the tax on machinery in production. I think the minister ought to look at that once more, and particularly on the basis of the representation made by the automotive parts manufacturing association. That is all I wanted to say in that regard.

An editorial appeared—

Mr. Chairman: I will now leave the chair. We will resume at 8 p.m.

It being 6 o'clock p.m. the House took recess.

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No. 130



Legislature of Ontario Debates

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Evening Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, OCTOBER 20, 1970

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF REVENUE
(concluded)

On vote 1902:

Mr. Chairman: We are on vote 1902. The member for Oshawa has the floor.

Mr. C. G. Pilkey (Oshawa): Mr. Chairman, when we concluded at 6 o'clock, I was making some remarks about the sales tax on production machinery and equipment and particularly as it is applicable to the auto parts manufacturing industry.

I think that the minister realizes that the auto parts manufacturing industry is almost entirely centred in Ontario. In addition to that, the market for the most part is in the US. Therefore, the small parts auto manufacturers are having to compete with US manufacturers, and my information is that the additional sales tax does put them in some jeopardy.

Hon. J. H. White (Minister of Revenue): I have no objection to listening to my hon. friend, but this is clearly out of order because the Treasurer is entirely and exclusively responsible for the tax structure in this province.

An hon. member: Hear, hear!

Mr. Chairman: His responsibilities are the collection of the tax, not the policy in regard to the tax.

Hon. Mr. White: Mr. Chairman, before you rule on that, would like to say that I would welcome the opportunity of hearing this harangue from the hon. member as a further item of evidence that the hon. member and the new leader of the NDP are owned, body and soul, by the American union called the UAW-CIO. But I point out to you, sir, it is clearly out of order.

Interjections by hon. members.

Mr. Chairman: Order, please! If the member can relate it to the collection of the tax?

Mr. Pilkey: Surely, this is on collection of tax. I might add, for the minister's information, the UAW is no longer part of the CIO and has not been for the last eight or nine months. You are not up to date.

Mr. Chairman: Back to vote 1902.

Mr. Pilkey: I just say to you, Mr. Chairman, that surely the sales tax on production machinery comes under the purview of the minister.

Mr. Chairman: No, not deciding when there will be a sales tax; that is not this minister's purview at all. His office simply is for the collection of the tax.

Mr. Pilkey: I see. There is no dialogue between the two—

Mr. Chairman: Not with this minister.

Interjections by hon. members.

Mr. Pilkey: Obviously, we are not talking about the UAW here, we are talking about the automotive parts manufacturers.

Mr. E. W. Sopha (Sudbury): But you did not deny that you are owned body and soul by them.

Mr. Chairman: Order, please! The member for Oshawa has the floor.

Interjections by hon. members.

Mr. Chairman: Order! Order!

Interjections by hon. members.

Mr. Pilkey: I did not—

Mr. Sopha: To a lawyer, what is not denied is admitted.

Interjections by hon. members.

Mr. Chairman: Vote 1902.

Mr. Pilkey: Talking about tax, Mr. Chairman, I would hope that you would bear with me just for a moment. I want to read a very

short editorial that appeared very recently, on October 14, in a local newspaper about the sales tax and it goes on to say—

Mr. Chairman: Order please. If this is—

Mr. Pilkey: Why do you not listen and then you will know whether it is in order?

Mr. Chairman: Order, please. If it is something that we have just ruled out of order, it will be out of order.

Mr. Pilkey: I am not going to make the ruling, I am asking you, sir.

Mr. Chairman: I am going to ask you to conform to the rules of the House.

Mr. Pilkey: Well, okay.

Hon. W. D. McKeough (Minister of Municipal Affairs): Go and get a second cup of coffee. You will feel much better in the morning.

Mr. Pilkey: The editorial says:

> It was drawn to our attention by a friend of ours that on purchasing a half a gross of prophylactics he was asked to pay a tax. Our friend was rightfully incensed. The pharmacist, in trying to pacify him, suggested that he pretend this was an entertainment tax. This just added fuel to the fire. Entertainment tax indeed! He goes on to say—"I am providing the entertainment," our friend retorted. "I provide the soft lights, the wine, the background music and the girls. Where in heaven's name does Mr. John White, Minister of Revenue, get his right to peer over my shoulder?"

Mr. Chairman: It has nothing to do with vote 1902.

Interjections by hon. members.

Mr. Chairman: Order please. Does the hon. member for Oshawa have anything to do with 1902?

Mr. Pilkey: I would hope that this does. It is a very short editorial and I think it is pertinent, Mr. Chairman.

Mr. Chairman: Order please. This minister does not decide what tax should be put on what products. That is the Treasurer's (Mr. MacNaughton's) business and the Treasurer's estimates have already been considered.

Mr. Pilkey: He collects it, surely he has something to say about it?

Mr. Chairman: No—not to do with what tax is put on it. Just the collection of the tax only.

Mr. Pilkey: Have you seen the regulations issued by the Revenue Department?

Interjections by hon. members.

Mr. Pilkey: Let me conclude then. If you do not want to put it in the record, that is fine with me.

Hon. Mr. McKeough: I think it would be better for you if we did not.

Hon. Mr. White: Let us take it as read.

Mr. Sopha: No, if you carry on you can bring down this government.

Mr. Chairman: Order, please. Do we have anything on 1902?

Mr. Pilkey: Let me conclude, Mr. Chairman, by saying that in my opinion the minister is very presumptive and has a great gall, particularly since those two seats there are empty. He is the only minister in this House that does not use the resources people at his disposal. It seems incredible to me that any minister in this government has the gall—

Interjections by hon. members.

Mr. Chairman: Order, please. That has nothing to do with vote 1902.

Interjections by hon. members.

Mr. Chairman: Order, please.

Is there anything else on 1902?

If not, shall the vote carry?

Vote 1902 agreed to.

Hon. Mr. White: May I make a short comment?

Interjections by hon. members.

Hon. Mr. White: This, Mr. Chairman, has been the greatest contribution to the well-being of the people of Ontario since Arthur Reaume spoke in this chamber—

Interjections by hon. members.

Hon. Mr. White: —and I will be glad to relay the comments of the UAW representative, the hon. member for the UAW, to the Treasurer of Ontario.

Mr. Chairman: Order, please.

This concludes the study of the estimates of The Department of Revenue.

ESTIMATES, DEPARTMENT OF MUNICIPAL AFFAIRS

Mr. Chairman: The estimates of The Department of Municipal Affairs. Does the hon. minister have an opening statement?

Hon. W. D. McKeough (Minister of Municipal Affairs): I am pleased to put these estimates before the House for their consideration and, hopefully, for their approval.

Mr. Chairman: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Chairman, in opening the estimates of The Department of Municipal Affairs, it is interesting to note that the hon. Minister of Revenue (Mr. White) sat through his estimates without the aid of civil servants in front of him. Now whether this was intended to show his mastery of his department or whether the civil servants wanted to disassociate themselves from what he said, I do not know. But it will be interesting to see what procedures are followed by the Minister of Municipal Affairs.

I feel, Mr. Chairman, that the actions of The Department of Municipal Affairs, and the legislation which is guided through this House by the Minister of Municipal Affairs, probably affect the lives of most of us more than that of any other department in government. This is true whether we live in the city, in a medium-sized town, or in a rural community. Probably more than anything else the planning of our communities, the assessment of our homes and our industry, the taxation on our properties along with the decisions handed down by the Municipal Board have a very far-reaching effect on our daily lives.

We all realize that the province does, indeed, have the constitutional authority. I believe the minister emphasized this in his California speech a few months ago, that the government, in the final analysis, has the duty to do all the reforming required at the municipal level.

I would like to submit, Mr. Chairman, that in many instances, if the province did its reforming there would be need for much less reforming at the municipal level. I think that this is where a great deal of the problem is in today's municipal-provincial relationship. For years the municipality has had to work within the constraining influence of provincial legislation, which has been both archaic and unable to do the job necessary for our twentieth century form of living.

The major problems facing the municipality in the past years have been, first, to meet its financial requirements under the existing grants system, and the necessity by the municipality to transfer tremendous tax loads on to the individual property owner.

The government has made much of the fact that the basic tax reform is a priority item with them. The Minister of Municipal Affairs has said on numerous occasions that the basic method of taxation must be reformed. We in opposition see little evidence that the basic method of assessment and taxation is going to be changed to any extent. Instead, we have the chaotic conditions described by the Smith report being perpetuated by adding to them one patch on top of another.

So that just in the last few years, in an effort to pacify the outcries of the overburdened property owners in Ontario, we have had such things introduced as: The Residential Property Tax Reduction Act; amendments to The Assessment Act, dealing with business tax rates; amendments to The Municipal Act, allowing the municipality to levy a tax equal to $25 per student at the universities; The Regional Municipal Grants Act, which changes the method of giving grants to areas that have incorporated a regional government; another amendment to The Municipal Act, which permitted municipalities to pass legislation giving that municipality discriminatory power to raise or lower taxes on properties as they see fit.

We have had The Education and Municipal Tax Reduction Grant, which permits elderly people to defer up to $150 of their property tax as a charge against their estate. We have had the supplementary education grants of $50 million in the year in which county school boards came into being. We have had the portion of education costs that is paid by the province raised to 51 per cent.

Recently we have had four more proclamations by the government dealing with Christmas bonus cheques to old age pensioners who receive the old age supplement; the return of 25 per cent of the property tax to farmers; a future consideration regarding provincial help for public transportation cost to the municipalities; and, finally, there will be a review, we are told, of the effects of market value assessment in the York region and Peel county.

What do all these things add up to? I believe they show conclusively that the government, as a frustrated government, is unable to deal with the very root of the problem of tax reform in the Province of Ontario. The

takeover of assessment by the Province of Ontario and assessment at market value have, in many instances, created more problems than they have solved. There is a basic premise in which I believe, and in which I believe very strongly. That is that we must move more swiftly toward the concept that real property should pay for those services that pertain to it, and very little else. Under these circumstances, we could then reasonably expect that all of the present tax-exempt properties would be included in the local tax base.

Presently about 50 per cent of the local property tax goes toward the cost of education. The amount of actual dollars, of course, varies with the assessment of the property and not with the ability of the owner to pay. The burden of education costs on real property has been made much more evident since the county school boards came into being. It is ridiculous for the Minister of Education (Mr. Davis) to say, as he did the other day in the House, that the rate of the education costs increase is gradually diminishing. What he really meant is that the property taxpayer is going broke at a slower rate than he was previously.

The takeover by the province of the assessment function, and the assessing of the whole province at market value, will not bring about a more equitable distribution of the tax load unless the most of education and social services of the province are taken off the tax on real estate. We have all been aware, for many months, of the problems that are inherent in market value assessment. The minister has promised on numerous occasions that studies will be made and that attention will be given to the assessment of such things as cottages, farms, telephone companies, railway companies, residential properties on the fringe of commercial areas, speculative properties, golf courses and, particularly, the shift from industrial to residential property.

Mr. Chairman, I am sure no farmer will object to getting the cheque for 25 per cent of his property tax back this fall, but really this shows absolutely no inclination to deal with the basic problem of farm assessment and farm taxation. The numerous stop-gap measures to which I referred earlier, are nothing more than patches on an old inner tube, as was so aptly described in an editorial in the *Globe and Mail* a few days ago. It is interesting to note, Mr. Chairman, that in the statement of the Premier (Mr. Robarts), which was read by the Provincial Secretary (Mr. Welch) the other day, there is now recognition by the government that there is indeed a shift of assessment from industrial and commercial to residential property.

Previously, the Minister of Municipal Affairs had always stated that if there were a shift it simply meant that industry was paying too much tax previously. The Premier's statement now says that the government does not agree that there should be any shifting of tax burden to residential property. This, of course, is something that we have been saying on this side for over a year. But until now it has been falling on deaf ears.

In many previous speeches I have outlined in detail why this shift is taking place. Mr. Chairman, you and I know, and the Minister of Municipal Affairs knows, that it is impossible to assess industrial and commercial properties at market value. In fact, in many rural and small town areas of the province, the sales on residential property are so limited that it is also impossible to properly assess them at market value.

I have said it before, and I say it again, that in fact there are two methods being used to assess property: that of appraisal, where sales are numerous—and this in fact, does relate to what a willing buyer will pay to a willing seller — and then that of replacement cost less depreciation, which is used in the case of property where there are no sales.

What is the end result of this unequal method of assessing? We have many instances. We have instances of 16 mill shifts; 8 mill shifts. Another instance is in a small town where normal residential property is assessed at $29,000 market value, the same as a six-plex down the street, simply because there are no prior sales in the area for reference.

Mr. Chairman, we can deal with this more thoroughly under the vote on assessment. I would like to say a few words now on the establishment of regional governments across the province. The most favourable thing that one can say about the establishment of regional government is that it should mark the return of administrative power and decision-making power from the province to the municipal governments. Up to now this, of course, has not been evident. This point was emphasized greatly in Dr. Fyfe's report in my own area and in many of the briefs, but appears to be lost completely by the government.

This is borne out first by past actions of the government and by the present attitude of the minister to carry out his constitutional responsibilities in the shaping of provincial governments.

There is no doubt that regional government is expensive, and will be expensive, in those areas where it is not yet formed. But surely, as the regional governments are established with the degree of sophistication which they will have, and as they are capable of employing, as they now do, fully qualified staffs in financing, planning and administrative duties, then we should see the transfer of more powers from the province to the municipality.

In my view the function of the province is that of co-ordinator, not dictator. If the province had done a proper job of co-ordination of the work of municipal assessors and given financing in areas where it was needed, there would have been no need for the province to take over the assessment function.

The same thing is true of planning. The province has had much to say about the need for official plans. They are using various methods to try to blackmail small municipalities into filing official plans. They are using private developers as levers to put pressure on small townships by not giving approval to development until that municipality has an official plan.

The amendments passed earlier this year to The Planning Act will transfer the duties of committees of adjustment to land division committees which will be formed in each county. This action will take place in all areas where no official plan is filed by December 31, 1973.

Official plans cost money, and it is the lack of financing by small rural townships that has resulted in their inability to file an official plan, and many areas of the province are in a position where there is little or no planning done, simply through lack of financing. I would say that a little financial encouragement from the province would go a long way toward getting a better planning job done at the local level in the Province of Ontario.

In my view, The Department of Municipal Affairs holds the key to the future of Ontario. The reams of paperwork being spewed out by the provincial Treasurer in his regional development policies are nothing more than window dressing which is being done in an attempt to impress the people of Ontario that the government is interested in future orderly development.

I believe that this Department of Municipal Affairs is the one which ultimately is responsible for the orderly development of this province. Unless drastic steps are taken to correct the inequities of our tax base, our grant system, and unless there is a departure made from our present policy of patching up existing and outmoded programmes, then I would say the financial future of the province, the financial future of the property owners, is in great jeopardy.

Similarly, unless this minister moves in concert with municipalities in certain areas of the province to establish a stabilized form of municipal government structure, then the millions of dollars that are being spent in planning at the local level will have been wasted.

Mr. I. Deans (Wentworth): Mr. Chairman, I am sorry I was a moment late. I was involved in a discussion.

Mr. Chairman, I am pleased to see the minister show such concern for the estimates that he shows up in his tuxedo and his bow tie. We all feel that it is a moment of genuine concern for the province. The dealing of this Legislature with the estimates of Municipal Affairs perhaps falls into the category of being the most important dealings at this time within the government of the Province of Ontario.

I do not think anyone would deny that in almost every corner of the province there are people who are very much concerned with the handling of this government with the matters that most concern them on a day-to-day basis. And I think this minister, together with the Minister of Education and perhaps the Minister of Health (Mr. Wells)—although he inherited a portfolio that was in pretty poor shape—but this minister, together with the Minister of Education can claim much of the credit for the disaffection of the people of the Province of Ontario with this party.

I think that the actions of the Minister of Education and his callous enactment of the county boards of education and the actions of this minister, in his attitude toward the obvious concerns of the people of the province as he went about the province enacting regional government and reassessment, can claim the credit, at least from this point of view. They can claim much of the credit and much of the abuse that is going to be heaped on the government for the fact that the government has failed in its responsibility to the people of the province.

The Department of Municipal Affairs, more than any other single department of government, deals with the very nitty-gritty of living in the Province of Ontario. It has within its jurisdiction most of the things that the average individual in his day-to-day life

feels are the most important things that confront him.

The Department of Municipal Affairs has jurisdiction over the taxation of municipal properties. It has jurisdiction over the manner in which local governments will operate. It has jurisdiction over the kinds of things that will be directly related to property tax. And this minister, together with other ministers—but this minister in particular—has failed to pass on to his department the manner in which the priorities of restructuring local government and reassessment and restructuring the taxation system, as it refers to municipal government, ought to be handled.

It seems to me that some years ago—and I want to say that I recognize that today is not some years ago—The Department of Municipal Affairs should have sat down and determined in pretty concise terms the priorities of restructuring local government, together with assessment and municipal taxation. They should have done it in a way not unlike that which I am going to relate to the minister now.

I suggest that we should have had immediately some research into the finance and structure of municipal government. We should have followed this up with a determination of the existing situation in municipal government—how they were then financed and what the structure actually was. We should then have gone, in the next step, to reassessment and from reassessment we should perhaps then have made an attempt to apply what we saw in the total reassessment to the existing situation, in order that we could first understand what reassessment would mean to the average individual in the Province of Ontario.

Then we should have made whatever the necessary adjustments were to insure that the tax shift—and I will talk about that in a few moments—that has occurred in the Province of Ontario and which obviously was not intended to occur, did not occur.

Then we should, in conjunction with the regional government reviews that were taking place, have determined how we would implement the new tax structure as it affected the new regions. Then we should have implemented it.

What actually happened was an entirely different thing. I want to say to the minister —in as friendly a way as I can because I am not about to engage in some stupid battle across the floor that no one understands—I do not think it is too late to do those things. I do not think it is too late to make that kind of assessment. In some municipalities—in some regions, perhaps—they will have to be shored up, but I think that if we are going to pursue the pattern and the path that has been set out by the Minister of Municipal Affairs and the Prime Minister of the province we are going to have to backtrack just a little bit.

We are going to have a backtrack to the point of ensuring, first of all, that the tax structure is adequate. Secondly, that the people upon whom the taxes are imposed are capable of paying them. Then we can move into regional government.

I do not think anyone on this side of the House would deny the need to have regional government and I—

Mr. E. Sargent (Grey-Bruce): Here is one right here who denies it.

Mr. Deans: I say there are few individuals of little consequence who would deny the need for regional government.

Mr. Sargent: You will find out.

Mr. Deans: But I think in the over-all picture, as we pass through the years, we will recognize—all of us, even the member for Grey-Bruce—

Mr. P. D. Lawlor (Lakeshore): How is the heavy water up where you are?

Mr. Deans: —that the need for a larger area of regional jurisdiction will become more and more apparent, and we will have to have it.

An hon. member: Even in Owen Sound.

Mr. Deans: As my colleague says, even in Owen Sound. But I do feel that if we are going to continue in the manner in which it has been implemented over the last two years, we are on a collision course with disaster.

I am really afraid that the piecemeal measures that had been introduced by the minister to compensate for tax shifts—the piecemeal measures have been introduced by the minister to try and meet obvious inequities or inequalities in the tax structure—cannot be held off as a long-term programme for restructuring tax reform and providing an adequate tax base from which municipalities can operate.

The whole matter of the financing of local government is one to which I think all of us —and the minister is included—have paid some particular attention. Yet I often wonder if the minister has seriously given any

thought to what has been offered to him by municipal authorities and by those people who are involved at the municipal level.

I know the minister spends a lot of time, Mr. Chairman, meeting with people at the municipal level. I know he has held meetings all across the province. He has spoken to and has had presentations made by groups from all levels, from all areas.

I must say to him, though—and I intend to document it in a moment—that I seriously question whether he listened to what they were saying. I think they made their presentations and I think that he was there. I think that the events of the past year, or even the last six months, would show to me—and perhaps to him, as I tell him about them—that he did not listen. He did not listen to what the people were telling him, as he went about the Province of Ontario. I think this will prove to be the downfall of the government and I think it will prove to be the downfall of this particular minister in his portfolio.

The people of the province, as the minister went out to seek their opinions, were trying to tell him of their own personal experiences. And I want to, at this point, refer to what happened during the discussion of the York regional government bill.

The minister, I am sure, will recall that numerous points were raised, not only by myself, but by other members of the House. On not a few occasions the minister agreed that the point that was raised was valid and ought to be considered within the bill. In fact, he even went as far as agreeing, at one point, that the bill had to be re-introduced into the House in order to have a substantive amendment made to ensure that a situation, which could well have eliminated certain people from holding office, might be rectified.

I do not know if the minister is aware of this, but all of the points that were raised in this House had previously been raised with him privately—all of the points that were raised in this House had been made to him and his department through the officials of the various municipalities in the area that was affected. On every occasion it seems obvious that there was a failure on the part of the department, or on the part of the minister, to listen. He was there, and they spoke, but he did not listen.

I think that that may well—

Hon. J. R. Simonett (Minister of Public Works): Where was the NDP?

Mr. Deans: Another inconsequential remark from the Minister of Public Works—

Mr. Lawlor: The minister is not in his seat, for heaven's sake. Does he not respect the rules of this House?

Mr. R. Gisborn (Hamilton East): He does not know where his seat is.

Mr. Deans: —who is not in his seat and should not—

Mr. E. W. Sopha (Sudbury): That is right; he is lost again.

Hon. Mr. Simonett: Thank God for Liberals.

Mr. Deans: He is not in his seat and if he does not get into his seat soon, he may not have a seat.

Interjections by hon. members.

Mr. Chairman: Order, please. The member for Wentworth has the floor.

Mr. Deans: Thank you.

Interjections by hon. members.

Mr. Deans: I think what I want to say to the minister is that it could well be the theme of the government that they were prepared to give audience; they were prepared to invite comment; they were prepared to give lip-service to a participation at the local level but they were not prepared to listen. I think this is exactly what the problem has been.

I see the minister, very smugly obviously, has received an answer to something I have said. That is great. Anyway, I suspect—

Hon. Mr. Simonett: You would not have to look very far to find an answer to that.

Mr. Sopha: Good heavens! There is a lot of narcissism here today.

Mr. Deans: I suspect that one of the major problems of the department has been that—

Hon. Mr. McKeough: It is not the word that you used this afternoon.

Mr. Deans: —while many of the people who are employed within the department were putting forward pretty good ideas and were putting forward the kind of programme that might well be followed in the Province of Ontario, the administrative end of the department was incapable of creating the situation which brought about a sensible determination of priorities.

I think that this has been shown by the manner in which regional government was implemented. I think it has been shown by the manner in which reassessment has been undertaken. And I think it has been shown by the piecemeal efforts of the minister of late in trying to meet what obviously were inequities or inequalities within the tax structure.

You may recall, sir, that the Prime Minister, in a statement on October 6, said:

> two years ago, the government of Ontario embarked on a major long-term programme to reform the provincial system of taxation. To assist the individual taxpayer we have three principal objectives: (1) to reduce the burden and regressive nature of real property tax; (2) to broaden the base of real property tax, and (3) to ensure that the burden of local taxation is reasonable, when combined with the total taxes being paid or being carried by the taxpayer.

I want to ask the minister, because I frankly cannot find it, where is there in the programme that has been developed by this department, or by this government on behalf of this department, any indication of a recognition of a need to reduce the burden and regressive nature of real property tax?

Where has there been a conscious effort by this department to bring about a rationalization of the tax structure so as to reduce the regressive nature of the real property tax? Where has there been an attempt by this department, or this government on behalf of this department, to bring about a situation that relates the payment of tax to the ability to pay of the person who is forced to make the payment, as it relates to property tax? Or where has there been an obvious and definite approach by this government to broaden the base of real property tax? And what is meant by this government when it talks of broadening the base? What is intended by the minister when he says we are going to broaden the base of real property tax?

If he is intending by that to apply the kinds of reassessment that we have seen already applied in this province, then I can say to him that all he is doing is shifting the burden from the people who can well afford to pay to those who cannot afford to pay. That is borne out by a document presented recently by the—

Mr. Good: Research bureau.

Mr. Deans: —research bureau—

Mr. Good: Municipal research bureau.

Mr. Deans: —municipal research bureau, Where is there in the department's overall efforts, an attempt to ensure that the burden of local taxation is reasonable when combined with the total taxes being carried by the taxpayer? If the minister can show me where his department has made any conscious effort to somehow bring about a realization of the very fine objectives that have been set out by the Prime Minister of the province, then perhaps we can accept that statement as being a statement of the intent of the government, rather than a statement of the government's intent to woo the voters of the Province of Ontario.

Let me talk about the last for the moment just so that we understand about this whole matter of ensuring the burden of local taxation is reasonable when combined with the total taxation. Are you aware, for example, that 3.34 per cent of the expendable income of 1946 was the amount that was paid toward real property tax? When we get to the year 1968, the amount was 6.66 per cent of the expendable income. How were we then making a conscious effort to guarantee that when combined with the total taxes, property tax is reasonable and acceptable?

I wonder sometimes if there is any relationship between the statements of the Prime Minister and the statements of Municipal Affairs and the statements of the Treasurer (Mr. MacNaughton), who is responsible for economic development, because the more I look at the way the government handles property taxes and the way the government handles its statements to the public, the more convinced I am that the majority of them are designed not to provide any answer to the problem but rather to provide some kind of smokescreen for an electoral effort.

Mr. Sargent: He is right the odd time.

Hon. Mr. Simonett: I do not agree with that.

Mr. Deans: What has been done by this government to broaden the base of real property tax? What has been done by the government when they have, in the very application of the reassessment, exempted or at least reduced the property tax payable by the commercial and industrial portions of society, and particularly by the Hydro and the gas and the Bell Telephone sector of society, while shifting the burden on to the residential section?

Hon. Mr. McKeough: That is not true, of course.

Mr. Deans: That is true and it will be borne out.

Hon. Mr. McKeough: It is not true.

Mr. Deans: All right, the minister says it is not true. Let me read to him from the research document that is recently off the press; under tax increases it shows that 73 per cent of the single family and semi-detached dwellings over 25 years old suffered increases ranging up to 75 per cent.

Hon. Mr. McKeough: Where?

Mr. Deans: In Mississauga.

Hon. Mr. McKeough: Well, that is not true.

Mr. Deans: What was done by the government to compensate for this?

Hon. Mr. McKeough: Wait a minute. The hon. member said that Hydro had suffered a decrease. They did not. They suffered an increase.

Mr. Deans: The minister says the Hydro had suffered an increase; the information that I received indicated to me that in the town of Stoney Creek, for example, where Bell Telephone—

Hon. Mr. McKeough: Now we are talking—let us just equate one thing with one thing. Let us not go from general to Mississauga to Stoney Creek. The member started talking about Mississauga, so let us stick with Mississauga—and the fact is that in Mississauga, the Ontario Hydro would have suffered a substantial increase in taxation on the original reassessment.

Mr. Deans: Thank you. I appreciate the minister's interjection. Now let me say to him—

Mr. Lawlor: Whereas Texaco went down.

Hon. Mr. McKeough: That is right.

Mr. Deans: When we are dealing with situations, we are dealing with situations as they affect individuals—

Hon. Mr. McKeough: So we will mix metaphors; okay, let us go ahead.

Mr. Deans: Then we have a responsibility as government, surely, to make sure that people in all sectors and in all sections receive benefits. We have a responsibility to ensure that people in all sectors and in all segments are not being overtaxed and that in certain areas of this province, whether it be by means of Hydro increase or loss, whether it be by Bell Telephone having to pay more or less or whether it be because, as my colleague said, refineries charge more or less, there has been a shift from industrial to residential, from commercial to residential or from the utility section to residential, in one or all of the segments or sectors of society we have dealt with up to date. And there has been little if anything done by the minister to try to compensate for it. In fact, when it is brought to his attention that towns like Stoney Creek—and I hate to keep mentioning my own riding, but it happens to be an example—are suffering because of the inaction and the inadequacies of the legislation and because the minister fails to take action, what does he do? He says, "We are studying it and some day we are going to have an answer to it. But do not worry about it. In the meantime, pay your taxes."

Hon. Mr. Simonett: Put the name on the side of your truck.

Mr. Deans: Well, that is fine. That may satisfy the minister, the inconsequential Minister of Public Works—

Hon. Mr. Simonett: Dizzy Deans, MPP Wentworth.

Mr. Deans: I might say to the Minister of Public Works that his interjections are irrelevant and immaterial. His interjections are commonly known around the House as being completely without substance, so no one pays much attention.

Hon. Mr. Simonett: They are not, eh?

Hon. Mr. McKeough: They are known as what?

Mr. Deans: Completely without substance.

Hon. Mr. McKeough: Well, Mr. Chairman, while I am on my feet—

Mr. Deans: While the minister is on his feet he might at least try—

Hon. Mr. McKeough: I am on a point of privilege.

Mr. Deans: I refuse to yield the floor.

Hon. Mr. McKeough: I am on a point of order and I simply have to say that the interjections and comments and help from the member from Frontenac-Addington, the Minister of Public Works, are of great help to all of us on this side of the House and we acknowledge it.

Interjections by hon. members.

Mr. K. C. Bolton (Middlesex South): On a point of order, Mr. Chairman.

Mr. Chairman: The member for Middlesex South.

Mr. Bolton: I understand, Mr. Chairman, that the members are required to be in their seats before they speak.

Hon. Mr. Simonett: You want me to get there?

Mr. Chairman: The member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. It is nice to have the Minister of Municipal Affairs pretend he has an adequate colleague. Now, it is nice to have you back in your seats, even though temporary it may be.

Mr. Sopha: He is not being fastidious about his allies.

Mr. Deans: Let us take a look at what has happened in the area of reform of the property tax. I am sure the minister will recall any statement by the hon Treasurer. He stated, in a paper known as budget paper:

> Property taxation in Ontario stands in need of fundamental reform, perhaps more so than any other area. As the Smith committee and the select committee so clearly showed, the present property tax is grossly unfair and inefficient.

He then promised four lines of attack. This is your colleague—fine fellow, you might say, if you interject. He then promised four lines of attack. He said:

> To overhaul the entire system of property taxation and make it as equitable and efficient as possible we would do four things
>
> All you do is assess at the current value. We would broaden the base by removing exemptions. We would make more neutral business assessment rates when determining an appropriate distribution of tax burdens among classes of real property.

Well, what have you achieved? What have you actually done to try to meet the great statements of this fellow, your friend?

Mr. Gisborn: Nothing but politics all over the province. If this minister ever plays politics with his administration, it is this minister.

Mr. Deans: You have made a tremendous mess of the assessment situation. You have created such a feeling of distrust—

Hon. Mr. McKeough: The member for Hamilton East has something to say; let us hear him make a speech.

Mr. Gisborn: I cannot get in my own seat, I am sorry.

Hon. Mr. McKeough: Well, speak to the member for Middlesex South. He is a little upset.

Mr. Deans: You have created in the Province of Ontario a feeling of complete mistrust in the department in regard to the assessment.

Hon. Mr. Simonett: Who said that beside you?

Mr. Deans: I said it. And do you know something? It would do you good to listen.

Hon. Mr. Simonett: I know you said it but who besides you?

Mr. Deans: Obviously your friend does not speak to people, but I think if you would go around and speak to the people of the province, you would find that they are very wary in the manner of which the reassessment is being done. They are not brought up to date. They are not informed very well of exactly what is being reassessed and how it is being followed. They do not understand what things it is that are being assessed as being part of the real property. They are not sure.

Hon. G. A. Kerr (Minister of Energy and Resources Management): You are helping that, are you not?

Mr. Deans: Oh, am I ever! I told them that all we need is to get rid of you and we are all set.

Hon. Mr. Simonett: If you get rid of everybody, you can do it.

Mr. Deans: That is right. It is funny you should notice that.

Interjections by hon. members.

Mr. Deans: It is awfully difficult. It is hard to make any kind of sensible speech in this House; you get so many stupid interjections.

Interjections by hon. members.

Mr. Deans: What has been done by the minister to remove the exemptions? When can we reasonably expect that the municipalities will be given grants in lieu of taxes for all the municipal properties as was recommended for example, by the Smith com-

mission and by the select committee that dealt with it? When can we reasonably expect exemptions for hospitals to provide additional grants to enable hospitals to pay their full share of municipal taxes? When can we expect those things to happen, to meet the suggestions and the great statements of your colleague?

When can we expect that university properties will be fully taxed and fully assessable so that municipalities can benefit directly from the assessment of those institutions rather than the piecemeal approach that the department has taken? When will there be an attempt by the department to outlaw the other exemptions and substitute grants to organizations which you want to subsidize rather than exempt organizations from tax payment?

When can we, as the people of the Province of Ontario, expect that there will be changes in the business tax to bring it into line with the needs of this particular time in 1970? Is it reasonable to assume that the minister is moving toward that now or can we expect that, like all other things that have been said, it is likely to be in the long term? Is it likely to be something that will take place after the next election when the government if they are re-elected—and I doubt it —will feel secure and will have a term to look forward to?

How do we deal with the problem of the inequity and inequality of business tax, vis-à-vis the property tax, as it applies to residentials? How about the—

Hon. Mr. McKeough: If I can just answer that question, I suppose the answer is that unlike the suggestion made by my good friend from Sudbury, you vote against a reduction in the business tax imposed on distilleries as your colleagues did in that party?

Mr. Sopha: That is right.

Hon. Mr. McKeough: That is right. They are all for equity now.

Mr. Deans: What have you done?

Mr. Chairman: Does the member for Waterloo North have a point of order?

Mr. Good: Mr. Chairman, on a point of order, I would respectfully ask that the Minister of Municipal Affairs withdraw the statement. Having been there, if he looks up the records he will find that there was a three-party split on the vote of reducing the business tax on distilleries.

Hon. Mr. McKeough: On the point of order, Mr. Chairman, I think my friend from Waterloo North would concur that the NDP were appalled at the thought that the way to neutralize business tax was to reduce the tax on distilleries. I assume what they would like to do is raise everybody else to the business tax level of the distilleries and that would neutralize the tax. They opposed, every inch of the way, neutralizing that tax.

Mr. Chairman: The member for Wentworth.

Mr. Deans: Mr. Chairman, I find the minister's argument specious and I do not intend to deal with it.

Hon. Mr. McKeough: Just be consistent, that is all I ask.

Interjections by hon. members.

Mr. Deans: I think the minister, were he to review and consider the entire tax spectrum, would agree that that particular move was inconsequential to the entire tax picture. Let us continue then. What has been done in the way of reform of the property tax?

Hon. Mr. McKeough: Nothing with your help.

Mr. Deans: Oh, I do not know. I am a pretty helpful sort of a guy.

Hon. Mr. McKeough: I ask the member fairly, what did you do on that business tax item? You have just made a statement that the business tax has been neutralized and you oppose it.

Mr. Chairman: The member for Wentworth has the floor. Order please.

Mr. Deans: Let us be fair about it. I think, and the minister would agree, that it would be possible in isolated instances to drag out any kind of reform that dealt with a specific item, which would be unacceptable in its isolation but in a total package would be quite acceptable as a total tax reform.

I think the minister knows full well that we disagree entirely with this piecemeal approach to reforming of taxation. What we said at that time was that it is necessary if you are going to reform taxes to reform them all and not to deal with specific items as they refer to very small and inconsequential matters.

Interjection by an hon. member.

Mr. Deans: Let me go on. What has been done? The minister introduced the basic

shelter grant and it has created, basically, an administrative nightmare. It has required a completely new section within his own department just to deal with it and there is no guarantee at this particular time that tenants who are deserving of it are getting the grant. I wonder if the minister has done any study on how many of the tenants in the Province of Ontario are just not receiving the grant for one reason or another?

Hon. Mr. Kerr: Less than one per cent.

Mr. Deans: Less than one per cent? It is interesting that the Minister of Energy and Resources Management should say that, because do you know that that less than one per cent are just as important as the others? Do you know that we happen to consider that every citizen in the province is important and we do not categorize them and say, "Just because there is a small percentage not getting it, that is okay"?

It is quite funny that the Minister of Energy and Resources Management should take that approach because it is the same approach he takes to pollution.

Interjection by an hon. member.

Mr. Lawlor: One of the prices that the government has to pay.

Mr. Deans: Let us be fair about the grant that was introduced. It was a one shot affair and it halted an average rise of about 10 per cent for one year and that is it. After that, that 10 per cent went back on and it rose, and it rose, and it is still rising. In actual fact it has not met any of the basic needs of reforming the tax structure.

It is a great political ploy to hand out money but, in actual fact, when you are dealing with making a more equitable type of structure, handouts are just not acceptable.

Hon. Mr. Simonett: And you a socialist.

Mr. Deans: They may be great politically but your noisy colleague is the only person who feels that he benefits from it because he gets part of it. He does not give a damn about reforming taxes.

Mr. Gisborn: That is the Minister of Public Works.

Hon. Mr. Simonett: You better smarten up one day, young feller.

Mr. Lawlor: It is an albatross around your neck.

Mr. Deans: It has proved to be a nightmare. It has proved to be a very difficult administrative problem. In terms of a percentage of the total municipal expense, I would be interested to know from the minister what appreciable change there has been because of the grants that have been handed out? I am curious to know whether or not there has been any obvious change in the amount that is paid by the Province of Ontario as a percentage of total municipal expense as a result of the grants? I suspect that the change has been minimal and that the administration and the cost of applying the grants that have been applied offset, or at least to some extent have offset, the amount that has been realized in gain by the municipalities.

I understand, and I am reading from a note, "In 1968 the total provincial grants for general purposes were 21 per cent of the municipal expenditures." That was exclusive of the basic shelter grant. In 1964 they were close to 23 per cent. It would seem to me, as I read these figures, that we have gone back rather than forward and that, in fact, we are not providing any more in the real way to municipalities to combat the problems of meeting their financial problems by municipal grants.

How about the regional governments that have been set up in terms of grants—and I am talking strictly of money at the moment? I think the minister would have to agree that in Niagara, at least in Niagara and perhaps in other areas, they have not been given sufficient in additional grants to meet the additional costs that they have had to bear. I speak to the people in Niagara and they tell me that the municipalities have been forced to carry an additional burden far in excess of that which they feel is reasonable, because of the implementation of regional government.

It is basically because of a lack of priority. It is basically because it was put into force before the taxation structure was properly changed to meet the needs of today.

The farm assessment—and that is something that will be discussed by my colleague for York South (Mr. MacDonald)—is hardly the way to deal with farm assessment. Obviously it is a piecemeal approach.

Hon. Mr. McKeough: It does not deal with it at all.

Mr. Deans: My friend said it does not deal with it at all. I am not prepared to engage in whether it does or does not do, but it

certainly does not deal with it adequately. It is obvious to everyone that it is a political ploy. I do not know how, in heaven's name, you can be so silly about it. Everyone recognizes that when you start handing out money left, right and centre, all you are doing is trying to win back the disaffected, the people who are getting fed up with you.

Interjections by hon. members.

Mr. Deans: Anyhow I want to say that my colleague from York South has considerable material to deal with the farm assessment and I want to let him deal with that by himself. But how about the assessment? How about the assessment and the way it has been handled? I think, first of all, I have got to say this, that in this party we recognize the need to reassess in the Province of Ontario. I say to the minister that he is not without support for the idea that reassessment throughout the Province of Ontario was a desirable and necessary thing.

But I think that this reassessment, first of all, has to be applied to all areas of the province. I think that we should have spoken to those areas that had been previously reassessed, and obviously had arrived at extremely difficult situations, and suggested to them that they not implement their reassessment at that point.

I think that the reassessment has to be done in a sensible and rational way. I think you reassess, and then you apply what you found against existing situations, and you determine what the tax shift is going to be. Let me go back a moment. Before that, you explain to the people of the Province of Ontario what, in heaven's name, it is you are going to reassess, what the terms of reference are, what it is that can be reasonably expected to be reassessed under property taxation. I have people calling me up with assessors wandering through their house, checking bedrooms and closets and looking in to see how things are generally throughout the house. That was never intended, I am sure, and if it was intended, it is wrong. But then you implement it and the government's implementation of this decision has created a problem.

First of all, we did not, and still do not, have enough trained assessors. One problem —and a problem the minister will recognize, I am sure—is that the salaries do not attract the people that you need. The reassessment of the local municipalities in 1968 and 1969 was done under different rules than the ones that are being done now. So obviously we are still going to have some kind of inequality when you are finished, unless you are going to apply it province-wide.

My guess is—and it is hard to tell—but my guess is that Bills 142 and 143 have proved to be inadequate. I would ask the minister, at this point, if he could outline to us in the House how many municipalities have taken advantage of the provisions of those two bills. I cannot help wondering if many have moved in the area of taking advantage of the bills. We said at the time, and we say now, that they should have been applied universally, but anyway that is—

Hon. Mr. McKeough: The answer is eight.

Mr. Deans: Eight out of the total. I think it shows the inadequacy of it, really.

Hon. Mr. McKeough: No, not necessarily, because there were not that many towns reassessed last year.

Mr. Deans: I think it does show the inadequacy. How about the system of not differentiating between land and buildings in assessment? It is extremely difficult. Much of the procedure was based purely on either land or buildings.

Hon. Mr. McKeough: It is not so.

Mr. Deans: Yes, it is so. All right, fine. It is a matter of opinion. It is borne out by almost every study that has been done that very few appeals were based on the total tax picture, that the majority assessments were based on either a wrong assessment, or what was considered to be a wrong assessment of either the land or the buildings.

Hon. Mr. McKeough: I do not like to interrupt, but if I may interrupt, Mr. Chairman, you might ask the member from Lakeshore if he would recall the recommendations of the select committee on which he served so well in this regard.

Mr. Lawlor: In volume 2.

Hon. Mr. McKeough: Yes.

Mr. Chairman: The member for Wentworth has the floor.

Hon. Mr. McKeough: Did you dissent from that recommendation? Did you dissent from it?

Mr. Lawlor: No, I do not.

Hon. Mr. McKeough: No, you proposed it.

Mr. Sopha: How many?

Hon. Mr. McKeough: Really, that is being on both sides of it, I say to the member for Lakeshore.

Mr. Lawlor: That is perfectly all right.

Interjections by hon. members.

Mr. Deans: Let me say to the member for Sudbury, is this not exactly what I said in my introductory remarks, that the minister sits, that he invites comment, but he never listens.

Hon. Mr. McKeough: No, I am just trying to correct inaccuracy. I am just trying to point out to you that the right recommendations of the select committee were adopted by the government, in that we did not make the differentiation between land and buildings, and that was subscribed to by the member from Lakeshore, and unanimously as a matter of fact by the select committee, an all-party select committee, and I am sure that the member for Wentworth would want to have that on the records.

Mr. Deans: I am not particularly concerned with whether he subscribed—

Hon. Mr. McKeough: Oh, now careful.

Mr. Deans: I am not. I will say to you that the member for Scarborough West (Mr. Lewis) wants solidarity.

Hon. Mr. McKeough: Now be careful.

Mr. Deans: Stephen speaks for Stephen and for me.

Interjections by hon. members.

Mr. Deans: Let me tell you fellows, it is quite interesting to note—

Mr. C. G. Pilkey (Oshawa): You never saw such solidarity.

Mr. M. Gaunt (Huron-Bruce): No, never.

Mr. Chairman: Order! Order!

Interjections by hon. members.

Mr. Chairman: Order! Vote 1401.

Mr. Deans: I knew eventually we would get back on top. Let us be fair about the rules. You talk about assessing without having any differentiating factor between land and buildings, yet in actual fact when your assessors go out, they do differentiate. When they go out to assess, they assess on the basis of land and of buildings. How is it that you can on the one hand say that you will have it in a complete package, while your own assessors find it impossible to deal with it on that basis? Perhaps you can explain that.

Hon. Mr. McKeough: I think you should go and have a little chat with your colleague in the front row.

Interjections by hon. members.

Mr. Chairman: Vote 1401.

Mr. Deans: Well let us go on.

Hon. Mr. McKeough: I would skip over that.

Mr. Deans: Let us not skip over it. Since the minister invites it, let us not skip over it. Let us deal with it. How can you claim—notwithstanding that you are the man who makes the policy, we do not—in the things that you say that we are going to assess without regard for land and building as a separate item, while your assessors find it impossible to do that? Well then, notwithstanding what the member for Lakeshore might say and notwishstanding what Smith might have said, the people who are doing the job find it impossible. What have you done to rectify it?

Hon. Mr. McKeough: If the member wants an answer, I can give him one.

Mr. Deans: Of course I want an answer.

Hon. Mr. McKeough: All right. I can find hereabout an eight-page paper, but rather than get it. I would just repeat what the member has said: that anyone—the courts to begin with, and if that were not eminent enough authority, then Smith, and then the select committee on which there served that distinguished member of the Legislature, the member for Lakeshore—said that really it was to the taxpayers' advantage, for which I have some regard—

Mr. Deans: Not much.

Hon. Mr. McKeough: —If you do not separate land and buildings. But therefore I appeal, or you appeal, the total rather than the constituent parts. I am not going to debate this because I am not a lawyer and I am not a theorist, but I think if you would talk to your friend from Lakeshore, it was proven to his satisfaction on the select committee. If it worked, perhaps he has had a great conversion.

Mr. Lawlor: Oh I had some secret misgivings about that.

Hon. Mr. McKeough: Well perhaps he has had a conversion along the way because they

have changed their minds on many other things in that party, but talk to him and he will explain it to you.

Mr. Lawlor: Not about half as much as you have.

Hon. Mr. McKeough: Oh, we have not become unconverted.

Mr. Deans: You raise an interesting point.

Hon. Mr. McKeough: The member for Oshawa was on the committee as well.

Mr. Pilkey: I was sitting here peacefully, minding my own business.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Good: Mr. Chairman, on a point of order.

Mr. Chairman: The hon. member for Waterloo North on a point of order.

Mr. Good: Mr. Chairman, are we having a discussion on vote 1401 or are we listening to a lead-off speech on the department?

Mr. Chairman: Will the hon. member indicate what he feels to be out of order in his remarks?

Mr. Good: I am questioning—

Mr. Chairman: That is not a point of order. The hon. member is out of order; he has no point of order.

Mr. Good: Is this a discussion we can all get into?

Mr. Chairman: There is no point of order. The hon. member knows full well that is not the way we conduct the debates.

Mr. Good: You are conducting a debate, not a lead-off speech.

Mr. Deans: Thank you, Mr. Chairman.

Mr. Chairman: Order please. Will the hon. member please resume his seat?

We are debating vote 1401. I find that provincial assessment and assessment matters are in the next vote.

Mr. Deans: It does not matter.

Mr. Lawlor: Not in a lead-off speech.

Mr. Chairman: It does matter.

Interjections by hon. members.

Mr. Chairman: Is the hon. member for Wentworth the critic for the NDP and has he not completed his remarks? Then the hon. member, if he has not completed his lead-off remarks, is quite in order and he may proceed.

Mr. Deans: Thank God for an impartial Chairman.

It is always difficult, because the minister feels a requirement for getting up and answering everything as it passes.

Hon. Mr. McKeough: I was asked a question and I made a reply. I want to be helpful.

Mr. Deans: I wish you would try to be as helpful to the people of the province as you are to me.

Mr. Chairman: This cross-debate across the House is not the usual procedure at this time.

Mr. Deans: I cannot help it; I cannot shut him up.

Mr. Chairman: You may carry on.

Mr. Deans: How am I supposed to keep him quiet?

Mr. Chairman: Leave that up to me.

Mr. Deans: Let us assume—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Sopha: It is like a Chinese parliament. Everybody is talking and no one listens.

Mr. Chairman: There are fewer than 16 hours left. The hon. member for Wentworth has the floor.

Mr. Deans: I am not wasting them. I want to say to the minister that if he believes that this is the proper way to assess, if he thinks that the combination of land and property is the proper way to assess, then he should instruct his assessors as to that. I think that is really the issue that we are coming to, that either that is the way you assess and you instruct your assessors properly to conduct their assessment in that way, or else you change the method of assessment and they inform you that they cannot possibly work with what you have offered. I think this is what I was getting to, if ever I could have got to that point. But anyway that seems to have gone by the board about five minutes ago.

I want to suggest to the minister too that the reassessment has already created problems—and it is not entirely the fault of the provincial government—in the area of grants

in lieu of taxes for provincial properties. East York brought to the attention of the minister and to our attention its grant for the Hydro-owned property was cut by $20,000 in 1970, due to the reassessment at the market value. I do not see any conscious effort being made by the minister to compensate for this particular change.

Anyhow, I suspect that the notes I have got will keep me going all night and I do not intend to. I want to turn to something entirely different.

I want to turn to regional government for a moment, and I want to turn as it specifically applies to the area of Hamilton, because it has aggravated me and a number of other people for some time that the minister has continually waffled on his position in regard to the situation as it applies to Hamilton, to Burlington and to Wentworth county. I want to read to the minister, if I can find it, an editorial. It is one of a number of editorials that have been written, and I think it pretty clearly outlines what we in that area consider to be the major problem.

It says:

> Municipal Affairs Minister McKeough has turned priorities upside down in order to dodge a decision on Hamilton-Burlington-Wentworth regional government. The minister says he is too busy working on regional plans for Muskoka and York county.

Now let me just tell you this was May 20.

> Earlier the minister indicated he would make a decision in May.

Hon. Mr. McKeough: Would this be from the *Spectator*?

Mr. Deans: Where else?

Hon. Mr. McKeough: The member is going to put it on the record?

Mr. Deans: I am going to put it on the record.

Hon. Mr. McKeough: Right. I have read it so you can put it on the record.

Mr. Deans: Fine, fine. It is funny the interjections are so irrelevant. I was putting it on the record, so why is he asking?

Hon. Mr. McKeough: Good. Hurry up.

Mr. Deans: Do you want me to start over so you can get it all on the record at one point.

Hon. W. A. Stewart (Minister of Agriculture and Food): We want to know what your motives were, that is all.

Mr. Deans: Right. To continue with the editorial:

> Earlier the minister indicated he had made a decision in May. Now it will probably be fall before he gets time to give it any degree of thought. What sort of nonsense is this? Ontario's second biggest centre of population, industry and commerce has been moved to the back of the queue behind farm and cotage country, by the Minister of Municipal Affairs.

How do you read to a minister who is not here?

> If Muskoka and York had been clamouring for regional—

This is such a ridiculous exercise. What is the point?

Mr. Chairman: The hon. member may continue.

Mr. E. W. Martel (Sudbury East): Who do you talk to, Mr. Chairman? Do you talk to the empty seat?

Mr. Chairman: You talk to anyone you wish to talk to, through the Chairman.

Mr. Deans: Let me tell you about it, Mr. Chairman. You and I will talk about it since the minister does not care.

Mr. Chairman: I will listen carefully.

Mr. Deans: And I know that you will be prepared to answer at any rate.

> If Muskoka and York had been clamouring for regional rule for 10 years before the Hamilton area did, the minister's priorities would be justified on the basis of good manners, which he obviously lacks. But Hamilton rates consideration by every standard. Mr. McKeough must know the local elections are almost sure to revive and exaggerate anti-Hamilton feelings in Burlington, and certainly will provoke reaction in Hamilton and Wentworth.
>
> Mr. McKeough could put local political energies on a constructive course if he acted on the Steele commission report within the next one or two months.

Mr. Sopha: As my six-year-old says, are you feeling better now?

Mr. Deans: To continue:

> Summer holidays notwithstanding, he surely must have the time. The Steele report is clear enough. By September and

October — and we are getting close to the end of that time — when local politicians are gathering campaign fuel, it could be too late. If more people were forced through election events to publicly take hard-line positions for or against Hamilton, and for or against Burlington, then the regional community and its various components will breed and nurture dissent and bitterness, all of which could be prevented if the minister did his duty.

Instead of standing up and meeting the people, Mr. McKeough has got behind a rather flimsy screen—Muskoka indeed.

All right, fine. Maybe in May it was valid, but we have passed Muskoka, and have passed York and we are saying to you now, when do you intend to take the kind of initiative that you indicated you had when you spoke in California or somewhere else? When you indicated that the government of Ontario had the prime responsibility for municipal government. When do you intend to exercise the kind of political judgement that is necessary to decide whether or not we are going to have regional government in the area and whether or not it will include or exclude Burlington?

Surely to goodness, it is not as important as all that, that the Minister of Energy and Resources Management or some other person of political background akin to your own, is returned to office? Surely, if regional government means anything; if the things you have been clamoring for and claiming you stood for over the years are meaningful at all, then surely it is reasonable to expect that you could make your decision on behalf of the community over which you have such jurisdiction.

Surely, it is reasonable that you could make a statement now whether or not you intend to implement it, and when? I recognize the problems. I said to the minister in the hall and I say it here to him: I know his friend Jack MacDonald is sitting back, not knowing if he should run for board of control or run for mayor, or sit and wait until the minister makes his decision so that he can be made or appointed the regional chairman. But we, in Hamilton, are getting kind of sick of it. All of Wentworth county is fed up. They all have asked—

Hon. Mr. McKeough: That is going a little too far.

Interjections by hon. members.

Mr. Deans: The majority—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Deans: The councils of Wentworth county have indicated, the majority of the councils have indicated, that they would like a decision. Whether the minister decides one way or the other is important, but it probably is not as important as that he decide; I know it is hard. It is tough. I recognize the Minister of Energy and Resources Management is breathing down your neck and bugging you every day, but in spite of that, try to make a decision.

It is difficult, I know. You have not made many since you got in there, but for goodness' sake try. It cannot be that important to you that you have to sit back, recognizing all the problems you are creating. You were quick enough to dash off into York, notwithstanding their objections, and notwithstanding the problems of defining the southern boundary line, and notwithstanding the problems of dividing municipalities in half; you were quite prepared to push on.

Why is it now that you are not prepared to make a decision based on the facts? What are you doing in the area? What kind of consultations are being carried on between the minister's department and the local officials? What conscious effort is being made to bring about a rationalization of what was some months ago a very difficult situation and what now has not changed because of the inactivity of the department? What attempt has been made to bring Burlington and Hamilton together to discuss the things that are of mutual concern to them?

How many meetings have been held? How many people have been approached? What effort has been made by the minister of this department to try and show some leadership for a change? If there is any effort and if there is any conscious attempt being made, then we in the Hamilton area—and I say we, meaning the majority because we are the majority in the opposition—have failed to see it or failed to find any evidence of it. It is about time that you started to make some decisions.

Hon. Mr. Simonett: I would say that you are in the minority in the Hamilton area.

Mr. Deans: That is an interesting point. I say to the Minister for Municipal Affairs, because I know he would be interested to know this, that in spite of what is claimed by his colleague with the big mouth, the NDP

outdrew the other two parties by a considerable margin in the last provincial election and the record will show it.

Interjections by hon. members.

Mr. Deans: The record will show it.

Hon. Mr. Simonett: All but your leader, or former leader.

Mr. Deans: Since I recognize the problem of time, let me say to the minister that we are ready—

Mr. D. C. MacDonald (York South): Take comfort in that because you are not going to have it much longer.

Hon. Mr. Stewart: It will be worse the next time.

Mr. MacDonald: You are on the skids. In fact you are one of the skids.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Deans: We are ready now and we would like to know what you intend to do. We do not care if you are not going to implement it right away, but for goodness' sake let us know what it is so that we can plan for it, so that municipalities can start coming together and making some kind of joint decisions on the future of the entire area, which obviously is dependent, one area on the other.

Let us not delay, let us not let political considerations come between us and decision-making. Let us say to the municipality, "Either you are going to or you are not going to," and let them then resolve their problems. But let us, in the meantime, make sure that the tax structure has been suitably revised to ensure that the municipality, assuming it is formed, has the basis upon which to operate.

I want to say one other thing and then I am going to deal with the votes as they come. Something has always annoyed me about the manner in which the government deals with municipal affairs. It is the division between regional development and regional government; the fact that one minister handles one portfolio while another handles the other. Surely common sense would dictate that regional development and regional government are one and the same? Surely effects of the regional development analysis and the facts that are uncovered, and the programmes and directions that are set out as government policies, have a direct and meaningful bearing on regional government? And surely it makes sense to have the two departments interconnected in a definite and positive way?

I cannot understand how it is that the government can splinter off things. Maybe I do understand. Maybe they are afraid of getting them all in case we can come to grips with them. But surely it makes sense for a government to have the departments that deal with basically the same things within the same minister's jurisdiction?

It is difficult to relate regional development and regional government when it is split between two departments, and it is impossible to try to understand the implications that one would have on the other when they are so apart. I suggest to the minister—it is a friendly suggestion—that he might talk to his colleagues about having them both in the same department. I think it is absolutely necessary.

Lest we be accused of not making any suggestions and being hypercritical about the department—and I think sometimes we are accused of these things—I want to say to the minister that it is done with the best of intentions about improving the situation in Ontario. We suggested some time ago that a municipal foundation programme was a method of dealing with the financial inequities and inequalities in the province.

We still maintain that it would provide the kind of base from which to operate, recognizing that reassessment would have to have been done first, but also recognizing that all of the other things I mentioned would have to have been done in conjunction. We want to see municipalities strong. We want to see a degree of independence within the municipalities. But independence is very much a matter of finances, and independence is very much a matter of being able to provide your own financing for the things over which you have jurisdiction.

I do not think we have come to grips with that yet. I think that we can, through the methods that we suggested over the last two years. I think the minister could do better than to suggest that they are still studying it, as they have been suggesting since the introduction of the programme by the member for York South.

One final area: It has been suggested to me that the division between education and municipal government no longer has the validity that it once had, and that the time is rapidly approaching when we have to bring the two much closer together because

they are both sucking from the same tax pot and each is operating independent of the other. As a first step, I think it would be a very useful exercise if in the setting up of regional government there were—

Hon. Mr. Kerr: The same boundary?

Mr. Deans: That was not what I was going to say but that is fine. Your colleague says the same boundary. That goes without saying. It is so evident that I did not think it had to be said, but I wanted to say here that it might be useful to have as a part of the structure a co-ordinating committee as a necessity to deal with such matters that affect assessment and affect the raising of municipal taxes.

I think that we should have a committee set up. I think that this committee should have a great degree of say over the amounts of money that can be spent in any area. We have to recognize that while the same people benefit, the same people pay, and I think we have gone on too long with the rivalry between the two to let it continue for ever.

There will be much more to say; I had a lot more to say now, but obviously time is passing us by. I will carry this on within the department estimates.

All I say to the minister in closing is that if I, frankly, have no particular love for the Conservative Party—but I do think that if you continue along the path that you have followed in the past, you are going to so alienate the people of the province—not personally, not in a personal way, but because of the actions of your department—that you will not be able to recover. That may well serve me well, I do not know, but by the same token I suggest that the people cannot afford the kind of chaos that you are creating. I would ask you to take definite steps to remedy it. Thank you.

Mr. Chairman: The hon. minister.

Hon. Mr. McKeough: Mr. Chairman, my first inclination was to perhaps deal with some of the points that were raised by my critics, the member for Waterloo North and the member for Wentworth; perhaps in the order of the votes which are before the House to be considered. But perhaps you might permit me just very briefly, before we get into the actual programmes and votes, to comment on several of the things on which my two critics have been so helpful to me tonight.

Both of them seem concerned about the imminent problems which we on this side may find ourselves in when we go to the people. Frankly, that is not one of my concerns. I happen to be a minister of this government, discharging my duty as I see fit to do my duty. The member for Wentworth may worry about our being defeated; we over on this side try to do the right thing and we do not always think of the votes—

Mr. Lawlor: What a job!

Hon. Mr. McKeough: —that you are so conscious of over there.

Now, let me just deal—

Mr. Lawlor: That is why we had those recent tax bills!

Hon. Mr. McKeough: Now, let me just deal for a few moments—

Mr. Deans: Do you expect me to believe that?

Hon. C. S. MacNaughton (Treasurer): Why do you not stop the barracking and listen.

Interjections by hon. members.

Mr. Deans: We stop it? Talk to your mouthy friend.

Mr. Chairman: Order! The hon. minister has the floor.

Hon. Mr. McKeough: Mr. Chairman, I found it just a little hard to take and I say this in all charity to my friend from Wentworth, who was being sincere in his approach and spent—I think he spoke for probably 20 minutes; perhaps a little longer; perhaps no more than 20 minutes with the interruptions which members on this side favoured him with—

An hon. member: Showered him.

Hon. Mr. McKeough: He spoke for 20 minutes of which something less than that was substance. But let us talk about the 20 minutes; 10 minutes of that time was devoted to the fact that we were not getting on with tax reform, and that that should be the first priority, and we should get on with reassessment. Then he spent 10 minutes—and I call you to witness, I say this to my friend, the Minister of Energy and Resources Management—saying, get on with Hamilton, Burlington, Wentworth, now, now, right now!

Mr. Deans: I said make a decision.

Hon. Mr. McKeough: You cannot have it both ways.

Mr. Deans: On a point of order, Mr. Chairman—and the minister seems well able to use points of order—I said to the minister and the record will bear me out, make a decision; but before you implement it, change the tax structure.

Hon. Mr. McKeough: Okay.

Mr. Deans: Read the record. Listen carefully. It is as I said at the beginning, Mr. Chairman—

Interjections by hon. members.

Mr. Deans: —the minister invites comment but never listens.

Hon. Mr. McKeough: I am listening.

Mr. MacDonald: You do not hear it.

Mr. Deans: Check the records.

Mr. Lawlor: He is deaf to criticism.

Mr. Deans: I was very careful, Mr. Minister. I figured that was going to be your approach.

Hon. Mr. McKeough: I am listening as closely as I can and all I hear is a great soughing of the wind, but I will carry on from there—

Interjections by hon. members.

Hon. Mr. McKeough: I point out—and I want to return more seriously to this point—the member opposite and to some extent the member for Waterloo North, talked about two things: tax reform and regional government. Whether the member qualified it or not, he talked about tax reform now and he talked about an answer for Hamilton, Burlington, Wentworth, now.

Hon. Mr. Kerr: An answer now!

Hon. Mr. McKeough: And that is the way it came across; now, he said.

An hon. member: He said now.

Hon. Mr. McKeough: As a matter of fact, not only now—

Mr. Deans: Not an answer, a decision.

Hon. Mr. McKeough: —not only now—

Interjections by hon. members.

Mr. Deans: If you are like him, you are obviously deaf.

An hon. member: He is going to have to stand up—

Mr. Chairman: Order, please!

Interjections by hon. members.

Mr. Chairman: Order, please! Order!

Mr. Deans: I am glad you picked that because I was so careful to qualify it.

Hon. Mr. Kerr: Somebody pointed it out to you.

Hon. Mr. McKeough: I have to point that out to my friend for Wentworth. I wrote something down here. He was talking about Hamilton, Burlington, Wentworth; he said "it is time to make decisions."

Mr. Deans: Decisions. Right.

Hon. Mr. McKeough: This afternoon, as a matter of fact—earlier today, and my friend from Energy was here then—the decisions all had to be made by December 5, so that—

Hon. Mr. Kerr: It is municipal election day.

Hon. Mr. McKeough: —a certain person who—

Hon. Mr. Simonett: He is going to run for mayor.

Hon. Mr. McKeough: Yes, that is right; I know that this is of concern because we all know on this side of the House that the member for Wentworth has been giving some thought to running for mayor of Hamilton. He wants to know whether or not he is going to have a job.

Mr. Deans: No, a decision.

Hon. Mr. McKeough: He wants to know whether or not he is going to have a job.

Interjections by hon. members.

Hon. Mr. McKeough: He has been thinking about it. He stood in his place this afternoon. I say to my friend from Energy, "Are we now going to have regional government so I can run for mayor, or not run for mayor?" He did, this afternoon.

Interjections by hon. members.

Mr. Chairman: Order! Shall we get back to the estimates?

Interjections by hon. members.

Mr. Chairman: Order!

Mr. MacDonald: Yes, good! Hear, hear! Let us get back to the estimates.

Hon. Mr. McKeough: Mr. Chairman, we are all friends in the House, and we share a certain amount of camaraderie. I can understand this afternoon—I was a little perplexed for a while—but I can understand it because after their leadership convention—

Mr. Martel: What else is new?

Hon. Mr. McKeough: —can you blame the member for Wentworth for looking for another job? He is really concerned.

Mr. Lawlor: Mr. Chairman, this is unheard of. This minister—can he not stay on his estimates?

Hon. Mr. McKeough: I have to say this—

Mr. Chairman: Order.

Hon. Mr. McKeough: I have to say this and then I am finished.

Mr. Chairman: Order! The hon. minister's remarks are out of order.

Mr. Deans: You are finished anyway so do not worry about it.

Hon. Mr. McKeough: I have to say this, and this will be my final word on this subject, that the member for Wentworth has a much better chance of being elected mayor of Hamilton than being re-elected as the member for Wentworth. So go to it. Run for mayor.

Mr. MacDonald: Pretty cheap stuff.

Mr. Deans: Do you really believe that?

Hon. Mr. McKeough: Cheap? Cheap? Listen to who is talking.

Mr. Martel: Give him a gold medal.

Mr. Chairman: Order! Order, order!

Hon. Mr. McKeough: I am asked, Mr. Chairman, what vote this is on. I do not know the number of the vote, but it comes under departmental administration—

Interjections by hon. members.

Hon. Mr. McKeough: —and if he is going to be mayor of Hamilton, I am worried about departmental administration in that municipality. However—

Mr. Deans: You should be my friend, you should be.

Hon. Mr. McKeough: Now, let us talk for a moment—

Mr. Lawlor: The Queen will blush at your performance tonight.

Hon. Mr. MacNaughton: Maybe the minister should stick to the estimates like the hon. member for Lakeshore does.

Mr. Lawlor: You are always to the point.

Hon. Mr. MacNaughton: Maybe he should do it that way.

Mr. Lawlor: You are still wounded, are you? You are still bleeding.

Hon. Mr. MacNaughton: No. No.

Interjections by hon. members.

Hon. Mr. McKeough: Now, Mr. Chairman—

Mr. Chairman: Order!

Hon. Mr. McKeough: I would just say this to the member for Wentworth, and I say this in all sincerity, he wants a decision now, for whatever reasons they may be, on Hamilton—Wentworth—Burlington. He has said that he wants tax reform first, but he also wants—

Mr. MacDonald: The trouble with you is you would not know Plato if you met him coming down the street.

Hon. Mr. McKeough: —a decision now on the Steele commission report. I would say—

Mr. Deans: Right. I want a decision on the boundaries.

Hon. Mr. McKeough: —this to them, that the Prime Minister stood in this place—

Mr. V. M. Singer (Downsview): Why should you get one? We are not going to get one in York.

Hon. Mr. McKeough: —two years ago now, Mr. Chairman—you and I can talk about this —and announced a programme called, Design for Development, phase 2, and the seventh criterion of Design for Development, phase 2, was community participation, community acceptability.

I say to my friend for Wentworth that we do not have community acceptability for Hamilton—Burlington—Wentworth. We do not yet have community acceptability in Halton and Peel, and until we have what we believe to be community acceptability, then we will not be moving ahead, because that happens to be—

Mr. Deans: What are you doing about it?

Hon. Mr. McKeough: —the position of the government of Ontario. That is the simple reason the member—

Mr. Deans: But you do have community acceptance in York or Niagara Falls?

Hon. Mr. McKeough: —the member for—

Mr. Chairman: Order! Order!

Mr. Deans: It is a funny thing how the minister can introduce community acceptance when it is to his advantage.

Mr. Chairman: Order! The hon. minister has the floor. The member for Wentworth will please keep his seat. The hon. minister has the floor.

Hon. Mr. McKeough: The member for Wentworth—

Mr. Chairman: Does the hon. minister have further comments?

Hon. Mr. McKeough: The member for Wentworth, Mr. Chairman, I point this out to him in—

Interjections by hon. members.

Hon. Mr. McKeough: I point this out to him because he should be aware of this that we have in Hamilton, Burlington, Wentworth, Grimsby—the member for Lincoln is not here; I should always mention Grimsby, that is part of it—in that area Burlington, a municipality of some nearly 100,000 people; add to that Grimsby, I suppose 10,000, 15,000 or 20,000 people—unalterably opposed to what the Steele commission recommended. Now I am not prepared to proceed when the elected representatives of that council feel as strongly as they do, not only Burlington, which has a lot of people, but also Grimsby which has a fewer number of people, a much fewer number of people.

Mr. MacDonald: Oh, go on, you have been doing it all over the province, ramming it down their throat.

Hon. Mr. McKeough: We are not prepared on this side of the House to engage in that kind of steamroller tactics. We will not do it and we do not propose to do it.

Interjections by hon. members.

Hon. Mr. McKeough: The member talks about Burlington in particular.

Mr. Deans: I did not talk about Burlington. The minister is. The minister does not—

Mr. Chairman: Order!

Mr. Deans: Mr. Chairman, on a point of order.

Mr. Chairman: What is the point of order?

Mr. Deans: The minister says I talked about Burlington in particular. The only reference to Burlington that I made was in the fact that I said it was the Hamilton—Wentworth—Burlington region.

Mr. Chairman: Let the record stand corrected.

Mr. Deans: The minister is obviously misleading the House.

Mr. Chairman: The hon. minister has the floor.

Interjections by hon. members.

Hon. Mr. McKeough: I am trying to be accurate. We talked about—

Mr. Lawlor: Try to be accurate, like the member for Lakeshore.

Hon. Mr. McKeough: The member returned in his final remarks to the business of school jurisdictions and municipal jurisdictions. Certainly, as the member mentioned on a number of occasions, the Minister of Energy and Resources Management and the member for Halton East (Mr. Snow)—who does not seem to be with us this evening; no doubt he is engaged on important business for the Ontario Housing Corporation—both have emphasized, and I would agree, that one of the most forceful briefs we had on the Steele commission was from the Halton County Board of Education. The member simply says, "Let us make educational boundaries and municipal boundaries coterminous." I ask him to go and look.

Mr. Deans: Your colleague said that.

Hon. Mr. McKeough: You do not want coterminal borders.

Mr. Deans: I said that that went without saying.

Interjections by hon. members.

Mr. Chairman: Order!

Hon. Mr. McKeough: You are not worried about it then?

Mr. Deans: Of course I am.

Hon. Mr. McKeough: All right, then say one thing or the other. And I would have to tell you—

Mr. Deans: Your colleague was the one who raised it.

Hon. Mr. McKeough: If you believe in coterminality of borders, as I do—

Mr. Deans: I figure this way: I gave more credit for intelligence than he did; I thought you understood it.

Mr. Chairman: Order.

Hon. Mr. McKeough: Then go and read the brief of the Halton County Board of Education. I am not saying I agree with it in total. It is one of the most forceful briefs we received. Read that brief.

Mr. Chairman: There is grave disorder in this House. The hon. member has the floor.

Mr. MacDonald: The trouble is that the minister is dressed like a gentleman but he is not talking like one.

Hon. Mr. McKeough: Mr. Chairman, I just want to say one thing more about Hamilton, Wentworth, Burlington, Grimsby, Peel, Halton, and that is exactly the point.

Mr. Singer: York. Can you move a little further east?

Hon. Mr. McKeough: We cannot look at Peel-Halton or Hamilton-Wentworth in isolation; the two things go together. That is part of my problem. I can only tell the member that in terms of Peel-Halton, where on March 19 last year we felt—and said so—that there was not a sufficient consensus, I can only report to the House that there are some very interesting meetings going on in Peel, in Halton, and between Halton and Peel. They decided, after the whole thing was called off on March 19, to sit down and discuss various aspects of regional government.

I was not at those meetings, but I would be glad to show the member the minutes which I have received from time to time of these meetings at a technical level, at a political level. I can only say that there are some very worthwhile discussions going on, and this is in Peel-Halton; this is not in Hamilton-Burlington-Wentworth, where I think the member would be the first to admit—and I think I said this in public; I certainly would say so now—that the whole area was much too hot from my point of view for a discussion of how to bring some varying points of view together.

Mr. Singer: What makes it hot and what makes it cold?

Mr. Deans: When do you decide otherwise?

Hon. Mr. McKeough: Oh, this is the great judgement, I suppose, which we have to exercise.

Mr. Deans: Surely if four out of five or four out of six municipalities ask you to look at them and do something—

Hon. Mr. McKeough: I think you have to look at the size of the municipalities and who is asking what, among other things.

Mr. Deans: But you are holding up their progress by not making a decision.

Mr. Chairman: The hon. member for Wentworth has already made his lead-off speech. The hon. minister has the floor.

Hon. Mr. McKeough: On the other hand, you want me to hold up all progress until we have tax reform. You cannot have it both ways.

Mr. Deans: If that is a policy—

Hon. Mr. McKeough: You cannot have it both ways.

Mr. Deans: If you want to lay down the programme—

Hon. Mr. McKeough: That was the policy you enunciated.

Now I would just like to try to sum up, Mr. Chairman, in this way, with perhaps just a couple of other comments. The member talked about our lack of progress in the business tax. We thought we took a significant step forward for the member's party. I think the aim of all of us, we would all agree—the member for Lakeshore and the member for Oshawa, who has left, agreed—that what we need is a neutral business tax at some level or another. The members opposite in that particular party agreed.

Mr. Singer: What is a neutral business tax?

Hon. Mr. McKeough: The member for Sudbury will recall this, because he moved a motion to reduce it, as I recall, to 175 per cent, which was not acceptable to members of any parties. We heard a great deal about that. And, I say with all charity to the member for Lakeshore, we heard a great deal about that step toward neutralization, we heard nothing about the rise from 25 to 30 per cent on retail stores. And I would have to tell you—you can make your own inquiries—that this has meant a significant amount of money to those municipalities that assess business tax and levy it in the same year, such as Chatham, London and a number of others, and will mean a further increase to

those municipalities that levy business tax in this year and will collect it or at least assess it in this year and collect it in 1971. That was not an insignificant step; neither was the reduction for the distilleries on the one hand or the increase for the retail stores on the other hand. And it is going to be a painful step each step of the way to try to achieve a neutral business tax—I think the member knows that—and to say that we have not made some progress in that direction: we changed rates that had not been changed in 60 years and we moved slightly toward a very commendable aim of a neutral business tax, and may have to move again.

Mr. Deans: Slightly. Barely at all.

Hon. Mr. McKeough: Mr. Chairman, the member mentioned what we had done in terms of our three objectives, which were enunciated by the Prime Minister on October 6 when the House opened. He asked what we had done about the regressiveness. I am not going to debate these things, but I would just like to give you some examples. Our three objectives—

Mr. Deans: You are going to debate them whether you know it or not.

Hon. Mr. McKeough: The Prime Minister outlined our three objectives in tax reform: first of all, to try to do something about the regressiveness of the property tax. I think my friend from Lakeshore and others in this House would agree—

Hon. Mr. MacNaughton: Do not bet on it.

Hon. Mr. McKeough: —that whatever imperfections they may feel there are in the residential property tax programme, that was a method of getting at the regressiveness of the real property tax.

Mr. Sargent: You did not agree with us in 1967 when we said that? We said that in 1967 and you did not agree with us.

Hon. Mr. McKeough: All right. I remember my friend from York South standing in this House and talking about the residential property tax; he has made many criticisms of it and I can make some myself. I do not say it is a perfect instrument. But as Smith devised it and as we have implemented it, it is a way in part of getting at what is basically a regressive tax, namely, the tax on real property. And I would have to say to you that you can put money into education grants or highway grants or any other kind of grants you want, and whether you go to 80 per cent or 100 per cent you do not essentially get at the regressiveness of the property tax as well as you do through the tax reduction programme.

Think about that—and I think the member for York South and the member for Lakeshore will agree with me. I know the criticism of that particular programme. I live with it.

Hon. Mr. MacNaughton: Never bet on the member for Lakeshore.

Hon. Mr. McKeough: I am not trying to defend it at this point. But the member asked what we had done about the three basic objectives, and I use that as an illustration of what we have done to get at the regressivity of the property tax.

Hon. Mr. MacNaughton: The member for Lakeshore, I might say, flaps all over the place.

Hon. Mr. McKeough: The programme, which will be the bill that will be introduced shortly, to assist the people on guaran'eed income supplement gets at the regressivity of the property tax.

You have asked what we are doing about broadening the base. I would say to you that the amendment to The Municipal Act—

Mr. Deans: What are you doing?

Mr. Sargent: On a point of order.

Mr. Chairman: Point of order?

Mr. Sargent: Mr. Chairman, if we are going to sit in this House and try to understand what is going on, I think the minister should not be allowed to spout his gospel withous us questioning what he is saying.

Mr. Chairman: Order.

Mr. Sargent: Just a moment, Mr. Chairman. This is important. We are going to discuss it intelligently. Can he not be questioned at all on these estimates?

Mr. Chairman: The hon. member knows right well that we have the lead-off speakers, the minister is granted the privilege of a reply, then we go to the votes. The members should know that. That is the way we have been dealing with all of the estimates and that is the way we will deal with these. We have not yet called any votes. The hon. minister may resume.

Hon. Mr. McKeough: The hon. member asked what we were doing about broadening the tax base, and I have pointed out the amendment to The Municipal Act which allowed the municipalities to tax universities

to a maximum of $25 for each full-time student. That is the first step. It is broadening the tax base, getting rid of exemptions.

Finally, what are we doing about the reasonableness of the real estate tax in terms of the total tax dollars? Well, good heavens, consider the move in education, which is moving towards 60 per cent, I think the Treasurer or the Prime Minister detailed in the House the other day some $400 million that had been transferred from the property tax to provincial taxes, which I think does something toward adjusting how taxes are paid.

My friend says no. All right. He does not agree. With great respect, Mr. Chairman, he asked how we're moving to accomplish these objectives. I have given three instances of how we are moving to accomplish those three objectives. He does not agree, which is his privilege. Finally I want to make one small point. The member for Wentworth or the member for Waterloo North wondered about the cost of administering the tax reduction programme, the subsidies paid. Our cost is 0.16 per cent; the cost to the subsidies branch, in terms of the amount of moneys which are paid out. That, perhaps, should be on the record—0.16 per cent.

I want to return seriously for a moment to the points raised by the member for Waterloo North, and the member for Wentworth. I describe this as the chicken and egg problem and I think we have one—a real problem. The member said if we ever sat down —the member for Wentworth—and decided where we were going—surely Smith did that for us? Surely the select committee did that for us for some fundamental aims or some fundamental objectives, none of which is going to be achieved overnight? I think Smith said, and I think the select committee said, we need tax reform in the province. If you are going to do something about tax reform, you must do something about local taxation; you must get at what is essentially a rotten base, the assessment base, the assessment mess in the province.

The member agrees. All right: We do something about it and the best we can do is going to take a five-year programme to get it done. Now do we stop for five years and do nothing? We, on this side of the House, do not believe we can. I would say to the member we are completely responsible. I would not go to the Treasurer, to my colleagues, and say we should do this or that in terms of tax reform—and we have taken a number of significant steps in the last two years—until we have complete reassessment; until we know the base is solid.

Mr. Deans: That means that reform will go on until 1977.

Hon. Mr. McKeough: And what I am saying—

Hon. Mr. MacNaughton: Do not oversimplify it.

Mr. MacDonald: If you are around here we would not get it by the year 2000.

Hon. Mr. McKeough: If the member for York South would stop whistling in the wind; if he would read the Prime Minister's statement of October 6— he was so flabbergasted on that date, October 6! He was also overcome because he was not sitting in his old seat; he has not really recovered from that yet. Does the member want to say something? Go ahead. Say something. The member has not overcome the events of October 4 and 5 yet.

Mr. MacDonald: Never you fret about that.

Mr. Chairman: Order!

Hon. Mr. McKeough: I am saying to the member, if he takes a responsible position, he would say—and his colleague has said this, if the member had been listening—he would not move ahead with total tax reform until we had an adequate base, which depends on reassessment which is now 4½ years away. But, and the Prime Minister said this and the Treasurer said it and I have said it, the world will not stand still for 4½ years—

Mr. Chairman: Order!

Hon. Mr. McKeough: We have moved ahead in a number of difficult areas of tax reform.

Mr. MacDonald: Patch upon patch upon patch.

Hon. Mr. McKeough: Patch upon patch upon patch? The member sits there and the member for Wentworth talks about a municipal foundation plan which is for the birds until we have reassessment. You know it and I know it—

Interjections by hon. members.

Hon. Mr. McKeough: Why go out and say what a great thing that is?

Interjections by hon. members.

Mr. Chairman: Order! Order!

Hon. Mr. McKeough: I can only say, Mr. Chairman, that the New Democratic Party have admitted tonight that they will have tax reform in five years after reassessment, but they go on talking about tax reform now. You cannot talk about both things and that is what you are doing and it is dishonest.

It is false but that does not surprise me at all. It is false and it is dishonest. It is intellectually dishonest. It is dishonest no matter how you want to look upon it. You know we need reassessment, and you talk about the foundation plan which is going to cure everything and we cannot have it and you know we cannot have it, so why be dishonest? I say to the member for York South, after all these years, having laid down the mantle, why does he not try to be honest with the people of Ontario for once in his life? Just for once. Leave this House in a blaze of glory and be honest, for once.

Mr. MacDonald: If you think I have laid down the mantle, you watch out because I am right on your trail.

Hon. Mr. McKeough: I say to the member for York South, I know he did not lay the mantle down; the member for Scarborough West pulled it up.

Interjections by hon. members.

Hon. Mr. McKeough: Yes, he did. He pulled it right up.

Mr. Chairman, I will look forward to a discussion, calmly and dispassionately. I will look forward calmly to the discussion of the moneys which we are asking the Legislature to appropriate for this most progressive and forward-looking department of government.

Mr. Chairman: In dealing with the votes for this particular department, vote 1401 would appear to the Chairman to be most appropriately discussed in total. Would the committee agree with that? Agreed. Does the hon. minister agree? We will take vote 1401 in total. The hon. member for Waterloo North.

On vote 1401:

Mr. Good: Mr. Chairman, would the discussion of OMERS come under this vote?

Mr. Chairman: I am not sure.

Hon. Mr. McKeough: I would think so, yes.

Mr. Good: Under the first vote, I would like briefly to ask the minister to give some consideration to the investment of funds under OMERS, the Ontario Municipal Employees Retirement System. As you know, The OMERS Act states that all municipal employees must have their pension funds in OMERS, but there has been of recent years considerable dissatisfaction with the return of interest because of the limitation of the investment of these funds.

My understanding is that the funds which are collected—the last report which I have here shows that in the year 1969, over $40 million was paid in contributions by municipal employees, and there is a total of approximately $158 million on deposit in this retirement fund. I am not sure, but I believe all of this fund is invested in provincial bonds and debentures which bear interest at approximately 6½ per cent average. With the difficulties that municipalities in some areas of the province have had in financing debentures, with the high rate of return that municipal debentures are paying—sometimes in excess of 9 per cent—many members of OMERS, whi are municipal employees, are asking that their funds be invested in municipal debentures at a higher rate of interest.

You would then accomplish two things. You would give a higher return to those whose funds are put into OMERS for retirement purposes; and secondly you would give the municipalities a source of ready funds to which they could sell their debentures. The differential between 6½ and 8½ or 9½ per cent would be considerable. A 2 per cent differential would amount to something in excess of $3 million a year increase in interest. A 3 per cent differential would amount to $4¾ million. The people whose money is invested here feel that the province, which undoubtedly has a better financial rating than any of the municipalities, can go to many other money markets, whereas a municipality can be accommodated by sources of funds available from OMERS. I wonder if the minister could comment on this particular subject.

Hon. Mr. McKeough: Yes, Mr. Chairman. I might say there is, of course, no money in these estimates for OMERS. I am quite willing to answer—

Mr. Good: All right, but it is administered by your department?

Hon. Mr. McKeough: No, it is not administered by my department. It is administered

by the board of OMERS which simply reports through me to the House. But it is not administered by my department and in all sincerity I correct that impression.

There are perhaps two points here. First of all, I think it should be recalled that when OMERS was brought into being, it was going to invest the money with the Province of Ontario on a 40-year term at 5 per cent and that was unprecedented. Subsequently, that was rearranged because, as the member has outlined, the increase in the cost of money to 6½ per cent, again for a 40- or 45-year period, I think was unprecedented and still looks good in terms of the market conditions of the last few months; it is not too bad today.

Nevertheless, the OMERS board suggested —and they have not suggested, I may say, that they specifically should have the authority to invest in municipal debentures—they have made a number of other requests, but it is not their point of view. The municipalities have perhaps suggested that some part—

Mr. Good: What do you mean by their point of view?

Hon. Mr. McKeough: The municipalities have suggested that some part of the OMERS money should be available for municipal debentures, but that has not come from the OMERS board.

Mr. B. Newman (Windsor-Walkerville): The Windsor resolution started it.

Hon. Mr. McKeough: Beg your pardon?

Mr. B. Newman: That was a resolution by the city of Windsor.

Hon. Mr. McKeough: Yes, by the municipalities, not by the OMERS board, and not by the people in OMERS, and these are perhaps two different things, two different groups of people. There are the municipalities, then the pension trust fund, if I can put it that way. The other point is that perhaps the rate of return is not what it should be. I can only tell the member, and I conclude now, that the OMERS board has met with the Treasurer and myself. They have advanced certain points of view to the Treasurer. The Treasurer in turn has advanced other points of view in the process of negotiations going on. I would expect to introduce into the House in the very near future, the next week or ten days, legislation and amendments to The OMERS Act which would give implementation to the discussions which have been taking place.

Mr. Good: Mr. Chairman, if the minister is going to introduce legislation, why did he suggest that this was out of order then at the beginning?

Hon. Mr. McKeough: I did not suggest that it was out of order, but I think that the members should know that what we are considering here is estimates of departments. We are considering voted funds and there are no moneys in my estimates for the administration of OMERS. Mr. Chairman, it does not matter anyway. We have discussed it and I could not care less. But my understanding of the estimates is that we discuss what funds are to be voted for and there is no mention in the estimates which are before us—

Mr. Good: Your salary is in there, and you are gettitng paid to report to the Legislature, are you not?

Hon. Mr. McKeough: No, no. It does not matter.

Mr. Chairman: The member for Oshawa.

Mr. Pilkey: Before we get off this question of OMERS, as I understand the plan, it is not a negotiable plan. In OMERS, the level of benefits is determined by your committees that are set up to administer OMERS, and it is not negotiable.

I want to make a couple of observations now on this whole question. First of all, I want the minister to tell me whether this is in order. I want to talk about the whole question of pensions as applicable to municipal employees. What vote does that come under?

Hon. Mr. McKeough: I am sorry—

Mr. Pilkey: The whole question of pensions as they pertain to municipal employees. Is this the vote?

Hon. Mr. McKeough: I would think so, yes.

Mr. Pilkey: Let me say, first of all, as I understand it, OMERS is not a negotiable pension plan. It is one in which the government makes a determination that all municipal employees will participate in the plan. The levels of benefits are set by the government as opposed to any negotiations that may take place in the municipality between the union and management. Okay?

Hon. Mr. McKeough: No, that is not quite correct.

Mr. Pilkey: Okay, you tell me.

Hon. Mr. McKeough: There is a basic OMERS plan which municipalities and employees may purchase for the employees together. A basic OMERS plan. It is negotiable as to whether you purchase it or do not purchase it. I suppose that is a negotiable item. Then, in addition to the basic plan, OMERS offers a variety of supplementary benefits. The pension can be increased either for current service or past service. I suppose that is a negotiable item. The municipality decides in its wisdom whether it wishes to purchase those things from OMERS. If they do wish to purchase it from OMERS, they can. I suppose that the reason they may decide that they want to purchase it in many instances is not any great feeling of responsibility on their part. I am sure that is true in some cases; it probably is. But, no doubt, the request for supplementary benefits, supplementary purchases in OMERS, comes from the bargaining process, the negotiating proccess.

OMERS really is no different than the plan provided by McKeough and Sons Company Limited. Our pension plan happens to be with Manufacturers Life. What is in that plan is negotiable between our employees and the firm and we then in turn go to Manufacturers Life. I assume that in the city of Chatham, or in the city of Oshawa, if the members of the municipality and the employees of the municipality feel keenly enough about pensions that they will discuss pensions, put them on the bargaining table, and encourage the municipality to sit down and discuss with them what we call supplementary things, things over and above the basic plan. Then, as a process of bargaining, the municipality will decide whether they are going to buy them or not, or who is going to pay for them—the employee or the employer, or probably a combination of both. I think when the member was on—

Mr. Pilkey: Right.

Hon. Mr. McKeough: —council and I was on council, there were no supplementary plans. We got OMERS going on a one-level basis. I did not. That is the way it came in and the way the Legislature approved of it, on a one-level basis. That went on for three years, four years, and since then there are all kinds of options which can be added to it, called supplementary. So I think really, they are in the same position as the member for Oshawa's position today, as any private insurance company would be or public insurance company.

Mr. Pilkey: All right. Let me say, first of all, that the provincial Treasurer and I have heard the Provincial Secretary state that public employees should not be treated any differently than employees in the private sector of the economy and that they should really derive the same benefits as those employees in the private sector. First of all, The Municipal Act does not allow employees that are on OMERS pension, or their union representatives, to negotiate hospital premiums being paid or insurance or OHSIP premiums—

An hon. member: It sure does.

Mr. Pilkey: It appears to me that the OMERS pension is not an adequate pension in any event. I urge upon the minister to at least put those retirees in the same position as the retirees in the private sector that retire from a specific industry. I am not suggesting that you say in your legislation that a municipality has to assume the cost of the premiums. What I am saying is that their representatives should have the opportunity to negotiate the same benefits as are enjoyed in the private sector or the private economy of this province. At this point in time, as the minister knows, the thousands and thousands employed in the public sector at a much lower pension benefit are denied the same privilege as those workers in the private sector.

Hon. Mr. McKeough: I can only say that this is a request which was made to us by a resolution of one of the two municipal associations. We have had some discussion with them; we have this under consideration. I do not want to let you think that we are going to move on this tomorrow, but we do have it under consideration.

Mr. F. Young (Yorkview): Mr. Chairman, could I ask the minister through you a question with respect to surpluses built up by OMERS? Has there been a significant surplus built up over the period it has been operating?

Hon. Mr. McKeough: I am getting a little over my depth at this point, but my recollection is that there is an actuarial review every two or three years. When there is a review, there could be either a surplus or a deficit discovered at that point actuarially. In both cases, I believe there has been since the review has been done. In the last case, at any rate, it was a surplus and, at that point then, benefits have been adjusted, I suppose, actuarially to wipe out that surplus 40 years away. I expect that when the improvements are made in the investment policies of OMERS by

legislation, or when they are allowed to improve their investment policies, this will automatically create a surplus at which time then the board will, I think, look at a number of options again to improve benefits.

Mr. Young: The thing that I was anxious to know is just the extent of the surplus that has built up, because evidently it has. I presume that surplus, then, is going to be used to increase benefits or to lower costs. I would think in the light of inflation it should be used to increase benefits rather than lower costs. I do not know what the policy has been. I wonder if we might get information as to whether the thinking is that any surplus should go to increase benefits in view of inflation, rather than decrease costs to the municipalities.

Hon. Mr. McKeough: I had some little discussion with the board, or the chairman of the board, some months ago and that was the conclusion which the board had come to, which I quite agreed with, that if there were to be excess funds developing, then those should increase pensions rather than reduce contributions. That was the policy of the board then and I would assume that they would follow the same policy and are following it now. I do not want to prejudge what they might do in different times a few years from now.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I would like to ask the minister if there is an escalator cost-of-living clause built in to the OMERS agreement, so that retired municipal employees would not be under the same type of pressures and tensions as employees in some of the other sectors of our economy. The employees in the automotive industry have this negotiated every time their contract comes up and I would like to know, then, from the minister, if similar arrangements are provided in the OMERS contract.

Hon. Mr. McKeough: No, the benefits are based on the earnings.

Mr. B. Newman: There is no consideration being given by your department to increasing the benefits with a cost-of-living escalator?

Hon. Mr. McKeough: I would simply say this, that unlike, for example, the Teachers' Superannuation Fund, with which the member is familiar the OMERS fund is an actuarially sound fund and the amount which is paid into it each year by the members of OMERS, by the employees of the municipality and by the municipality itself, has to be sufficient to produce a certain dollar value of pension so many years away. The Act does not allow them to increase pensions without the money coming in to pay those pensions plus the accumulated interest on their investments.

Mr. B. Newman: Does the minister not think it would be fair, though, to amend the Act to enable the cost-of-living increase to be set in automatically, because you are certainly not being fair to the retired employee? The Department of Education is going to provide such a cost-of-living escalator in its future arrangements.

Hon. Mr. McKeough: Well, I would simply ask the member, who is going to pay this? The municipalities? The employees working today? Do you think that the employees who are going to claim a pension five years from now should surrender some of their pension benefits to pay an increased pension to somebody who retired a year or so ago? I do not know. I am asking this in all sincerity. It is a little different matter here in this Legislature.

We as a Legislature, through the Public Service Superannuation Fund legislation, or the Teachers' Superannuation Fund, guarantee a level of pension and we undertake to put in the amount of money necessary to pay those pensions. This is not true in what is essentially a trustee plan such as OMERS, where the employees put in so much, the employers put in so much and out of that come pensions.

Mr. B. Newman: If the minister is looking for an answer, I certainly have the answer for him in a resolution that was originally passed by the city of Windsor. It is the one that my colleague from the great riding of Waterloo North brought to your attention which provides the answer: that is, the investment of their funds at a better rate of interest by permitting the funds to purchase debentures from municipalities.

Hon. Mr. McKeough: That is part of the answer, but that has absolutely nothing to do with an escalator clause.

Mr. B. Newman: That would provide the funds—

Hon. Mr. McKeough: You are talking about two things in an escalator clause. You are talking about an actuarially sound pension plan which OMERS is, and on the other hand you are talking about a plan which somebody

decides was simply going to pay out more money to somebody who was retired whether the money has ever been paid in or not.

If you are talking about the resolution from the city of Windsor, what I have said is that the investment policies which are governed by legislation are under review, and I would hope to be introducing legislation in the next week or 10 days to give effect to the decisions which have come out of the negotiations. But I would not indicate to you that there has been any change in the basic policy of OMERS, which is a trustee plan, where the money which goes in, or at least the money which is paid out has first of all been paid in.

Mr. Chairman: On vote 1401, the hon. member for Wentworth was on his feet first.

Mr. Deans: I am not going to deal with OMERS.

Mr. Chairman: Well, if the hon. member for Waterloo North wants to speak about OMERS?

Mr. Good: One further question, Mr. Chairman, on this, and that is that I think people want to be assured that this is not a limited fund in the way that it would be set up just to accommodate a low interest rate for the province to use to sell its debentures to. Would it be because of the limited time that this has been in force that while there are $40 million worth of contributions a year, the pension payments are only $801,000 this past year? Would it be that there is going to be a tremendous increase in the number of people deriving pension benefits, and that that causes that wide discrepancy in the amount that is paid in each year and the amount that is paid out?

If the interest rate is being kept low to accommodate the province as a low-interest-rate of funds, I would say that is entirely wrong; the people who are contributing to this then are not being dealt with fairly as they would be under a private plan.

Hon. Mr. McKeough: No, that is not the case, and, I say through the Chairman to my friend, the Treasurer, even if we entertained such thoughts, we have a very aggressive board in OMERS that would never let us get away with it.

Mr. Chairman: On vote 1401, the hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I want to ask the minister if he recalls receiving a copy of a brief from the Association of Mayors and Reeves dealing with his statement of general policy in municipal finance and if he could indicate what his views are in terms of meeting some of the recommendations and requirements of this brief.

These are people who I happen to believe have a very deep insight into the problem of municipal finance. They have offered some very concrete recommendations based primarily on an unconditional grant, with special grants for certain matters. And without going into it—I will if I have to—but without going into it, I would have thought the minister might recall the brief. Let me just quickly run down some of the recommendations for him.

Hon. Mr. McKeough: I think this might come under vote 1404.

Mr. Deans: You want to deal with it under that? I was looking at it; I was not sure.

Hon. Mr. McKeough: Municipal finance, vote 1404.

Mr. Deans: Okay. I will be glad to deal with it under that. Thank you.

Vote 1401 agreed to.

On vote 1402:

Mr. Chairman: Provincial assessment, the member for Waterloo North.

Mr. Good: First of all, before we get into the general assessment problems in the province I would like once again to ask the minister a few questions and ask if he would reconsider the moving of the assessment office in Waterloo county from the Kitchener-Waterloo location to the Galt location where it now is.

Further information has now been brought to my attention in that while the minister did reply to my first inquiry that it made no difference to him where in the county the office was located, I think we are finding that those who are, in fact, doing the assessing, and those who are in the long run paying the bills for this office being away from the central area of population, do care where this office is located.

I am told that the fact of the registry office being in the city of Kitchener should be enough in itself to demand that this assessment office not be located in the city of Galt. The fact that 75 per cent of the assessment employees lived in the twin city area before it was moved should have some bearing on it. The fact that Preston and Hespeler have been reassessed and the Kitchener-Waterloo

area has not been reassessed at market value should have a bearing. All these things were pointed out to you previously.

Then we spoke last year of the costs of relaying information from the registry office in Kitchener to the assessment office in Galt. I am told that the Zenith telephone line which the assessment office in Galt has put in to accommodate people in the Kitchener-Waterloo area, which represents 150,000 of the total 240,000 people, is costing in excess of $1,000 a month to operate. I would like to know if that report is correct.

All these things should surely make you reconsider the facts and when your temporary lease or whatever you have in this building in Galt which had been previously condemned expires, that you will give serious thought to moving that assessment office back to the centre of population within the county.

Hon. Mr. McKeough: There is some discussion going on about this at the present time as I understand it.

I think it might have been a matter more appropriately raised in the estimates of The Department of Public Works. I can only say that we are satisfied with the department in terms of serving the public. To be in Galt, or Kitchener, or Waterloo—the area is a relatively contiguous one.

Public Works was able to find suitable accommodation in Galt. They are in the process, as I understand it, of seeking further accommodation and we have great confidence in The Department of Public Works who, I am sure, will find us good accommodation and in the right spot.

Mr. Good: What about the Zenith line?

Hon. Mr. McKeough: I find that figure very hard to believe, but I will check into it and get back to the member.

Mr. J. E. Bullbrook (Sarnia): Do I understand correctly, then, Mr. Chairman, through you to the minister, in the remark of the minister that this should have appropriately been brought up in the estimates of The Department of Public Works—that the criterion in locating regional assessment offices is the physical facilities available through The Department of Public Works? Explain to me, if you will, why it should be brought up under The Department of Public Works, please.

Hon. Mr. McKeough: In the first place, of course, if the member were aware, we are not talking about Chatham and Sarnia, we are talking about Kitchener and Galt, which are very close together. It is not as earth-shattering a decision as it might be with two other communities and in an instance like that, we are quite happy to leave it, in the interests of saving the taxpayers' money, with The Department of Public Works to make the best deal possible.

Mr. Bullbrook: Am I not correct, Mr. Chairman, that this is a qualitative analysis by way of hindsight then? The evaluation to be made now is, that if we move it back to the Kitchener-Waterloo area—which, according to my colleague from Waterloo North, is the more appropriate location and which you have not taken the time to take issue with—basically your total consideration for retaining the facility in Galt is the attitude of The Department of Public Works.

Hon. Mr. McKeough: No. No. I did not say that.

Mr. Bullbrook: Well, correct me where I am wrong, please. I am interested because I want to get on to Sarnia and Chatham in a moment.

Hon. Mr. McKeough: I have nothing further to add, Mr. Chairman, to that.

Mr. Good: It is patronage and you know it.

Hon. Mr. Keough: Beg your pardon? Let the member speak up so it can go on the record.

Mr. Good: It is on the record.

Hon. Mr. McKeough: We will put it on the record. The word the member used was "patronage".

Mr. Good: That is right.

Hon. Mr. McKeough: I deny that completely.

Mr. Good: When I first asked the question about where it was going to be located, when you designated it in your book, when the assessment was first being taken over, Kitchener was listed as the place where the regional assessment office was going to be located. When I heard rumours that it may not be located there, I asked you if these rumours were correct and you said, "Yes, we have been talking to the member for Waterloo South (Mr. Reuter) about locating it in that area," or words to that effect.

Mr. Gaunt: He has a lot of influence.

Mr. Good: So I said it before then, and I will say it again now, it appears to be and, in my view it is, a case of moving it out of a Liberal riding into a Conservative riding. Now if that is not political patronage, I do not know what is.

Interjections by hon. members.

Mr. Chairman: Vote 1402, the hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I was wondering if the Prime Minister was going to move that the House rise—

Mr. Chairman: It does seem to be an appropriate time. If the hon. member has more than a few words, perhaps we could have a motion to rise and report.

Hon. Mr. Stewart moves the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply reports progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will deal with legislation—second readings that are on the order paper, in Committee of the Whole House—and if we complete them, we will return to these estimates.

Mr. E. W. Sopha (Sudbury): Will the Prime Minister be here tomorrow?

Hon. Mr. Robarts: I am here every day.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our guests in the east gallery are students from Bloor Collegiate Institute in Toronto and, in the west gallery, students from Georges Vanier Secondary School, Willowdale, and Burlington Central High School, Burlington.

Statements by the ministry.

Mr. E. Sargent (Grey-Bruce): There are not any ministers.

Mr. Speaker: Oral questions.

Mr. V. M. Singer (Downsview): Mr. Speaker, none of the ministers I have questions for is here at the moment.

Mr. Speaker: Does the member for Scarborough West have any questions?

Mr. S. Lewis (Scarborough West): I regret to say that I am in the same category, Mr. Speaker.

ASSISTANCE TO MUNICIPALITIES FOR PUBLIC TRANSPORTATION

Mr. J. E. Bullbrook (Sarnia): If I might, Mr. Speaker, through you to the Minister of Transport:

In regard to the announcement made by the Provincial Secretary (Mr. Welch) several weeks ago on behalf of the Prime Minister (Mr. Robarts) that The Department of Highways is presently undertaking a study relative to assistance to municipalities concerning total public transportation, and having a regard that the main thrust of that comment at that time appeared to be a lesser utilization of our highway system, could the Minister of Transport advise two things: firstly, why his department was not involved in this study, since it seems to have the jurisdiction in connection with transport exclusive of highway use and, secondly, if I am wrong in such an assumption, what part is his department taking in such a study?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, in the announcement that was made on behalf of the Prime Minister by the Provincial Secretary a couple of weeks ago dealing with aid to municipal transit, I think he outlined correctly that The Department of Highways is making some transportation studies and that one of their duties is to ascertain how moneys can be channelled into municipalities to help with municipal transit, presumably through some rearrangement of grants for roads or the like. This is a supposition on my part but I think that was the import of the wording that the Provincial Secretary used in making the statement. I think he said that it was with a view to finding a way of channelling money into municipalities to aid with the overall problem of transport within the municipality.

Mr. Bullbrook: A supplementary: Can we properly presume then from the minister's answer that The Department of Transport has nothing to do with this study at all?

Hon. Mr. Haskett: No, Mr. Speaker. I do not think that would be a fair presumption. We were very much interested in this subject and have been for some time.

Mr. Speaker: The member for Scarborough West. Any questions at this moment? If not, the member for Sandwich-Riverside has the floor.

MANGANESE EMISSION FROM ONTARIO STEEL MILLS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy and Resources Management.

Is the minister aware that a Houston, Texas, steel company has been charged with air pollution, the offending pollutant being manganese in quantities 10 times in excess of permissible levels? Is manganese used in any Ontario steel company's processes and if so, is any monitoring being done in the neighbourhood of such plants to discover whether excessive pollutants are being emitted?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I am not in a position to say that all the steel companies in Ontario do not use manganese.

Certainly this is one source of pollutant that would be emitted in some form or another from these steel mills. As the hon. member knows, and I have said many times, we are monitoring the emissions from steel mills in light of ministerial orders that are placed on these large plants, particularly in the Hamilton area. So if there is abuse, if it is part of their emissions and it is contrary to our orders, steps will be taken accordingly, but I cannot say for sure whether or not this particular substance or chemical is not being used.

Mr. Burr: Mr. Speaker, a supplementary question. Is the minister's department not trying to identify manganese?

Hon. Mr. Kerr: Yes. In all our monitoring, we are able for the most part to identify all the various chemicals.

Mr. Burr: Will the minister have reports soon on this matter?

Mr. Speaker: The member for Downsview may now ask his questions.

REQUEST FOR NAMES, CHARGES UNDER WAR MEASURES ACT

Mr. Singer: Mr. Speaker, I have a question of the Prime Minister.

In view of the indication by the Prime Minister of Canada that he will use his influence with, I presume, all provincial Attorneys General to reveal from time to time a list of arrests and charges, if any, laid under The War Measures Act, could we have that sort of indication from the Premier on behalf of the Province of Ontario?

Hon. J. P. Robarts (Prime Minister): I would be happy to discuss that with the Attorney General. I know basically we would wish to do it. I will have to check and see, but I can assure the House that as a matter of policy we do not wish to keep these names secret.

Mr. Lewis: A supplementary, so that the record is clear from day to day: In the Premier's knowledge have there been any detainees within the last 24 hours since the House sat?

Hon. Mr. Robarts: I am not aware of any. On the other hand I would have to say that I have not questioned the Attorney General today, but I am not aware of any. We are not anxious to use these powers unless they appear to be necessary by circumstances and those circumstances do not yet exist.

Mr. Lewis: We feel it should be known day by day.

Mr. Singer: Mr. Speaker, since the Attorney General is here, perhaps we could ask him that question. Has the Attorney General any knowledge of any arrests or detentions under the powers of The War Measures Act, made in the Province of Ontario within the last 24 hours?

Hon. A. A. Wishart (Minister of Justice): Not that I am aware of, Mr. Speaker.

GRANTING OF POLICE POWERS TO ONTARIO HOUSING GUARDS

Mr. Singer: Mr. Speaker, I have another question of the Attorney General. Would the Attorney General be in favour of granting the powers of peace officers to the security guards that the Ontario Housing Corporation proposes to appoint or hire in relation to several of its projects here in the province?

Hon. Mr. Wishart: I do not see the necessity for that, at the moment.

Mr. Singer: Mr. Speaker, by way of supplementary, would the Attorney General indicate his lack of feeling for any such necessity to the minister in charge of Ontario housing?

Hon. Mr. Wishart: I do not think I need to, because that matter would be a matter of policy and the appointment of justice of the peace would probably fall within—

Mr. Singer: No, peace officers, not justice of the peace.

Hon. Mr. Wishart: I think that would come to my attention and I would be quick to express my views when the occasion should arise.

REQUEST FOR NAMES OF PERSONS CHARGED IN CONSTRUCTION PROBE

Mr. Singer: Mr. Speaker, I have a further question of the Attorney General. Could the Attorney General advise the House, either now or at a later time, as to the names of the people who have been charged as a result of the investigation of the infiltration of organized crime into the construction industry, and the progress that has been made in connection with his dealing with the specific charges that have been laid?

Hon. Mr. Wishart: I will be able, Mr. Speaker, to give an answer to that question.

I do not know whether it will be as full, in the sense of answering the full implications of the question, as the hon. member might anticipate or wish, but I certainly can give him the names of certain persons and what actions have been taken.

Mr. Singer: Mr. Speaker, is the Attorney General aware that all I am asking him for is for a list of the persons who have actually been charged before the criminal courts and the extent to which those charges have been dealt with.

Hon. Mr. Wishart: I can get that information and furnish it to the House.

SECOND LIST OF TORONTO AIR POLLUTERS

Mr. Singer: Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Could he advise whether or not a second list of air polluters has been drawn up for the city of Toronto which would be subject to ministerial order? There was a first list drawn up, Mr. Speaker, through you to the minister, which was used in connection with the ministerial orders made a few days ago when the pollution index rose to an alarming height. I am instructed that there was a second list, and I am asking the minister if he has such a second list of somewhat lesser offenders, but still offenders?

Hon. Mr. Kerr: Mr. Speaker, there is no second list per se. For one thing, the index has not reached the level it reached last week subsequent to that particular day; therefore, no ministerial orders have been issued. Naturally, in the operation of the air pollution index system the air management branch has a list of all those potential sources of pollution that would contribute to a high index reading. There is no formal list that I am aware of and, of course, as I have said before, we will publish the list when the ministerial orders are issued and when the index goes over 50.

Mr. Speaker: Has the member for Downsview completed his questions? The member for Scarborough West.

FUTURE OF CENTURY CITY

Mr. Lewis: Might I ask of the Premier, Mr. Speaker, has the cabinet committee on regional development been called into session to render a decision about the future of Century City given the $200,000 now outstanding in mortgage payments from revenue properties and the critical situation for those in the area?

Hon. Mr. Robarts: Mr. Speaker, no.

Mr. Lewis: Mr. Speaker, since, on the face of it, Century City violates the Toronto-centered region plan at its very core, could not the cabinet make a public announcement about the future of that development to resolve the serious dispute between those who have the property and Revenue Properties Limited?

Hon. Mr. Robarts: Mr. Speaker, I can only say we are aware of the situation, of course, and it is under consideration at the moment.

Mr. Lewis: Have you, Mr. Prime Minister, any timetable in mind, when an announcement might be made to resolve it?

Hon. Mr. Robarts: No, I really have not.

Mr. Singer: Mr. Speaker, by way of supplementary to the last question, is the Prime Minister or is the government similarly reviewing the concern of other persons besides Century City who are also affected by the Toronto-centered region plan?

Hon. Mr. Robarts: Mr. Speaker, of course, it was quite obvious to us when we were introduced to the whole concept that it was going to have a wide effect on a lot of people; there was no other way, because it covers a great deal of geography. We are hearing from a great many people about how their specific interests might be affected.

Mr. Speaker: Has the member for Scarborough West completed? The member for Grey-Bruce.

DISCONTINUANCE OF PASSENGER TRAIN SERVICE

Mr. Sargent: Thank you, Mr. Speaker. A question of the hon. Prime Minister:

I hate to go to the boss on this, but I would like to get from the Prime Minister the policy of the government with regard to the hearings for discontinuance of the train service to western Ontario, Palmerston, Owen Sound, Southampton, Kincardine and Goderich. In view of the fact that the Minister of Transport had two lawyers working for two weeks on the 47-page brief opposing these rail discontinuances, and now the minister objects to doing anything more about—he is not even opposing the closing of these

services which happens next week; we are cut off entirely from western Ontario—

Mr. Speaker: Ask your question of the Minister of Transport.

Mr. Sargent: Thank you, Mr. Speaker. What is the policy, Mr. Prime Minister, of this government with regard to not opposing these closings?

Hon. Mr. Robarts: Mr. Speaker, I will refer that question to the Minister of Transport.

Mr. Sargent: Oh come on, come on, I want to know the answer. What is the Prime Minister's policy? He does not have any policy—

Mr. Speaker: Order. The hon. Minister of Transport wishes to reply to that question.

Mr. Sargent: —and he does not either.

Hon. Mr. Haskett: First of all, let me correct the questioner: He said we were not going to oppose the applications. We did oppose the applications, as he well knows—

Mr. Sargent: The minister does not know what he is talking about.

Hon. Mr. Haskett: I announced to the House last week that when the Canadian Transport Commission brought down its decision and order, we reviewed it and we decided that an appeal to either the Supreme Court of Canada on law or jurisdiction, or to the Governor-General-in-Council on the decision was not warranted. That is what I announced.

Mr. Sargent: Well, who is the minister to say that? He put two lawyers up there for two weeks and he has a 47-page direction he does not even use.

Mr. Speaker: Order, order. Another member would like to ask a supplementary.

Mr. Sargent: Ridiculous!

Mr. Speaker: The member for York Centre (Mr. Deacon) has further supplementaries? If not, the member for Brantford has the floor.

CHEMICAL COMPOSITIONS OF INDUSTRIAL EMISSONS

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Can the minister, as soon as he is through with his conversation, indicate why the air management branch of his department refuses to divulge the chemical composition of the various emissions that go into the air and that are monitored by his department?

Hon. Mr. Kerr: Mr. Speaker, I am not aware of any hard-and-fast rule whereby air management branch or regional offices refuse to divulge this information. There is some concern, I know, by the air management branch, that certain information as to the type of process used by some plants and some companies may be of some advantage to competitors, especially if there is a detailed breakdown of that process made public to certain people who want the information. At the same time, this does not necessarily assist in our anti-pollution programme or, for that matter, the prosecution of an offence under our Act.

Mr. Makarchuk: By way of supplementary question, Mr. Speaker, am I to gather from that reply that the minister is more interested in protecting the proprietory rights of the company than he is in protecting the health of the people of Ontario?

Hon. Mr. Kerr: The hon. member would have to have a very flexible mind to come to that conclusion, Mr. Speaker. All I am saying is that for the most part any information as to the type of emissions we are monitoring or the details of a ministerial order, for example, is all available to the public. But when it gets down to detailed information as to the type of process used, the engineering design, this may be the type of thing that the branch is reluctant to give out to the public.

Mr. Makarchuk: By way of supplementary, Mr. Speaker, we are not interested in the type of equipment. The question that has been asked of the air management branch is the chemical composition of the emissions that are put out by the various plants. We would like to find out whether this is in any way harmful to the public; it is not, shall we say, the industrial processes involved.

Hon. Mr. Kerr: In that case, Mr. Speaker, I see no objection to that information being given to the public.

Mr. Makarchuk: Another supplementary: Am I to take it from that question that this information will now be available from the air management branch? Is that correct?

Hon. Mr. Kerr: In general. As related to the information the member indicated would be wanted—the type of toxic emissions that may be emitted from a plant—I do not see

any reason for that information not being given to the public.

Mr. Speaker: The member for Windsor-Walkerville.

SALT POLLUTION IN GREAT LAKES

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Is the minister aware of the comments of Mr. Donald J. Collins, the chairman of the Ontario Water Resources Commission to the effect that local authorities ought to cut back and cut out road salt since salt pollution of the Great Lakes is getting too high? I ask the minister what the government policy is concerning the use of salt.

Hon. Mr. Kerr: Referring to that specific statement by Mr. Collins, his remark, if what I saw in the press and discussed with him was correct, that the application of road salt by municipal works departments and our own highways department should be regulated.

In other words, do not throw salt indiscriminately on the highways unless it is absolutely necessary. I realize that because of weather conditions in our province it is difficult to anticipate where you need salt and when and this type of thing from time to time. But there was nothing that I can recall in his statement that said that salt should not be used.

Mr. Speaker: The member for Wentworth.

POLLUTION OF HIBBARD BAY ON LAKE SUPERIOR

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

In regard to the pollution which his department has recognized is taking place as a result of the dumping by North Canadian Enterprises Limited into the Hibbard Bay area of Lake Superior, does the minister intend to request or to demand the company make some payment toward the province in order that we might clean up the pollution that has occurred in the past?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows this is a question that results from correspondence, I believe, between himself and my department. I cannot remember what is in every letter that I sign from day to day. If the company to which he refers has been found to have contravened the provisions of The Ontario Water Resources Commission Act, in all likelihood, if there is sufficient evidence it would be charged under that Act.

However, as far as any reclamation programme being forced on the company under the provisions of the Act at the present time, this is not possible unless it is done on a voluntary basis.

Mr. Deans: Does the minister intend to make changes to the Act to make it possible to have some kind of reclamation programme that will make the companies responsible for pollution that has already taken place?

Hon. Mr. Kerr: Yes, this is quite possible, Mr. Speaker.

Mr. Speaker: The member for Waterloo North.

PROTECTION FOR PUBLIC AGAINST PICTURE-TAKING

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Attorney General.

What protection is there for the public against the practices of, for example, Towers Department Store, which secretly takes one's picture as he signs a cheque for the purchase he has just made?

Hon. Mr. Wishart: I do not think there is any law against taking a photograph of a person doing any normal action in the province.

Mr. Good: Well, as a supplementary, would the Attorney General not feel that a person should be warned that he is having his picture taken for the files of the store, and if he so wishes not to make the purchase, then the film will not be on file in the stores. Should there not be some protection for that?

Hon. Mr. Wishart: Well, we have never considered that was an infringement. The press, I am sure, would be very upset if they suddenly could not take pictures to keep them on their files, and I presume we are all on there somewhere. There may be some area which perhaps encroaches on the invasion of privacy. I would have to check the law before I gave a firm opinion, and I shall do that.

Mr. Good: Would the Attorney General endeavour to do that?

Hon. Mr. Wishart: Yes.

Mr. Speaker: The member for Sudbury.

COMMUNICATION WITH OTTAWA ABOUT NEW EMERGENCIES ACT

Mr. E. W. Sopha (Sudbury): Mr. Speaker, I would like to ask the Prime Minister, out of troubled anxiety in the context of today's world, whether (a) there has been any communication with the federal government since yesterday about the nature of the legislation that the government proposes to introduce to replace The War Measures Act, and (b), bearing in mind that the administration of justice is a matter of provincial jurisdiction, whether in the discussions with the federal government this government will take the position that the administration of that legislation as passed, and its implementation within Ontario, will be left to the federal authorities or whether there will be insistence that the implementation and administration will be by the provincial authorities? I would ask the Prime Minister to remove the ambiguity in which this was left yesterday.

Hon. Mr. Robarts: Mr. Speaker, I have had no discussions with the federal government personally, but there have been discussions between the two governments in regard to the proposed legislation that the federal government indicates it is going to prepare and place before Parliament. The (b) part of the question will no doubt be dealt with by this government in that context. There are constitutional matters here, there are certain aspects to it that we will have to consider very carefully.

Mr. Speaker: The member for High Park.

TRAPPING OF TURTLES AT LONG POINT PARK

Mr. M. Shulman (High Park): A question of the Minister of Lands and Forests, Mr. Speaker.

Why has an exclusive licence been given to two gentlemen to trap turtles at Long Point Park, and why has this licence not been revoked, since the turtles have now pretty well been destroyed at Long Point Park; and is the minister aware that this was one of the single areas in the world where this type of turtle was in so plentiful an existence?

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I realize that this is a question of major public urgency. However, I will take it as notice and reply tomorrow.

APPARENT CLOSING OF PLEASANT VALLEY CANNING CO.

Mr. D. A. Paterson (Essex South): Mr. Speaker, a question of the Minister of Agriculture and Food.

What action can his department take on behalf of those farmers who have received bad cheques with the apparent demise of the Pleasant Valley Canning Company in Harrow, Ontario, the obvious disappearance of the total inventory of the pack from this summer, and the fact that officials of that company are not available in that immediate area?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I will take that question as notice. This is the first word I have heard of anything like this.

Mr. Speaker: A supplementary?

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, a supplementary to the minister.

Mr. Speaker: There can be no supplementary if it is taken as notice, I am sorry. The member for High Park has the floor.

REFUSAL TO REPAY TAX ON UNCOLLECTED INVOICES

Mr. Shulman: A question of the Minister of Revenue, Mr. Speaker.

Why does his department refuse to repay provincial sales tax which has been paid by persons on invoices but which they have subsequently been unable to collect ?

Hon. J. H. White (Minister of Revenue): Mr. Speaker, this is the practice in most jurisdictions, British Columbia being an exception to a point only. In British Columbia, if a creditor goes through a form of bankruptcy, the vendor may be relieved of a certain portion of the tax which would have been applicable to the transactions involved. In most jurisdictions, including Ontario, the tax is due and payable at the time the transaction is undertaken. If the vendor, for whatever reason, chooses to give credit to the purchaser, then he takes unto himself the responsibility for the tax portion.

Of course, we cannot make the determination on behalf of 116,000 vendors, whether their hundreds of thousands of customers are

creditworthy or not. We have to leave the responsibility in the hands of the vendor, but if he assumes the credit risk in making the transaction he takes unto himself the responsibility for paying the tax on the transaction.

Mr. Shulman: A supplementary question, if I may. Does the minister not agree that it would be fairer if, subsequently the person is unable to collect, that he should be allowed to claim a refund? Why should he have to pay a tax on a thing he never collected?

Hon. Mr. White: I wondered if my hon. friend was listening to me.

Mr. Shulman: I was listening.

Hon. Mr. White: He looked so distracted by the noisy front row of his party. If my hon. friend—

Interjections by hon. members.

Hon. Mr. White: —reads what I said a minute ago he will understand the point at issue.

Mr. Shulman: As a final supplementary then. Why does the minister's department insist that the vendors pay the tax by the end of the following month and yet the government does not pay its bills to the very same vendors for three months?

Mr. J. Renwick (Riverdale): Good question.

Mr. D. C. MacDonald (York South): Double standards.

Hon. Mr. White: The taxes are due on the 23rd of the month following the day of the transaction.

Mr. Shulman: Exactly.

Hon. Mr. White: If it is a cash transaction, the vendor has up to the 23rd plus 30, which is 53 days, to pay us; on average he would have 23 plus 15, which is 38 days to pay us.

Mr. Shulman: That is right.

Hon. Mr. White: If he extends 30-day terms or 90-day terms or one-year terms, that becomes his responsibility. I should think, on average, that the moneys remitted to The Department of Revenue in a well-run business are not remitted before the accounts are collected.

Mr. Shulman: They are in provincial government matters.

Hon. Mr. White: Now so far as the payment of invoice is concerned—my hon. friend from Kingston and the Islands says no. It is perfectly true in the construction business one's accounts may run up to 60 days or longer, but I think, for industry as a whole, what I have said is substantially correct. As far as the payment of provincial bills is concerned that has nothing to do with my department and I do bump into occasional delays. I cannot provide an explanation for it. Whenever it happens to a London enterprise, I can assure you I stamp my foot and I succeed in getting that account paid.

Mr. Speaker: Supplementary.

Mr. J. E. Stokes (Thunder Bay): Very parochial.

Mr. Speaker: Supplementary.

Mr. S. Apps (Kingston and the Islands): Supplementary, Mr. Speaker: Would the minister undertake to investigate the system in British Columbia to see if that could be applied to Ontario?

Hon. Mr. White: Yes, Mr. Speaker, I will do that with very great pleasure.

Interjections by hon. members.

Mr. Speaker: Member for Kent.

USE OF SNOWMOBILES IN RONDEAU PROVINCIAL PARK

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Lands and Forests.

Would the minister inform me if he has banned the use of snowmobiles and Ski-doos in Rondeau Provincial Park for this coming winter and if so, could be give us the reasons?

Hon. Mr. Brunelle: Mr. Speaker, at the present time we have not made known our policy for the coming winter. I have received the report from our parks people that the use of snowmobiles in Rondeau Provincial Park has been very damaging; damaging to the flowers and plants and damaging to the deer population. At the present time we are assessing whether or not it will be possible to have certain trails opened. I would hope to make this known sometime in the near future.

Mr. Speaker: Member for Yorkview.

MONORAIL AT NIAGARA FALLS

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Transport. I wonder if he has an answer to the question which I asked a couple of weeks ago with respect to the Goodell Monorail Industries Limited—are they going to proceed with the monorail in Niagara Falls?

Hon. Mr. Haskett: Mr. Speaker, I recall the member asking about the financial condition of this private operation in Niagara Falls and I undertook to find out about it. We have made inquiries and I have not had the complete answer yet. I will have it for him.

Mr. Speaker: Supplementary? If not, the member for Kitchener.

FEDERAL-PROVINCIAL CO-OPERATION IN FISCAL POLICY

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, have a question of the Treasurer.

Following the heated response of the Minister of Revenue to my remarks yesterday afternoon in the debate on the estimates of his department—

Mr. Speaker: Perhaps the hon. member will ask his question.

Mr. Breithaupt: Will the Treasurer make a statement concerning the views of the government regarding tax sharing in fiscal policy and especially federal-provincial co-operation in a national policy?

Mr. W. G. Pitman (Peterborough): Now that is a good question. We will give the Treasurer a half hour.

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, I am prepared to provide the hon. member with what may be characterized an interim answer, if not more than that.

Mr. Pitman: That is good enough.

Hon. Mr. MacNaughton: Mr. Speaker, may I suggest to you that I am responding to the hon. member for Kitchener and not the hon. leader of the New Democratic Party.

Interjections by hon. members.

Hon. Mr. MacNaughton: May I suggest that he keep his cotton-picking observations out of it until I am done.

Mr. Lewis: On a point of order, Mr. Speaker.

Mr. Speaker: Point of order.

Hon. Mr. White: Oh, sit down!

Mr. Lewis: I have not made any observations yet, but now I will begin.

Interjections by hon. members.

Mr. Speaker: Would the hon. minister proceed with his answer to the question.

Mr. Lewis: You are apoplectic.

Hon. Mr. MacNaughton: You have not seen how apoplectic I can get as far as you are concerned. You just simply do not know—

Interjections by hon. members.

Mr. Speaker: Order! Order!

Hon. Mr. MacNaughton: May I say to you, Mr. Speaker, if you would be kind enough to tell the leader of the New Democratic Party to keep his flapping mouth shut.

Interjections by hon. members.

Mr. Speaker: Order! Order! The hon. minister might resume his seat. Order! Would the hon. minister resume his seat? Would the hon. minister resume his seat?

Mr. G. Demers (Nickel Belt): Is that parliamentary?

Mr. Speaker: The question period is a period for the members to ask questions and obtain information and in order—

Mr. Lewis: But I have not asked one yet.

Mr. Speaker: —in order to do that there must be a certain amount of, shall I say, quiet and a listening attitude on both sides of the House.

Mr. R. M. Johnston (St. Catharines): In other words, shut up.

Interjections by hon. members.

Mr. Speaker: May I suggest that the hon. minister now proceed to answer the question he was asked, without any side issues being taken by either side of the House.

Interjections by hon. members.

Hon. Mr. MacNaughton: Thank you very much, Mr. Speaker. The hon. member has asked a question that is very important.

Mr. Lewis: Right.

Hon. Mr. MacNaughton: Very important.

Mr. Sopha: Ignore him!

Mr. MacDonald: Why does the minister not get to it, then?

Hon. Mr. MacNaughton: All right. I will ignore him. I will try to ignore the member for Sudbury, too, in the process.

Interjections by hon. members.

Hon. Mr. MacNaughton: Of course, Mr. Speaker—and I will digress once more with your permission—I do not propose to ignore the hon. leader of the New Democratic Party.

Mr. MacDonald: Why?

Hon. Mr. MacNaughton: I do not propose to do that.

Mr. Lewis: I am mortally wounded.

Hon. Mr. MacNaughton: I do want to say this to you, sir; that I have come prepared to make what I consider to be a comprehensive, or at least a partially comprehensive answer—

Mr. Lewis: The minister has prepared a reply.

Mr. J. Renwick: Does he want to revert to a statement?

Hon. Mr. MacNaughton: —to the hon. member for Kitchener within the time limitations that he has been kind enough to provide to me, to comment on a very complex and a very important situation.

Mr. MacDonald: Why does the minister not get at it?

Hon. Mr. MacNaughton: I make this observation, before I make my answer, Mr. Speaker. I have in my hand a copy of a release dated October 21—"press release, immediate"—from the hon. member for Kitchener, before he has even heard—

Mr. Sopha: It is a free country.

Hon. Mr. MacNaughton: —before he has even heard the answer to the question that he asked me to comment on.

Interjections by hon. members.

Hon. Mr. MacNaughton: Mr. Speaker, this press release is entitled "Challenge to the provincial Treasurer." I take it up with great relish—

Interjections by hon. members.

Hon. Mr. MacNaughton: —and I might say with enthusiasm, Mr. Speaker. But I would suggest to you, and I want to say this to the hon. member for Kitchener, he was kind enough to serve word on my department while I was in Treasury Board this morning, that he was going to ask me this question. He suggested that he was going to give me certain background information to assist me, which I did not see until 12.30 o'clock. At the same time, Mr. Speaker, I say to you, sir—

Mr. Lewis: The minister is the provincial Treasurer.

Mr. Pitman: Who is running this government anyway?

Mr. J. Renwick: Resign!

Hon. Mr. MacNaughton: I can outshout you when the final chips are down.

Interjections by hon. members.

Hon. Mr. MacNaughton: I can outshout you! I say, Mr. Speaker—

Mr. MacDonald: Mr. Speaker, on a point of order.

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. MacDonald: Mr. Speaker, the minister was asked a question, something like eight minutes ago, and he has engaged in many things that could be subject to many descriptions and he has not yet got to the answer. If we were to preface our questions with this much extraneous material, we would be called to order. I suggest the minister should have been called to order 10 minutes ago.

Mr. Shulman: On that point of order, if I may, Mr. Speaker.

Mr. Speaker: A further point of order?

Mr. Shulman: On the same point of order, Mr. Speaker, what a spectacle we are making of ourselves to the gallery.

Interjections by hon. members.

Mr. Speaker: The hon. minister has the floor and I trust that he will proceed to answer the questions.

Hon. Mr. MacNaughton: I will, sir.

Mr. Lewis: If the minister is going to keep this up he will polarize the Legislature.

Hon. Mr. MacNaughton: Mr. Speaker, that is not a bad place to start.

Mr. MacDonald: What is the answer? Quick! You are violating the rules.

Hon. Mr. MacNaughton: Mr. Speaker, I have made my initial observations and I really believe that on a matter of such importance to this province and to Canada as a whole, I might reasonably have had a little more notice before an immediate press release went out—

Interjections by hon. members.

Hon. Mr. MacNaughton: —and before the question has been asked. I suggest that, sir, in terms of at least a minimum of responsibility—

Interjections by hon. members.

Hon. Mr. MacNaughton: I would say, Mr. Speaker, that I would like to hope that this will be pursued in greater depth and greater intensity than I can deal with it today but I have a comment to make.

Mr. Singer: Good.

Hon. Mr. MacNaughton: I would say to you, sir, and I would say to the hon. member for Kitchener, indeed to the Legislature, that in any other context I should be pleased to prepare a detailed and complete statement on the Ontario government's position on federal-provincial tax-sharing and fiscal policy co-ordination. And I suggest to you that to do justice to it properly, to make a presentation to this hon. House, it would take several weeks to compile the well-documented and comprehensive record of this government's efforts to develop greater co-operation and co-ordination in our federal system.

Mr. Singer: Oh, come off it. What are we paying you for?

Mr. J. Renwick: Stop the editorializing and get on with it.

Hon. Mr. Robarts: Listen and learn.

Hon. Mr. MacNaughton: Well, Mr. Speaker, maybe if the foghorn from Downsview would subdue himself, we would get on.

Interjections by hon. members.

Hon. Mr. MacNaughton: However, Mr. Speaker, because I regard the suggestions of the hon. member for Kitchener as both unfortunate and untimely in the wake of recent tragic events, I want to respond immediately and I will provide a concise presentation—

Some hon. members: Shame. Shame.

Mr. Lewis: Withdraw that; that is just going too far.

Hon. Mr. MacNaughton: May I have order, Mr. Speaker? May I have order, sir?

Mr. Speaker: The hon. member for Kitchener has a point of order?

Mr. Breithaupt: On a point of order, Mr. Speaker. I was informed when the information and the question was placed to the Treasurer that the Treasurer was going to take the matter as notice and that an answer could be forthcoming in the future. I have no objection if he wishes to do that, but surely if that is the Treasurer's intention, let him quietly and calmly say so.

Interjections by hon. members.

Mr. Speaker: Order. Order, please! The hon. member for Kitchener had no point of order. He may have had some other point but he had no point of order, and at the moment the minister has the floor and I trust will continue to answer the question and not make any more extraneous observations. There are only three minutes left of the question period and it is desirable that we have this answer, I am quite sure.

Mr. Lewis: Untimely and uncalled-for remarks.

Hon. Mr. MacNaughton: Well, I repeat: I regard the suggestions of the hon. member for Kitchener as both unfortunate and untimely in the wake of recent tragic events and I want to respond immediately.

Interjections by hon. members.

Mr. J. E. Bullbrook (Sarnia): I rise on a point of order. The point of order is this: There is inherent in that an imputation of motives on the part of the member for Kitchener, and I ask you, as the Speaker of the House, to ask the hon. Treasurer to withdraw that inference.

Interjections by hon. members.

Hon. Mr. MacNaughton: All right, Mr. Speaker, I withdraw that connotation.

Mr. Shulman: On the same point of order—

Mr. Speaker: Point of order?

Hon. Mr. MacNaughton: I will, sir, provide a concise—

Mr. MacDonald: Sit down.

Hon. Mr. MacNaughton: Sit down yourself!

Mr. Shulman: Point of order, Mr. Speaker

Mr. Speaker: There is no point of order at the moment. The minister has withdrawn the remarks and therefore the member for High Park is out of order. The minister has the floor.

Mr. Lewis: He is going to bring down the government single-handed.

Hon. Mr. Robarts: Ah, wishful thinking. Wishful thinking.

Hon. Mr. MacNaughton: May I proceed, Mr. Speaker?

Hon. Mr. Robarts: You have never stopped dreaming.

Hon. Mr. MacNaughton: I will then provide a concise presentation of the highlights of our recent activities in federal-provincial relations to dispel any doubts that may arise from the comments of the opposition spokesman.

Point one: Ontario's views and actions in the realm of federal-provincial taxing and financing have been positive, responsible, cooperative and demonstrably unselfish. The position we have consistently advanced seeks to create a better federal-provincial balance and financing system within which there is scope for every province to provide greater aid to local governments and to finance the public services so urgently needed by Canadians, particularly those Canadians without jobs, proper housing and sufficient income.

Point two: This responsible and positive approach by Ontario is clearly evident in our position on tax-sharing. We have not advocated narrow and self-serving solutions to the problems of federal-provincial financing; rather we have advanced concrete suggestions and argued for national solutions—national, I say—and reforms which will better serve all governments and all Canadians. As I have said many times, the major social problems and spending needs facing governments today fall within the jurisdiction of the provinces and municipalities rather than at the federal level, while fiscal resources reside primarily with the federal government. Obviously, therefore, if these problems and needs are to be tackled effectively—whether in Quebec, Ontario or any other province—there must be a new revenue-sharing system which channels the required funds to the provincial and municipal governments of the provinces in every part of Canada.

Interjections by hon. members.

Hon. Mr. MacNaughton: In arguing for this fundamental reform of fiscal sharing, Ontario has been supported by all provinces and strongly supported by Quebec. This approach to fiscal reform moreover not only achieves the necessary redistribution of resources from the federal government to municipalities and provinces but also leaves scope for each to tackle its unique social problems and public priorities in its own way while still leaving Ottawa ample room to do its important job of eliminating regional disparities through equalization payments, regional economic expansion, etc.

Mr. Lewis: Can the minister clarify that?

Hon. Mr. MacNaughton: And point three: Our approach to tax reform has been similarly focused toward national objectives and cooperative changes which will benefit taxpayers in every part of Canada. Indeed, we have explicitly supported a number of reforms proposed by Ottawa, including unemployment insurance benefits and taxation of employer Medicare premiums, which we recognize will result in higher income taxes from Ontario and lower taxes from other provinces.

More than this, however, Ontario has genuinely responded to Mr. Benson's request for provincial reactions and suggestions to his white paper. We have advanced a package of alternative reforms which we believe would better serve Canada and all Canadian taxpayers. One of the major elements of our reform plan is to introduce refundable income tax credits to all Canadians too poor to pay income taxes, in recognition of the fact that these people are now paying property taxes and sales taxes.

We believe that a comprehensive integrated reform move along these lines is required not just in Ontario but all across Canada. Indeed, were such a far-reaching step implemented by Mr. Benson, poor families in every province would enjoy a major improvement in their real standard of living. You will recognize, however, Mr. Speaker, that we in Ontario must go ahead with reform for our

own people until such fundamental and co-operative federal-provincial reform is accepted as necessary by the federal government. That is why we are progressively striving to remove the burden of property taxes and education levies from those of our citizens who cannot afford to meet such burdens.

Point four: This government and its Prime Minister have been consistent supporters of the explicit equalization formula, as applied by the federal government and amended from time to time, in recognition of our responsibility to share the wealth of this province with less fortunate jurisdictions. The record is unequivocally clear on that question.

From time to time, however, we have questioned the implicit equalization factor built into various shared-cost programmes initiated in recent years by the federal government. We are not convinced, sir, that these built-in tax-sharing measures are the most effective way of recognizing regional disparities. These reservations as to method, however, do not in any way reflect upon the support that this government has always given, and will continue to give, to the requirement for revenue sharing processes by which less fortunate provinces are assisted.

Point five: In the field of federal-provincial fiscal policy harmonization the government has on many occasions advanced proposals for an improved system of intergovernmental liaison and co-ordination. Members may recall that in May of this year I tabled two documents, the first entitled, "Intergovernmental Co-ordination and Finance", and the second entitled, "Ontario's Proposals for Fiscal Policy Co-ordination."

These documents contain the very core of our proposals as to how fiscal policy might be rendered more efficient in dealing with the difficult technical problems of allocating economic resources fairly across Canada. I can report that these proposals have been discussed very thoroughly with federal officials, and officials from other governments, and that the June meeting of the Ministers of Finance agreed to set up specialized committees of officials to develop further the existing methods of technical liaison in this very complicated area of economic policy.

These committees are charged with setting up the complex information systems and economic forecasting liaison that must necessarily precede the attainment of the ultimate goal of complete fiscal policy harmonization. We have been strong advocates of this technical step because it has been apparent to us that the existing system of economic policy liaison and implementation in Canada is unable to cope adequately with two broad national economic objectives in which we are in complete agreement with the federal government, namely, stable economic growth with full employment and minimum price inflation, and a fair distribution of income and resources between people, between the economic regions of Canada, and between jurisdictions.

This process of developing fiscal policy and technical liaison systems is a long one indeed. We are committed to it, Mr. Speaker, and I can assure the House that this government will not impede the improvements and progress that are sure to arise from the present joint initiatives of the federal and provincial governments in Canada. Rather we will continue to provide leadership and co-operate fully in developing and refining intergovernmental economic policy co-ordination.

Mr. Lewis: Thank God the minister had no time to prepare it. Suppose the member had called him yesterday.

Hon. Mr. MacNaughton: Well I suppose I could interject here and say that, "You ain't seen nothing yet, Mr. Speaker, you ain't seen nothing yet."

Now take it easy. You are just a boy, you do not know what it is all about yet. You are just a kid, you are just a boy. You have had no experience.

Mr. Speaker: Will the minister please proceed with his answer?

Mr. Lewis: Would the minister feel better if I called him father?

Hon. Mr. MacNaughton: You just sit down and relax. You call your father all the time; I have not got one to call.

Mr. MacDonald: On a point of order, Mr. Speaker.

Hon. Mr. McKeough: Do not be so nit-picky.

Mr. P. D. Lawlor (Lakeshore): You of all people.

Mr. MacDonald: Mr. Speaker, I do not know how long we in the opposition are going to be able to tolerate such an uneven application of the rules of the House. The minister was called to order by you, he paid no attention to it and he persisted in his so-called interjections. He has violated the rules of the House by wasting eight minutes before he got into dealing with his reply;

he has come in with a reply which is a ministerial statement and should have been given as a ministerial statement, and he is now going beyond the question period and you are tolerating it. There is such a massive violation of the rules of the House I respectfully ask you to implement those rules of the House before it is reduced to complete chaos.

Mr. Lewis: It has already been.

Hon. J. H. White (Minister of Revenue): Mr. Speaker, on the point of order, May makes it very clear that ministers of the Crown have the right, and indeed the duty, of making ministerial statements on important public issues.

In this instance, sir, I draw your attention to the fact that it was only a few minutes before the end of the question period when the hon. member for Kitchener did, in fact, invite the Treasurer to make a statement. I think he has written his question down, so he can read exactly what he said—and I see him nodding his head to indicate that he did invite such a statement. I think, sir, in these particular circumstances it is entirely appropriate that the Treasurer should speak as he has done in this answer.

Interjections by hon. members.

Mr. Speaker: Order! I would point out to the member for York South that regardless of what minister was on the floor answering a question when the question time expired I have always allowed the minister to complete the answer. I think that is reasonable.

I would point out to the House and particularly to the minister that in my opinion—and I would have expressed it at the end of the question period because my hon. colleagues on the left always object to me interrupting from the Chair on a point when a question is being asked, or an observation being made—at the end of this particular peroration I would have drawn to the minister's attention and the attention of the members that, first of all, the question asked by the member for Kitchener was one which obviously invited an answer by way of statement, rather than a short quick answer, and it would have been my thought that at that time the minister would have either taken it as notice, or he would have asked that the House revert to the order of ministerial statements, which could have been done, and the time of the House for questions would have been saved.

However, that was not done and I think perhaps in the future we might do that. That would give any minister every opportunity of putting his position well before the House. But in view of the manner in which the question was asked today, and the content of the question, I think the minister was perfectly in order in making this answer, although I would say that it might have been more appropriate if he had asked us to revert to statements by the ministry.

Under those circumstances, and the matter having proceeded almost to the end of the question period, I believe, I would ask the minister to continue his answer and complete it and we will go on with the business of the day.

Hon. Mr. MacNaughton: Mr. Speaker, I reserve the right to make a short comment on the point of order that has been raised and then I will proceed. If the barracking had been something less than it was I would have finished by now.

Interjections by hon. members.

Mr. Speaker: Order! If the hon. minister is rising on a new point of order he may raise it. The point of order has been dealt with by the Speaker and therefore it is not to be further commented on unless the Speaker's ruling is to be appealed.

Hon. Mr. MacNaughton: Yes, sir. Well, I have only got not more than one minute to go. I simply want to say—

Interjections by hon. members.

Hon. Mr. MacNaughton: Forgive me, Mr. Speaker, if I say that if I cannot make my statement because of this barracking I am going to run the clock.

Now, sir, I have less than one minute to go, may I be permitted to complete my statement, or my answer, to the hon. member?

I would say this to you, sir, I know that the hon. members of this Legislature will recall many other initiatives and programmes, including the Confederation of Tomorrow Conference, by which Ontario has sought to develop a stronger federal fabric. These brief points, however—

Mr. Sopha: We are going to have an election.

Hon. Mr. MacNaughton: —will bring into focus the recent activities of this government in the field of federal-provincial taxation and fiscal policy co-ordination. This House, and this province, may be assured by these posi-

tive approaches in the past that our future initiatives will be constructive, purposeful and positive, in contributing to the development of this great Canadian nation.

Hon. Mr. Robarts: Mr. Speaker, may I—

Mr. Lewis: May I ask a supplementary?

Mr. Speaker: No. The Prime Minister has the floor.

Hon. Mr. Robarts: Mr. Speaker, I deliberately refrained from joining in this very interesting passage back and forth, either by way of interjection or point of order, but in view of the great interest shown by the members in the hon. minister's statement, I serve notice that I will call order No. 3 which is "Consideration of Ontario Proposals for Tax Reform in Canada." I would be delighted to hear some of the expressions of ideas that have been thrown across the floor submitted in more formal fashion. I will arrange a suitable time with the whips so that everyone will have plenty of opportunity to prepare.

Interjections by hon. members.

Mr. Speaker: Point of order?

Mr. G. Ben (Humber): I wonder if Mr. Speaker would be kind enough to consult page 354 of May's. I would direct his attention to point 25, "Questions that are not to be asked in a question period"; would he inform the House whether he may set a policy that questions of this type shall not be asked?

One of the exceptions, that is questions which are not to be asked, according to May's, is, "raising questions of policy too large to be dealt with in the limits of an answer to a question".

I submit that members ought not to ask questions and say, "What is the government policy on this?" Would the minister or would the Speaker be kind enough to give an answer?

Hon. Mr. White: On that point of order, if I may, I should like to direct the member's attention to the second paragraph on page 364 of May's "Parliamentary Practice", 16th edition, which reads in part as follows:

> Ministerial statements: Explanations are made in the House by ministers on behalf of the government regarding their domestic and foreign policy, stating the advice they have tendered to the sovereign regarding their retention of office or the dissolution of Parliament; announcing the legislative proposals they intend to submit to Parliament; or the course they intend to adopt in the transaction and arrangement of public business. These explanations are now usually elicited by arrangement in reply to a question. But the older practice under which they were volunteered spontaneously is also often followed.

I say to you once again, sir, that I think the minister was entirely in order in replying to the question in the way that he did.

Mr. Speaker: I am always pleased to have the assistance of the members in these matters. First of all, I would tell the hon. member for Humber that his point is well taken. The procedure he mentioned is well known but we have found that this House does not wish to follow that procedure; at least, it has been indicated by the type of questions it has received from the opposition party members.

With respect to the hon. minister's submission, I would merely say this, that under our present system we try to get as much time as possible for the private members to ask questions of the ministry. Therefore, while the statement may very easily have been in order under the rules and, therefore, I did not interrupt, I felt that more time could have been given to the members if that had been in the period for statements by the ministry.

I think we are all thinking alike but we are not all quite sure we wish to follow the same procedure. I will be glad to look into these matters.

Another point of order?

Mr. Singer: Yes, Mr. Speaker. I would draw your attention, sir, to the standing orders approved on April 22, 1970. Those hon. members who quoted May at such length must have forgotten what was in the standing orders that we so recently adopted. Particularly, Mr. Speaker, under the heading "Questions by Members," 27(d) they deal with the routine proceedings, oral questions, and the last phrase of that says:

> —and provided also that the minister may take an oral question as notice to be answered orally at a later sitting, but where any such reserve question requires as its answer a lengthy statement, such statement shall be given under the routine proceedings, statements by the ministry.

That was the decision of the House, and surely, Mr. Speaker, notwithstanding the learned quotations from May, it should have been within the knowledge of the minister.

Mr. Speaker: I will say that whether or not it was in the knowledge of the minister, it was in the knowledge of Mr. Speaker and it was his opinion, and still is, that that was the proper answer under the circumstances in question.

Petitions.

Presenting reports.

Hon. Mr. Kerr tabled the 14th annual report of the Ontario Water Resources Commission for the year ending December 31, 1969.

Mr. Speaker: Motions.

Introduction of bills.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, before the orders of the day, if I may have your indulgence and the indulgence of the members of the House to extend a warm word of welcome to a distinguished guest in the gallery, Mr. Antonio Tancredi, a member of the government from Abruzzi, Italy. To him we say, "Benvenuto a Ontario."

Mr. Shulman: We apologize.

Mr. MacDonald: For the government.

Mr. Speaker: Orders of the day.

LOAN AND TRUST CORPORATIONS ACT

Hon. A. B. R. Lawrence moves second reading of Bill 155, An Act to amend The Loan and Trust Corporations Act.

Mr. Chairman: The member for Sudbury.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, the first thought that occurred to me when this bill was introduced into the House some time ago by this hon. minister was the reflection that it must have been exceedingly difficult in the cabinet council to win the approval of the Minister of Trade and Development (Mr. Randall). The exact words of the Minister of Trade and Development, which have seared themselves upon my entelechy, are that if you have a resource, sell it. That is what he says: If you have a resource, sell it. And certainly our loan and trust corporations, as well as our banks, insurance companies and other financial institutions, are resources within this country.

In the philosophy of the Minister of Trade and Development, as supported by the Prime Minister—at least not repudiated by him—anything that is salable in Canada ought to be sold to the Americans. That is the first point I want to make.

Hon. J. P. Robarts (Prime Minister): The hon. member is quite wrong and he knows it.

Mr. Sopha: The second observation that seared itself upon my mind is that whereas we will not oppose this bill, yet one must recognize that it is put forward—does the minister want me to repeat? He is getting a lot of static from his colleague from Chatham; perhaps he did not hear?

Hon. W. D. McKeough (Minister of Municipal Affairs): No.

Mr. Sopha: I said that whereas we will not oppose this bill, yet one must recognize that this legislation is put forward with a good deal of a sense of dissimulation. There is a good deal of dissimulating about this for the reason that here we have a remarkable instance of a powerful group, a group that has the ear of the government, that is able to get its way to shield it behind a legislative insulation against intrusion by American capital. And yet at the same time it is the failure of this very same group in control of the financial resources of this country that promotes and creates the development of our industry by the Americans at one and the same time.

So they say to us with horror, and calling upon the sympathy engendered by the climate of the times—the fact that this American ownership is right in the public discussion—they see this as an appropriate moment to come forward and to say, "We want legislative protection to assure the Canadian integrity of our financial institutions."

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): That is not so.

Mr. Sopha: Oh, yes. To put it in less sophisticated language, they know that it is easy, in the context of the times, to persuade this type of legislative insulation. And yet, at the time, these very same people are quite content with their investment policy—that 60 or 70 per cent of our mining industry, a comparable percentage of our manufacturing

industry, and our pulp and paper industry shall be owned by foreign and absentee owners, resident in the United States.

To illustrate, I have before me—just to show in real terms the validity of what I say—

Hon. A. B. R. Lawrence: May I correct the member on one point?

Mr. Sopha: Will the minister wait until I finish my remarks?

Hon. A. B. R. Lawrence: It may affect the balance of the member's remarks.

Mr. E. Dunlop (York-Forest Hill): I did not think they were balanced.

Hon. A. B. R. Lawrence: I want to make it quite clear to the member for Sudbury and to the House, categorically, that no one in this industry spoke to me on this subject. No one purported to influence me in relation to this policy matter from the industry at all, in any way.

Mr. Sopha: So the minister is saying this was dreamed up in the little skull of Bert Lawrence? This was his idea that came to him in some midnight lucubrations?

Hon. A. B. R. Lawrence: No, Mr. Speaker. This is complementary to and consistent with, almost to the very wording, legislation introduced by the federal government in the last couple of years.

Mr. Sopha: Oh yes. It is nice to elicit a sympathetic response by way of empathy from the minister without even having to come to his door.

I was going to refer to the fact of the relationship of this bill with the bills in Ottawa. If that allusion has offended the minister, I will depart from it, because we will get down to deeper, more fundamental things.

Hon. A. B. R. Lawrence: I am not offended. It is just that the member is—

Mr. Sopha: Let me make my speech. The minister gets an opportunity to make his, does he not?

Mr. Speaker: Will the hon. member for Sudbury please continue?

An hon. member: You never quit. You just kept interrupting us.

Mr. Sopha: I never make any secret around here that I am an economic nationalist. I do not hide that under any bushel.

I heard the intervention of the Attorney General (Mr. Wishart), I heard his remark at that point. And I will say I would rather stand in my place and proclaim myself to be an economic nationalist than to assume the damned philosophy that the Minister of Trade and Development clutches to his breast—his wall-to-wall industry, his sale of Canadian resources, his loose and irresponsible invitation to Americans to come here and to buy us out any day of the week.

Mr. Speaker: Order, please. Back to the second reading of this bill.

Mr. Sopha: I say, of course, the people here—these loan and trust corporations—are getting similar legislation that flowed out of the Mercantile Bank stream—with which we are all terribly familiar—and the fear of the domination of Rockefeller, I believe it was, in assuming control of the Mercantile Bank in response to the government of Canada. To me the paradoxical and tragic thing is that these very corporations are a major part of the reason that Canadians do not own more of the resource industry and their manufacturers. They are part of the problem. They are enmeshed in the syndrome.

I was going to refer to the fact that in order to be specific—I always abhor and eschew the general observation—I have in my hand a trust company's balance sheet. I will not identify it, but it illustrates the very point I am seeking to make.

This trust company had available for investment in the particular year, December 31, 1969—very recent, very up to date, very apposite to the contemporary picture of the Canadian economy—they had available at that time $112,920,861 in exact terms. Of that, they had $76,240,850 in mortgaged homes, they had $9,441,490 in government of Canada bonds, they had a mere $845,422 in provincial bonds—which indicates they did not have a hell of a lot of confidence in this government—they had in municipal debentures $282,761; they had in corporation bonds, $1,055,299; and they had the measly, niggardly, picayune sum—I cannot summon another adjective—of $1,517,623 in equity stocks.

As my friend, the member for Huron, says, not even one per cent of their available capital is invested in the equity stocks which represent ownership of the resources of this nation. That testifies to their faith in Canada. On the one hand, they would support this bill but say, "We must keep our financial institutions protected; we must give them a protective shield against American owner-

ship." Yet they go to their beds at night without a qualm of conscience that the Americans own just about everything else in sight.

The International Nickel Company, controlled in New York, has the equity ownership of a vast part of our natural resources in the northern part of the province. The New York *Times* has the ownership of large paper mills, exploiting our forest resources. Randall has permitted wall-to-wall branch plant industries in the southern part of the province. Is it any wonder that I proclaim there is some validity in my colleague's hypocrisy? Of course, that is what it is, hypocrisy.

Or put it in another context, just so I will be understood in what I am saying. Whereas many of us in this country—and there are many and they are a growing number—raise our voices and decry with great regret the ownership abroad of our resources, these people always seem to get to the door of government; the doors are open. Brebner, the historian, very aptly put it in his book well when he said, "The door of the Prime Minister of Canada is always open to the president of the CPR". He can always get in. Look after us first.

This is part and parcel of *Time* magazine and *Reader's Digest*. That is the same syndrome. This is part and parcel of the fact that the 30 members of the Senate banking committee that filed that remarkable report of leaving things alone in the taxation system, had their 180 directorates.

It is part of the same thing. Because I say here, speaking on my own behalf, that the managers of the financial community do not give a damn whether the Americans own our resources. They are restricted to their greedy, narrow little interests, running their own trust corporations and financial institutions; they never have a moment's regret about the depletion and envelopment of the heritage of our country.

Now, I make another point that I learned a long time ago from A. F. W. Plumtre—to the uninitiated and the obtuse around here I will not stop to say who he is. A long time ago he made the very valid point that these financial institutions, the trust companies, the insurance companies and the chartered banks, by their policies have retarded the economic growth of Canada. I remember The Business Corporations Act and I hope this minister will not get up in his place as he did at that time, exhibiting himself as the technocrat, the modern technologist, and say to me, "All those airy ventures into philosophy, they might be nice to talk about over a bottle of Scotch some night." That is the flippant way in which he tossed it off. What I say today, I submit to you, Mr. Speaker, goes to the very guts of this legislation and it illustrates the syndrome in which we live and it depicts the divesting of us of our rightful birthright in the wealth and resources of this country.

It is a matter of great sadness to me that they can come forward with this bill and say, "Protect us from the ugly Americans, the untrue Yankee trader, the shrewd businessman from New York. Insulate us against him. But we do not care what you do with the gold mines, the iron ore deposits in Labrador or the base metal reserves. One thing we are not going to do is we are not going to invest in their development. We are going to put our money in mortgages; we are going to try to see to it that we have a mortgage on everybody's home in Canada. Let there not be a homeowner who does not owe us money upon his mortgage debts." That is their ambition. One billion dollars out of $104 million—great faith in Canada.

I have been consistent because over the years I have asked every one of these insurance companies and every trust company that has come to the private bills committee to ask for a change in their Act, "How much have you got in equity stock?" And normally, Mr. Speaker, around two per cent or three per cent of their total assets are in ownership securities in Canadian companies. I always say to them, "It demonstrates a great faith in Canada!"

What is another part of the syndrome? The Toronto Stock Exchange—they beat their breasts, they wail in public that they do not have enough blue-chip Canadian securities, that there are not enough good ones for the mutual funds. Even our capital now flies to New York to seek attractive investment markets. United Accumulative, for example, is a company that has around $400 million to invest. Forty per cent of that is in American securities traded on the stock exchange in New York. We have not got enough blue-chip securities.

You see the vicious circle? We do not have enough blue-chip securities in Canada because the financial institutions will not invest in them. They will not give them strength and stability. And why do they have to when they have such a benign minister as this who comes before the Legislature and proposes a bill like this giving them protection? Actually what he is doing by this legislation is encouraging them to be as conservative and unimaginative as they have always been.

The shocking thing about it is that he gets up benignly and he wants some form of congratulation for this, that he thought this up himself. They did not even have to come and ask him. Well, I must say that is certainly being obliging to them. They do not even have to write him a letter, though I imagine there are some people in his department—and the identity of some of the faces come to mind—who are representative enough of the National Club, the York Club, the Toronto Club, the Carleton Club, the Albany Club, the Empire Club, where you will find these people that sit on the boards of directors of these corporations, so that somehow or other the message will get through.

All right. I leave off my remarks at this point. I say, "Fine. If this is an exhibition of Canadian nationalism, the passing of this bill to protect our companies from American ownership, that is fine; I will go along with it. But what I have said indicates that I am not very enthusiastic about it. I have made the point that it does not get to the real problem in this country.

We have asked over the years from this side of the House—my friend from York Centre (Mr. Deacon) has put forward specific proposals about encouraging Canadian ownership of our resources—but we wait for some exhibition, some manifestation from over there where they are going to translate that into real terms in respect of some wealth-producing industries. This is not a wealth-producing industry. This is an investment industry. This manages other people's wealth. It manages the wealth that has been created by the sweat and toil of other people and their ingenuities, but there is no economic nationalism that emanates from that government. The philosophy of Robarts—he, having said that, I know it is not true. Do you remember that intervention he made before he left? Well, his colleague from the end of the bench went down to New York and he made a speech and he said, "You cannot eat independence." That is what he said. "You cannot eat independence." John Parmenter Robarts of the London Hunt Club, did not repudiate that, any place I saw, when Stanley J. Randall made that speech in New York.

Hon. J. H. White (Minister of Revenue): He goes to work. Where do you go to when you disappear?

Mr. Sopha: I go to court. If I am not here I am in court. It is the only other place I am.

Mr. H. Peacock (Windsor West): Earning a living.

Mr. Sopha: Earning a living, that is right. Providing for my children, buying them some clothing to insulate them against the Arctic monsoon that is expected momentarily. Any other questions?

Mr. Speaker: I think you had—

Mr. Sopha: Providing them with some porridge that will give them—

Mr. Speaker: May I advise the hon. member that the rules of the House usually require that members of the House be referred to other than the manner in which the member is now doing.

Mr. Sopha: As with those prayers, I am trying to develop a trend that gets away from all that abracadabra that has afflicted us for so many years.

All right. I have completed my remarks and I hope that I have made myself clear, and I will be very upset if the minister gets up by way of reply, I hope having understood the thrust of what I am saying, and says to me that we might discuss that some other place. Because, as far as I am concerned, that is the crucial problem of the era in which we live. And that problem is whether we as Canadians are going to stop this senseless surrender of our resources to the needs of another people or whether, on the other hand, we are going to come to the conclusion that by managing those resources ourselves we can do something with this country for our people and for the hundreds of millions of people in other lands who are deserving of our help. We can only do those things if we exercise our own options and make our own decisions in this country about the utilization of our resources.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Speaker, we are constrained in this party to oppose this bill on principle and we will so take that position.

What concerns us in this bill is that it is the kind of bill that would have been adequate in the then state of the Canadian economy, and the attitude of the province, and people in the province, and in Canada, toward this question anywhere up to 10 or 12 years ago.

This bill really mirrors the amendments which were passed with respect to the transfer of shares in insurance companies some

considerable time ago. Indeed, that was during the time, I believe, when the hon. Walter Gordon was Minister of Finance, when those restrictions were introduced in order to try and preserve the substantial equity of Canadian people in their insurance institutions, and the minister has adopted that particular technique or method that was reflected at that time.

What is wrong with the bill is that it does not indicate a clear policy of the government with respect to the time when such institutions as these must be totally owned within Canada. If the bill had provided that, over a period of time—with all due equity to the existing position of non-resident shareholders of such companies—that, in the course of time it was the intention of the government, in all fairness and equity, to repatriate the total ownership of the interest in loan and trust corporations, then we would have supported the bill. But what the government has failed to see is that the—if you want to call it that—the managerial revolution in the business enterprises in the country, and particularly in financial institutions, by and large indicates that whether or not you are, or are not, a registered shareholder of the company, does not necessarily determine whether or not you have any say in its management, or in its effective day-to-day business managerial decisions.

It would be quite possible under this bill, as I read the bill, for non-resident persons, if they wished to do so, to hold the shares in the name of a Canadian resident person, and provided they did not choose to vote the shares at meetings of shareholders, they would have all the other benefits. They would have all the other benefits of being shareholders in the company, and could exercise all the control they wanted to exercise.

In other words what this bill does is basically two things: it prohibits the actual transfer on the books of the company of the ownership of shares if the result of the transfer is to increase the non-resident shareholding in excess of 25 per cent in aggregate, or 10 per cent in the case of an individual shareholder and those directly related to him.

Again—as I say, as I read the bill—it would mean in fact that substantially all of the shares, or a goodly percentage of the shares, could be held if it was a wise investment, within the framework of the day in which the business and financial community operates, so that the non-residents in fact could control, without making a great issue about whether they voted their shares at a particular meeting of shareholders in such and such a way, but on balance they could have a very effective say in the decisions of such a trust company or a loan company.

Now as to loan companies and trust companies—and let me not try to make a distinction as to which is more important than the other—a loan company is the kind of company where we allow money to be lent on the security of real estate, and that in itself kind of goes to the heart of this problem about the concern which we have about the title to land in the province, and the interest you have if you hold, by way of mortgage, security on land in the province. Certainly most valuable land in this province is mortgaged for long, long periods of time.

So far as the trust companies are concerned, not only do they manage funds in the financial sense of managing funds, which is a very important ingredient of their business, but they also provide a wide and multiple range of services within the financial community which almost defy complete description. They are that important to the overall operation of the financial community.

Now where you have any organizations carrying out day to day functions of that kind within the financial community, then I think in the province of Ontario we are entitled to say that regardless of what our views in the past may be we have got to have full and total ownership and control of those institutions; that it is just not good enough to say that the important factors are whether or not you happen to be the registered shareholder, or whether or not you happen once a year at an annual meeting of shareholders to vote the shares in a particular way.

You have got to get to the reality of what happens, and it would seem to me that we have got to provide that over the period of time any sale or transfer of those shares, whether they are 25 per cent or less, must be to Canadians if they are presently held by non-residents, whenever a sale is effected. I think we have also got to further. I think we have, in fact, got to say that there is an obligation on the holder of shares to have them registered so that the register shows who is the beneficial owner of the shares, so that we do not go through this ritual of whether or not A, as a Canadian resident, holds with some kind of non-beneficial interest in favour of non-resident persons.

I think that the kind of bill that we would want to see is an absolute requirement that the register of the company show the persons

who are beneficial owners of those shares, and over a period of time the bill should be drafted in such a way as—without repeating myself except this once—that all future transfers of shares not only must be recorded but if they are non-residents from the day this bill comes into force, any future sale must be to Canadian persons.

I think it has got to go further and I think it has got to say that if there is any violation of the provisions of the bill in any way by any person as a holder of the shares, that there be no distributions to that person either by way of dividend or otherwise, of the assets of the company, and there certainly should not be any ability in him to deal with added increments or benefits that he might get by way of, for example, stock dividends in a company such as this. It would seem to me, therefore, that the bill just does not show the kind of imagination which we would have expected the government to show at this time about this kind of institution.

I do not think I have to go on at much greater length to make the point. We think that the policy of the government of the Province of Ontario with respect to these important kinds of corporations which have their own particular statute to govern them, should be headed toward the point in time where the registers of those companies will show that the beneficial ownership of the shares and, indeed, if necessary, of other interests in those corporations is held by persons who are unequivocally persons whose basic loyalty is to Canada.

I am not going to go so far as to say that there may not be a situation in which a person could have his basic loyalty to Canada without being a citizen; maybe we should. Maybe if we were drafting such a bill ourselves, we would say that the requirements and the objectives should be that there would come a point in time when Canadian corporations should be controlled by Canadians, or Canadian individual shareholders who are Canadian citizens shall own and control these corporations.

I make this as a suggestion which could undoubtedly be incorporated into the bill even as it presently stands. If the bill is in fact to be effective, I do not think we can provide in the bill the kind of exculpatory clause which is available in here with respect to the directors. The minister is putting in a clause that indicates that, on the basis of declarations and other kinds of evidence, if the directors, in good faith, make a decision, they are protected and they do not have any further responsibility.

I appreciate the difficulty in which directors of such companies would find themselves, but I do not think the method by which you ensure that the policy of the statute is carried out provides a method by which the directors can look at a series of pieces of paper, exercise the decision and be exculpated from any responsibility if they are wrong, which they could be very readily. I suggest that the proper procedure, of course, is that if the directors have any concern about whether or not the shares were being dealt with in accordance with the provisions of the Act, there should be some method by which the corporation could make a speedy reference to the Supreme Court, to a judge of the Supreme Court, by way of notice of motion with provision for evidence being heard viva voce, one way or another, or people on oath being required to state who is the beneficial owner of the shares.

There would be a forum in which that kind of question could be decided. It would seem to me that in that kind of situation, it would be very proper that the directors of the company should have this option available to them, not to be used just for the sake of protecting themselves, but to be used for the purpose of carrying out the policy of the Act, and providing an open forum in which the determination could be made by accepted methods with which we are familiar; namely, in front of a judge or in a way in which evidence under oath could be taken to establish the basis of it.

I say for those reasons, both the specific amendment or suggestion I put forward, and for that fundamental proposition—that the policy of the government of the Province of Ontario at this date, with respect to loan and trust corporations as important segments of the operation of our financial community, which basically then provide the stimulus and motivation and operation for our whole economic community—that those companies should be totally owned by Canadians. And that the policy of the government should be directed toward achieving that end in all equity and fairness to those who, at the time when such a bill as this is passed, are non-resident shareholders or have non-resident interest in these companies, so that they will be fairly and properly dealt with on the basis of the policy of the government as it exists today with respect to these companies.

Therefore, Mr. Speaker, we in this party will oppose the bill in principle for those reasons.

Mr. Speaker: The member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, I have listened with great interest to the comments of my colleague from Sudbury and the hon. member for Riverdale. Notwithstanding the justification that seems to ring through the words of the member for Riverdale, I do not in all fairness see how most members of this Legislature can vote against a bill which is in favour of motherhood. I think, really, that is all that the minister has produced. He has produced a faint and halting step toward giving the people of Ontario some control over their future; some and very little.

It does not come forward, as my colleague from Sudbury said so well, and say this is a policy of government, because what the Minister of Financial and Commercial Affairs does with one hand is undone 100-fold by his colleague, the Minister of Trade and Development. As quickly as the minister brings in a mild pleasant Act, which he is going to boast about—and we know he is going to boast about it; "what a good boy am I; I am saving our trust and loan companies"—100-times swifter runs the Minister of Trade and Development and undoes all of what apparently this minister is attempting to do.

I agree with the member for Riverdale. The obvious ways of avoiding the provisions of this Act are so apaprent I am surprised that the minister has not recognized them. It takes no ingenuity at all, as this Act is worded, to run circles around these provisions. While it is an expresion of intent, and very limited intent, on that basis, we in this party will support it. It does not go far enough; it is not well drafted; it is not properly meaningful. And I am surprised, really, that when this minister—and he is a new minister, perhaps he has not had time to have too much influence over the rest of his colleagues who occupy the Treasury benches—this minister, I think he is trying; I think his intent is good when he takes this step. Unfortunately, he has not been able to prevail on the intentions and the obvious design being carried out to such a fantastic extent by such people as the Minister of Trade and Development.

I do not think there is any point, Mr. Speaker, in beating this dead horse any longer. It is a bill, which I said in the beginning, is in favour of motherhood, and we too in the Liberal Party, being in favour of motherhood, will support it. But meaningfully, as a reform, I think it is quite innocuous, and for the reasons—

Mr. P. D. Lawlor (Lakeshore): You are always eating crumbs.

Mr. Singer: It is better than nothing, I say to the member for Lakeshore.

And I would say to the member for Lakeshore that I would listen with much better attention to the statements put forward by him and his colleague from Riverdale, if, at the same time, Mr. Speaker, they were prepared to make the same kind of generous statement about the international control of trade unions. That is something we do not hear from them, and I was very fascinated as I listened to the hon. member for Riverdale that he did not even touch on that point.

As I say, the member for Riverdale made some intelligent points—

Mr. Lawlor: This is about trust and loan corporations.

Mr. M. Gaunt (Huron-Bruce): The member for Lakeshore must have been out with the Treasurer last night.

Mr. J. Renwick: Is White River in this bill?

Mr. Singer: Mr. Speaker, I have made my point. I say we will support the bill, even though, in essence, it really marks no great reform; it is some small indication of the policy of the government, and for that reason that is how we will vote.

Mr. Speaker: The member for York Centre.

Mr. Gaunt: We would take a few crumbs rather than starve.

Mr. D. M. Deacon (York Centre): Mr. Speaker, one aspect of this bill that concerns me is a section of it which deals with the principle of making declarations when shareholders register their shares. It may allow directors to make bylaws requiring persons holding any shares of the capital stock to submit statutory declarations. Where it is "may," why not have it as "shall?"

Is this not a similar principle to that where in The Business Corporations Act, the minister was content to have "may have cumulative voting for directors" instead of "shall." Here we have a situation that a company is not going to impose requirements on its shareholders if others are not doing the same thing. If this is a desirable thing to do—and I think it is—I cannot see why it cannot be part of the registration slip. When a form states the facts that are asked for in such a bylaw, have it where it is automatically done in all these stock transfer forms.

Why do we not have it in all cases, instead of leaving it open for the company to decide and therefore, as a result of this, having it where the companies do not do anything at all? I do not see any point in introducing legislation of this sort with a permissive clause; when it comes to a matter of principle it does seem of importance that it should be inclusive of all companies.

Mr. Speaker: Is there any other member who wishes to enter the debate before the minister replies? The minister has the floor.

Hon. A. B. R. Lawrence: Mr. Speaker, although I do not want to use this moment as the opportunity for launching myself into a discussion of economic nationalism, I can categorically say that I would not take a back seat to anyone in this House from a personal point of view, and I think this applies to my colleagues in my party insofar as their Canadian nationalism is concerned. I think what we differ on are the ways in which that nationalism can be best expressed and our national interest best protected.

One thing I think we would all agree on—and that is without doubt somewhat in the following descending order—all Canadians are concerned with maintaining as much control as possible over, firstly, financial institutions; secondly, their communications, and I suppose, thirdly, transportation; fourthly, natural resources, in about that order. That is why without any deviousness, without any pressure from the industry, without any communication with the loan and trust industry, when I learned of the possibility of, in this case, large American financial institutions moving in a large way into the field of loan and trust corporations in this province, there seemed to be nothing more natural than to react in the way in which the government has reacted with this bill.

Total ownership at a particular time can be achieved, I presume, by a series of legislative enactments. I am not quite at grips with the thought of how you would set up a total ownership system in a statute such as this. The nonresident provisions seem to me to be wide enough insofar as direct or indirect control is concerned, and insofar as trust situations are concerned. I may suggest to several of the opposition members who have spoken that we do not have any real bogeymen in this field.

Insofar as the department is concerned and the branch of the superintendent of insurance is concerned, we do know with a great deal of accuracy who, indeed, has control over the loan and trust companies within this province. We are not, I would suggest, vulnerable to massive and devious moves to take over a particular company. Their operations are much more obvious than has been suggested as being required by the very complicated system of scrutiny that has been suggested.

Mr. J. Renwick: I do not think we suggested there was anything devious.

Hon. A. B. R. Lawrence: It is a rather open industry insofar as ownership is concerned—

Mr. J. Renwick: That is right.

Hon. A. B. R. Lawrence: You do not move, as I understand it, with regard to this kind of institution without having a specific intent. There are large corporations making fundamental decisions, whether it be in New York or Zurich, who want to take over, if that is their policy, a loan and trust company or a similar institution.

Therefore, I do not really believe that we have to go into the rather difficult and complicated mechanics as has been suggested.

Mr. J. Renwick: Do not exculpate the directors.

Hon. A. B. R. Lawrence: The directors are not exculpated; it seems to me that the Act sets up adequate penalties. Directors cannot know on a day-to-day basis everything about every trade. I do not think we can assume the directors themselves in this field would ever find themselves in the position of being conspirators in some kind of ownership play with a foreign country. I just cannot see that we need, in fact, to create burdens in administration for the directors of the ordinary Ontario loan and trust company. Because, as I said earlier, we in fact have a great knowledge of these people.

Finally, I would come back to the member for Sudbury: There was no cry whatsoever from the industry to protect them. It was the simple fact of stating or accepting the priority, I think, which every member of this House would accept—that financial institutions are the most sensitive field insofar as Canadian ownerships are concerned. It was simply accepting that and finding as we did that some of our loan and trust companies were extremely attractive to foreign interests, and moving—perhaps we can ultimately move further—but at least moving in this bill to demonstrate that any activity on their part counter to the general intent of this legislaion will be met with legislative reaction.

Mr. Speaker: The motion is for second reading of Bill 155.

The House divided on the motion, which was agreed to on the following vote:

Ayes	Nays
Allan	Bolton
Apps	Burr
Auld	Davison
Belanger	Deans
Ben	Ferrier
Bernier	Jackson
Boyer	Lawlor
Braithwaite	MacDonald
Breithaupt	Makarchuk
Brunelle	Martel
Bukator	Peacock
Carruthers	Pilkey
Connell	Pitman
Deacon	Renwick (Riverdale)
Demers	Renwick (Mrs.) (Scarborough Centre)
De Monte	Stokes
Downer	Young—17
Dunlop	
Dymond	
Edighoffer	
Evans	
Farquhar	
Gaunt	
Gilbertson	
Good	
Guindon	
Hamilton	
Haskett	
Henderson	
Hodgson (York North)	
Innes	
Jessiman	
Johnston (Parry Sound)	
Johnston (St. Catharines)	
Johnston (Carleton)	
Kennedy	
Kerr	
Lawrence (Carleton East)	
MacKenzie	
MacNaughton	
Meen	
Morin	
Morningstar	
Morrow	
McKeough	
McNeil	
Newman (Windsor-Walkerville)	
Newman (Ontario South)	
Paterson	
Reid (Rainy River)	
Reilly	
Reuter	
Robarts	
Rollins	
Root	
Rowe	
Ruston	
Sargent	
Simonett	
Singer	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Smith (Nipissing)	
Snow	
Sopha	
Spence	
Stewart	
Trotter	
Villeneuve	
Welch	
Wells	
White	
Whitney	
Winkler	
Wishart	
Yaremko—76	

An hon. member: Where is your leader?

Mr. E. Sargent (Grey-Bruce): The hon. member for Peterborough finally made it.

Mr. Speaker: Order. Perhaps we could have order for the results of the vote.

Clerk of the House: Mr. Speaker, the "ayes" are 76, the "nays" 17.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall we bill the order for third reading?

Mr. J. Renwick: Mr. Speaker, we would prefer that it go to committee.

Hon. A. B. R. Lawrence: Committee of the Whole, please.

Mr. Speaker: Committee of the Whole House. I will put that in.

CHILD WELFARE ACT, 1965

Hon. Mr. Yaremko moves second reading of Bill 182, An Act to amend The Child Welfare Act, 1965.

Mr. Speaker: The hon. member for Humber has indicated that he wishes to speak.

Mr. G. Ben (Humber): Mr. Speaker, I want to point out what difficulties can accrue to citizens if proper care is not taken in drafting legislation, especially from the legal point of view. In this particular bill, there is an amendment which will clarify the subject matter of appeals.

Referring to section 19, which amends section 64, as the Act presently reads, it states there is a right of an appeal to a county court judge. A number of women, and through them their children, have been prejudiced because counsel, on filing their notices of appeal, filed their appeals asking for a trial de novo before a county court judge. On more than one instance different judges have held that the appeals were not by way of trial de novo but in the nature of appeals based on the evidence which had been taken in the family court and, inasmuch as it was not a trial de novo, the appeals were imperfect and were struck out.

The first case that was brought with reference to The Child Welfare Act and which resulted in an amendment had to do with wardship and the minister's department immediately brought forth an amendment in 1968, I believe it was by way of adding a section 33(a) which provided that an appeal would be by way of trial de novo before a county court judge.

Mr. Speaker, I am at a loss to understand why, at the same time, the minister did not introduce the amendment he introduces in this particular bill, which would have clarified the procedures for appeal with reference to affiliation orders. What has happened is that appeals were brought under the present Act by way of trial de novo and the courts ruled that the appeals were imperfect, because one had to proceed by way of an appeal under the rules for appeals of the Supreme Court of Ontario.

It was argued that there was a slight difference in the readings of the old section 33 and the section 64 that is being amended, in that the present section subsequently makes some remarks about The Summary Convictions Act and the procedures under The Wives and Children's Maintenance Act. But, the strongest argument for a person opposing the appeal was the fact that this government saw fit to introduce an amendment in 1968 specifically providing for appeals by way of trials de novo with reference to section 33 and did not do so with reference to section 64.

I do not know what this minister proposes to do to remedy the wrong that was suffered by mothers having appeals dismissed, but the situation remains that there are some children who do not have a father to recognize, because an appeal was denied. An application had been made to declare a person a putative father, had subsequently got up to appeal but the appeal was dismissed and some people have suffered and some children cannot receive any contributions from the person who would have been a putative father.

The matter is now being corrected and I would certainly support that particular amendment, but I would ask the government benches to pay a little more heed to suggestions that come from the lawyers on the opposition side of the House, because they are trying to make legislation say what the hon. members have intended to say and they want the legislation to be interpreted the way the hon. members want it to be interpreted.

I just hope that the minister will take cognizance of that. I cannot be here for his answer, but I sure would like to know why the minister did not amend section 64 in 1968 while he was amending section 33. Will the minister reply on that?

Mr. Speaker: The minister will reply in due course. The member for Scarborough Centre has the floor.

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, we support Bill 182 in principle. Some of the recommendations that have been embodied here have been things which the children's aid societies have been pressing for. They are very pleased, I am sure, with the cutting down of the protective custody days to five from the 10 days that could be allowed previously. I am sure they are pleased with the defining of safety.

I would like to draw to the minister's attention one area that I think we in the New Democratic Party feel could have been improved upon. This is in the area where the minister has deleted part 1 of section 11, and substituted the new type of board to whom any appeals might be made, the appeals for budgets, Mr. Speaker, and so on.

We asked in May, 1968, when the Children's Aid Societies of Metropolitan Toronto were having such a difficult time to live up to the standards which are imposed upon

them under The Child Welfare Act—they were so desperate that they presented briefs to the government for increased amounts of money—we asked, Mr. Speaker, at that time that a separate, independent board might review the problems of the society having to carry out the requirements of The Child Welfare Act, and what the criteria should be that this government would have to meet in order that the society would have the ability to carry out what this very government asked them to do. We asked that it be a community board, Mr. Speaker, made up of independent bodies. I think that the tribunal that has been suggested, and the final word of the minister as being the end of the road for these appeals, is the weakness in the principle of this bill.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister? The hon. minister has the floor.

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, these amendments are a further strengthening of an Act which has already been acclaimed as being an extremely fine piece of legislation in its own right, and especially in the field of child care and child welfare.

The amendments still highlight the fact that the Act is a child-oriented, a child welfare-centred piece of legislation. There are some sections that appear to be unrelated but they all tend to strengthen the Act. There is a clarifying and a strengthening of the procedures in conjunction with the legal proceedings under the Act, including, I might say, a provision which startled me—that it should be necessary at this time of our development—of permitting a married woman to be a guardian ad litem. We are making great progress in the field of rights for women in this regard.

With reference to the point that the member for Humber raised, I know of no case where any action was actually dismissed. I think there was a case where a county court judge made his ruling on the evidence as submitted in the family court. Be that as it may, we are continuously amending legislation as we review it, and as circumstances and experience bring to our attention that it is necessary. This Act has been amended several times in the past and will, I know, be amended again in the future.

A significant step is in the strengthening and extending of the status and rights of the adopted child. With reference to the point raised by the hon. member for Scarborough Centre, it is significant that the child welfare review committee is replacing the concept of the child welfare review board, and on this point I take issue with hon. member. Although the legislation says that the decision of the minister is final, we have to read that section in the light of the way our whole way of government is set up; that all ultimate responsibility must lie with the minister, with the government of the day who, in the end, are accountable for all of their actions with relation to the type of legislation they place on the statute books, and to the extent and scope and direction of the expenditure of moneys.

The procedures have been outlined in considerable detail and have been worked out in conjunction with the Association of Children's Aid Societies in order that a reasonable set of procedures be outlined in the very difficult, but very important, task of determining what the budgets of the 51 children's aid societies across the province of Ontario will be.

When it comes to the expenditures of moneys, the Treasurer (Mr. MacNaughton) of this province lays down the rules and regulations under which X number of dollars are brought into the consolidated revenue fund through the relevant ministers, and then a decision is made as to the expenditure of those moneys. To have a situation where an outside body, not responsible directly by way of election to the electorate, might have a final say with respect to the expenditure of moneys, of course, goes counter to the whole concept of the way of our government.

I may say that I am hopeful that the procedures which have been set out with their timetable will enable the societies to work out their budgets and obtain approval in due course in conjunction with the department in order to achieve a common goal, and that is the interest and the welfare of the children of this province.

I state at this time that we in the department consider that we are in partnership with the children's aid societies in carrying out this work. The concept of the children's aid societies is very unique, in the way it has developed within our province, because we have what is recognizable as a quasi-governmental body, a body independent, autonomous, and yet, by reason of the fact of its funding, and the terms of The Child Welfare Act, really almost an extension of the department. It is very difficult to classify the animal that has emerged. I refer to it by way of a partnership, but it is something even more

than that and, significantly, it is unique in the carrying out of the government's business.

I am hopeful that the procedures which have been laid out will work to the benefit of the administrative facilities of the department, will inure to the facility with which children's aid societies will meet their requirements, and in the end, inure to the benefit of the children of this province, because it is a fact of life—and I think that the hon. member for Scarborough Centre would be the first to point out—that the ultimate responsibility for the wards of this province is that of the man who sits in this seat. He has the ultimate responsibility, and it follows that his must be the ultimate decision and he, in turn, is accountable to that larger body outside of this Legislature.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be referred for third reading or to committee?

Committee of the Whole House?

Hon. Mr. Yaremko: Committee of the Whole House.

CONSUMER PROTECTION ACT, 1966

Hon. A. B. R. Lawrence moves second reading of Bill 56, An Act to amend The Consumer Protection Act, 1966.

Mr. Sopha: Mr. Speaker—

Mr. Speaker: Perhaps the hon. member would wait until the motion is put.

Mr. Sopha: I am very sorry.

Mr. Speaker: The member for Sudbury.

Mr. Sopha: Thank you. Mr. Speaker, as far as this party is concerned, this bill is all right. There are some other serious things wrong with credit cards and their use and the organization of the credit card companies which might appropriately be dealt with, not at the Committee of the Whole House stage but during the minister's estimates. Since they are not encompassed in this bill, this bill might have been wider than it is; those matters do not go to the principle of the bill.

Mr. Speaker: The member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, we do not think that the bill is all right. We recognize that it does go some way, or a part of the way, toward resolving a difficulty that has been rearing its head in the credit section of the economy. I want to say to the minister that we have some difficulty in understanding the rationale behind his statements, as they were made at the time of the introduction of the bill and the statements that appeared in the press.

We question seriously the minister's distinction between the unsolicited goods section and the unsolicited credit card section and the manner in which he applies the obligations of the personal receipt of each. The minister seems to feel that there is a distinction to be made between a piece of unsolicited goods that is sent out to an individual and his right to keep it and use it as he sees fit, as opposed to a credit card that was not asked for and that is not needed. I wonder how he can make this kind of a distinction.

The legislation that has been offered, as it applies to credit cards, we do not feel goes far enough. We are not convinced that what the minister has done will in any way inhibit the indiscriminate sending out of credit cards to individuals in this province. I think, as the member for Sudbury has said—and I think he is right—there is a number of areas of consumer credit and indebtedness that we should be dealing with but, unfortunately, they are not contained in this bill.

There is nothing in the bill that is going, in any way, to inhibit companies which presently send out credit cards from continuing to send them out. There is little cost to the individual company other than the making up and the mailing of the piece of plastic to the individual. I think that this problem was dealt with in a more satisfactory way by the jurisdiction of British Columbia, and I think it was dealt with in a more satisfactory way by the United States. In order that the minister familiarize himself with what happened in those two jurisdictions, I want to explain it to him.

In the United States, the Federal Trade Commission has banned the mailing of unsolicited credit cards, effective May 18. I think that that in itself is a very firm step forward toward eliminating the abuses of credit. I think that people are basically weak and, frankly, we are encouraging one of the major problems in family breakdown and, that is, the incurring of indebtedness beyond the ability of the wage earner to pay. I think that by permitting companies to mail indiscriminately we are doing nothing, nothing at all, to inhibit the use of credit and I think we should be doing that. I think it is necessary. I think we have extended the credit of the individual to a point far in excess of his abilities, or to a point that exceeds his abilities, to pay.

British Columbia did something a little different, but it has a similar effect in that they treated the credit card in a similar way to that in which the minister has treated unsolicited goods in this province. I think that the only way we are going to stop credit companies from extending credit without first having had a close check of the ability of the individual to deal with it, is to make it pretty severe to extend it without first of all receiving some kind of recognition from the individual getting the card that he, indeed, wants the card.

The things that the minister has done, as I have said before, do not go far enough. We would have liked, first of all, to have seen a ban on credit cards being mailed out, but failing that, the minister might give consideration to introducing into his bill a measure that would require any company sending credit cards out to send with them the contract that will be signed and returned to the company involved in order to indicate clearly the intent of the recipient to use the card. It also acts as a counter-check so that the signatures on the card and the contract can at least be checked out to verify the authenticity of the user. I think that this would be the minimum that we could accept and we would move an amendment to that effect at the proper moment.

I suspect that the bill, as the minister has put it forward, will do little, if anything, to solve the ill it was intended to solve. I would ask the minister to give consideration to doing one of the two things that we ask. I think they are vital. I think if he is serious about combatting what is an obviously difficult problem for the majority of people, he must do it with some sort of forcefulness. There must be an onus of responsibility on the company and the onus must be taken off the individual receiving the card. If you want to send them out, then you are going to have to bear the thought that it might be used without the individual getting it being forced to make payment on it. You have no right to entice people into a credit situation, and that is what has happened.

Mr. Sargent: Mr. Speaker, the minister has probably given this a lot of thought, but I would like to put forward my submission in this. If anything is going to create more inflation, it is this type of merchandising. I think that no one, Mr. Speaker, should be allowed to mail these credit cards indiscriminately to people without application. If a person wants to apply for a credit card, he should have enough interest in that particular vehicle or method of services to apply for the card. Human nature being such as it is, to toss out on the market $100 million worth of licence to go into debt to people who are short of funds, to give them this right to go out and spend money they do not have, is creating a new market for the debt collectors, for the lawyers, for everybody to get into the act to make the lives of the families worse.

I do not see any reason why the government should go along with this method of merchandising. It is a method of the banks and the big companies to corral more of the market of our economy. I say very sincerely that the minister should take a good look at this, that he is not doing anyone a favour by allowing this type of merchandising. Anyone who wants to acquire a credit card should make application for it. There are many ways to do it: phone the bank or phone the firm, or write them. But allow these people holus-bolus to mail out $1 million worth of credit to people who have not the intelligence or the backbone to say no and they will use these things and go into debt. So if anything is going to hurt our economy and cause more inflation it is this type of merchandising.

Mr. Speaker: Is there any other member who wishes to speak to this before the minister? The minister has the floor.

Hon. A. B. R. Lawrence: Mr. Speaker, the distinction which the legislation makes between credit cards and unsolicited goods is that a credit card is an invitation to enter into a contractual and intangible situation and obviously the receipt of goods is a matter involving a tangible. The freedom of use of a credit card that is signed, and the risks that are involved, can run into tens of thousands of dollars, but this is not the kind of risk that the normal business would incur with the receipt of a record, or a book, or a frying pan or whatever it might be by the way of the general unsolicited goods trade. I reviewed the—

Mr. Lawlor: That is not such a good rationalization, today.

Hon. A. B. R. Lawrence: Well, it is a statement. I think it is more than a rationalization. There is a distinction, and I think that if one looks at the British Columbia legislation, he will see the kind of draconian approach to this problem taken by the province of British Columbia.

Mr. Lawlor: Really effective I expect.

Hon. A. B. R. Lawrence: I expect it is, but to mention it at this point, their section 14(a) of their amendment to The Consumers' Protection Act says that if you receive or obtain possession of an unsolicited credit card, it is a simple blank cheque on the company that sent it to you.

Mr. Deans: They should not send them out then.

Hon. A. B. R. Lawrence: The question is whether we really want to outlaw the distribution of credit cards.

Mr. Sargent: By that method?

Hon. A. B. R. Lawrence: By the mail?

Mr. Sargent: By that method. They should be applied for.

Hon. A. B. R. Lawrence: That is another stage, but the government at the moment is not prepared to outlaw them absolutely and I am not quite so sure legislatively how we would do it, other than copying the BC approach. To me the suggestion that a man who has fraudulent intent should be given, as it were, a blank cheque, because he happens to receive a credit card, has certain unethical overtones to it.

Mr. Gaunt: There is a responsibility on the company which sent it.

Hon. A. B. R. Lawrence: But we are party, if we follow the BC thinking, really to encouraging the most extreme unethical conduct of those in our society who would simply grab them, sign them and, as I say, have carte blanche blank cheques. Now may I say this—

Mr. Lawlor: But they did not ask for it and when they get it—

Hon. A. B. R. Lawrence: But there is an unlimited economic power in the credit card, as we know, as compared to the gift. I think the distinction is a practical one. May I say this, if, in this province, we feel that they should be outlawed insofar as distribution, other than by application is concerned, there is nothing in this bill that can stop us going that next step. I hesitate to do it for the reasons I have already given. There is another reason and, that is, that a provincial attack upon the total question of credit is not in my mind appropriate. Credit is a matter, I would hope, in this country—

Mr. Sargent: But who is most important, the citizen or the big business?

Hon. A. B. R. Lawrence: I think the citizen is very important.

Mr. Sargent: But you are now collection agencies for the credit cards—

Hon. A. B. R. Lawrence: They do not have to use the cards.

Mr. Sargent: Yes, but they will though.

Hon. A. B. R. Lawrence: If we get into the subject of them and whether they will or not, it does seem to me—

Mr. Sargent: They do. I know that personally.

Hon. A. B. R. Lawrence: They do this in North America. They do this in Canada. They do it throughout the western commercial world. Whether or not it makes sense to attack that total problem of the total credit system and its use in a jurisdiction such as the Province of Ontario, I personally am not, and I doubt if the government is sufficiently collected in its thinking, to want to move at this point. That simply is why we have gone only this far.

Mr. Lawlor: You are not leaders of the western world.

Mr. J. Renwick: Whom did the minister get representations from on this bill?

Hon. A. B. R. Lawrence: I had representations from a couple of the banks. I have had representations from some of the book and record distributors. None of the representations has attacked the bill. Their main concern has been over the wording and this might have to be polished up in committee. Some of them were worried that some of their contracts might be so interpreted that a person getting one book of a series of five would think that he had to pay only for the first book when he had signed—and, in fact, the contract clearly set out—to purchase the other four. This would confuse quite a popular or quite a normal system of instalment goods mailing over a period of time.

I am giving consideration, and I probably will try, to polish up the words so that there is no risk of one of these firms being, essentially fraudulently, caught by someone saying, every pot or pan or every record or every book after the first one is unsolicited. This is just a question of, I would think, cleaning it up so that we do not have that kind of a legal trap in the statute.

Mr. J. Renwick: Mr. Minister, were—

Mr. Sargent: I think you are in bed with the big business—

Hon. A. B. R. Lawrence: May I, Mr. Speaker, just answer that one question.

Mr. Speaker: By all means.

Hon. A. B. R. Lawrence: The objection was rather personal. I found the BC proposition in a way morally offensive.

Mr. Speaker: The motion is for second reading of Bill 56. Is it the pleasure of the House the motion carry?

As many as are in favour of the motion for second reading of Bill 56 will please say "aye".

As many as are opposed will please say "nay". In my opinion, the "ayes" have it.

Mr. Sargent: It is pretty squeaky.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Deans: No, rather let it go to the committee.

Hon. A. B. R. Lawrence: Committee of the Whole, Mr. Speaker.

INVESTMENT CONTRACTS ACT

Hon. A. B. R. Lawrence moves second reading of Bill 193, An Act to amend The Investment Contracts Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: The members are entitled to the opportunity of checking the bill. Shall this bill be directed for third reading?

Agreed.

PREPAID HOSPITAL AND MEDICAL SERVICES ACT

Hon. A. B. R. Lawrence moves second reading of Bill 194, An Act to amend The Prepaid Hospital and Medical Services Act.

Mr. Speaker: The member for Sudbury.

Mr. Sopha: I will be very brief. I am not the health critic of the party, but I thought that in the light of one of the recent wind-up pitches of the first citizen that we were going to abolish the private carriers. Will someone jump one me if I am wrong but—

Mr. Gaunt: No, that is right.

Mr. Sopha: I thought the day of Utopia had arrived and the government was going to be responsible for all the carriage and coverage under the medical insurance scheme. So what has this got to do with it?

Hon. A. B. R. Lawrence: May I intrude? This bill relates to insurance, other than that carried under OHSIP or Medicare. It relates to the residual coverage, supplementary coverage, dental services, drugs, and, I think, there may be some other paramedical services that are covered by about half a dozen continuing companies in this province.

Mr. B. Newman (Windsor-Walkerville): Such as Blue Cross?

Hon. A. B. R. Lawrence: Yes.

Mr. Speaker: Does the member for Sudbury wish to continue?

Mr. Sopha: That is fine. Utopia has not yet arrived, because I will await the day when all this is covered under a comprehensive state-operated medical and hospital scheme.

Mr. F. Young (Yorkview): Socialism.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick: Mr. Speaker, I do not think there is very much of a principle to this bill and, if it is agreeable with the minister, we would reserve any comments until it came through Committee of the Whole House.

Mr. Speaker: Is there anyone else, any other member, who wishes to speak to this matter? Does the minister wish to make a further comment at this time?

Hon. A. B. R. Lawrence: No, Mr. Speaker, I think I have pretty well answered it there. The purpose is to beef up the regulatory and disciplinary powers of the superintendent, as he scrutinizes the continuing activity of this small group of supplementary carriers.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. Renwick: Mr. Speaker, would the minster have it go to the Committee of the Whole House?

Mr. Speaker: Yes. I would point out to the members that the rules provide that Mr. Speaker always asks for third reading. Shall it go to the Committee of the Whole House?

Hon. A. B. R. Lawrence: Please, Mr. Speaker.

PUBLIC WORKS ACT

Hon. Mr. Simonett moves second reading of Bill 199, An Act to amend The Public Works Act.

Mr. Speaker: The member for Ottawa Centre.

Mr. H. MacKenzie (Ottawa Centre): Mr. Speaker, I have looked through the amendments that are detailed in this Act, and I must say that I am a little shocked at the far-reaching powers that the minister is seeking by these amendments. I find it very hard to believe that he would seek these powers and set such an example in the Province of Ontario, having regard to the many institutions which operate under government grants, and which could conceivably follow this example.

I do not say that this minister himself will abuse the powers which may be inherent in these amendments. I think we know this minister and we know to some degree the extent to which he will go and will not go. But, I would worry greatly if this kind of power got into the hands of a minister who was irresponsible and who had the co-operation of his deputy and other ministers in his government.

I find it a little difficult, Mr. Speaker, to deal with the Act in its entirety on the basis of principle, since it is made up of quite a number of bits and pieces. To go at each piece, I suppose, will have to be done when we get into the committee stage and go at each individual item.

Mr. Speaker, one of the powers that the minister is seeking is to have the power to decide whether or not to call tenders. In other words, he wants to place himself into that same position as a man who has a multi-million-dollar corporation, and no board of directors, and nobody to control him, and he in his wisdom will decide whether or not he should call tenders.

It is my belief, Mr. Speaker, that someplace in the amendments it should be detailed whether or not the minister shall have those powers as related to the conditions existing. In my experience in the type of work which is, to some extent, handled by The Department of Public Works, I have found the only cases where tenders should not be called is where work cannot be clearly detailed without going to very excessive costs. In other words, Mr. Speaker, if the requirement can be detailed without question, and without excessive cost, then by all means to protect the public purse, to protect the taxpayers' money, it is fundamental, I believe, that tenders should be called for whatever you are building, or purchasing, or doing. There is no other system inherent in our system of private enterprise which goes further to protect the public purse.

Why the minister would attempt to abrogate this system I have no way of knowing. The tender call system has been around for many years. Continually, you will see, even in municipal government, attempts to get around it one way or another, apparently so that some can appease others, and so that some can get an advantage over others. There is only one real way to deal with it, in my estimation, Mr. Speaker, and that is by the direct tender call system.

The minister would also like to have the decision of whether or not to secure contracts with the department by means of bonds or other forms of collateral. Here again, Mr. Speaker, I think it is a foregone conclusion that you must protect the taxpayers' money. Why the minister would want to abrogate this position—why he would not write again through the Act the other way, that all work done by the department must be properly bonded and the whole properly protected, I am sure I do not know. It just does not make sense, any way I look at it.

I am in hope, Mr. Speaker, that the minister will see fit to detail for us why he is approaching it this way. When I look at The Act for Protection for the Payment of Wages, Materials and Services on Public Works, and look at the commitment the government has made there with regard to payment, I then realize that the minister can very easily get into big contracts without requiring collateral or security on the part of the first contractor. The commitments are heavy, and it would be very easy to get into situations that are going to cost the taxpayers large sums of money through just sheer bad business practices—business practices which are not accepted anywhere else.

With regard to acquiring property and disposing of it, Mr. Speaker, I note that the minister wants to set the principle that any deals that he cares to make, up to 10 years, are acceptable deals, without regard to calling tenders, without regard to referring it to the Lieutenant-Governor-in-Council, without referring it to the Legislature. In other words it appears, Mr. Speaker, that the minister is free to make deals for real estate, property, grants, leases, anything he wishes to, up to 10 years, and at a price he may accept as

fair or unfair, and the people of Ontario will pay for it.

Mr. Sargent: Shocking! Shocking! Well, it is, though, it is hard to believe.

Mr. H. MacKenzie: It is terribly hard to believe. The only thing I can read into this, Mr. Speaker, is that the minister wants to be free to handle the department as he sees fit in all its contracts and in all its undertakings. Why any one man should be free to determine and make decisions for a department which handles in the order of $50 million a year of the people's money, I am sure I do not know. Surely every one of us, to some degree, needs controls.

I would urge, Mr. Speaker, that this minister have a second look at his proposed amendments and incorporate some strings and controls on himself. He may not abuse the freedom that he gets here in these amendments, but surely at some time in the future, some minister is going to come along who is. The whole amendment, as near as I can assess it, is one which will permit political patronage in its worst form.

I thought that years ago political patronage of this type and description was a thing of the past. I look at the buildings going up over here on Bay Street, which apparently are done on a management contract. I am not yet convinced that we have all the facts on that situation, and when you consider the millions and millions of dollars we are spending there and still do not know how the arrangements are being made, I think it is a shocking situation.

Mr. Speaker, I am not going to say much more on this. I am going to leave the floor to the lawyers to detail objections. I can only speak as one who has been in the construction business for most of my life. The things I read in this Act to amend The Public Works Act, are all foreign to business so far as I understand it in the construction industry. I think it can end up only one way. It is going to cost the people of Ontario money. We are going to get into wheeling and dealing in a way that we have never seen before. I urge the minister to give some serious consideration to amending a good many of these clauses.

Mr. Young: Mr. Speaker, in respect to Bill 199, this is a bill which perhaps indicates some progress here and there in the doing of the public business. At the same time I agree with the member who has just spoken.

First of all, certainly the minister is given very wide powers here, and powers which he does not need to have. Certainly in any government department there must be flexibility; democracy would grind to a halt if every minister had to take every decision to the cabinet tor the Treasury bench before he could move ahead. And so I suppose the Minister of Public Works has to have certain discretion, and certain discretionary powers have to be vested in him. We must remember that.

At the same, when you read clause 2(b) of the bill, it says, "where, in the opinion of the minister, the nature of the work is such that it is not advisable to invite tenders." Tenders are to be asked for except in two instances; this is the second one. And this, it seems to me, is going away beyond the powers which should be vested in the minister, and certainly we will consider very seriously offering an amendment here.

In a case like this, I think the public must be protected. By and large the policy of tendering is a sound policy and has proved so over the years. But if the minister himself has complete discretionary powers, he makes the decision and he does not have to account to anybody about it, then we are running into some danger. And in a case like this, it seems to me that the Lieutenant-Governor-in-Council should be brought in and ascertain whether the decision as to certain emergency situations that might well arise; such decisions should be vested in a body to which the minister is responsible.

I know in many cases in the past, both in municipal and in other governments, there have been cases where immediate action has to be taken. I think of an instance where a road slid into a river. There had to be work done and it had to be done within a few hours. In a case like that tenders have to be invited; the person in authority has to go ahead and take action right away.

By and large, unless real emergencies occur I do not think the minister should have this power.

When we come to the third section of the bill the remarks which have already been made, in my opinion, are pretty sound. The minister has too much power here, and I think consideration ought to be given by this government to the holding of real property. Too long have we bought property which, after the construction was complete, the road was built, the public works were established and certain lands were not needed and we divest ourselves of that land in some way.

The time is here, I think, when very serious consideration ought to be given as to whether or not land, once in the public domain, should ever be removed from the public domain. There are instances where the land may be a very tiny parcel; it may be completely superfluous; it may not be capable of being tied into any larger scheme. But land along highways, land adjacent to public buildings—if it has any size at all, once the public has the land it should remain a public asset. And I think we should have the power of disposing of such lands in the hands of a higher authority than the minister himself.

It might be that, as I say, in some cases little slivers of land might very well be disposed of, but by and large it seems to me the policy should be that once lands are acquired they should be held in perpetuity. It becomes an asset for the people themselves, an asset upon which future generations could well realize.

The final remark I want to make, Mr. Speaker, is in connection with the establishment of the regulations for establishing a central purchasing and supply board. This is something that has been talked about for a long time in this House and elsewhere. Surely this is one of the really important responsibilities of this minister: to set up a central purchasing agency and to establish the regulations in respect to that agency.

We have talked a lot about this agency and some of us thought that—on paper, at least, it is there but nothing has happened and every department goes ahead and does its own purchasing in its own way to its own specification. Surely the time is here when a central agency ought to be established and every department, with mighty few exceptions, should requisition what it needs through a central purchasing agency and that agency does the purchasing for the whole provincial setup.

We all know and realize, I think, that a great deal of money can be saved in this field. Large-scale purchasing is important, and even though departments like The Department of Highways and The Department fo Education may save a great deal in bulk purchasing, there is no question that when that is co-ordinated with the purchases of other departments and the whole thing brought under one management then the taxpayers of this province could be saved very great amounts of money. So I hope that the minister is serious about this. I hope this government is serious about really making this central purchasing agency an instrument that means business and that no longer will we fool around with this idea as we have been doing. We will no longer talk about it and then give it no power.

Mr. Speaker, with these remarks I think we can say that we look upon this bill as some progress along the way in legislation in this province, not too satisfactory at the moment but we hope that by the time it gets to the committee that the minister will look at the amendments that may be offered and that the bill may be polished up and made into something which is really meaningful.

Mr. Sopha: Mr. Speaker, there is no equivocation whatsoever about our position in respect to this bill. We are going to oppose it and we are going to vote against it.

I am unwilling to repose the powers in this bill in any Minister of Public Works. I am singularly unwilling to repose the powers in this Minister of Public Works.

For the phraseology in section 2, which is one of the essentials of the bill, if it were not so serious it would be laughable to the point of absurdity. As a lawyer, as I read those provisions, they enable the minister, fairly construed as any court would construe them—in any case, whatever the practice that has been followed or the customary usage in The Department of Public Works in any particular contract—the minister by his own fiat could declare that tenders not be called in a particular contract.

Clearly the words "in the opinion of the minister" used in that section have had high judicial interpretation in the now-ancient case of Liversidge and Anderson, 1942 Appeal cases, where the law lords held that the opinion of the minister is an unfettered one. Under our system of law, the court or any other person may not substitute its opinion for that of the minister reasonably arrived at, if there is any basis upon which he may reach his opinion, supposing that some contractor in a local area assumed that a public work being let out would be let out by tender according to custom, and assuming the contractor went to considerable expense and then, at the last moment, the minister decided the tenders would not be invited.

Indeed, we can go a bit further in our illustration. Supposing tenders had been advertised for the particular public works and the minister decided at some point to proceed by not calling tenders. Then under this section the minister could substitute that discre-

tion for his earlier one so the individual that I have hypothesized, having gone to considerable expense, is left holding the bag.

If he brought an action against the minister or the deputy minister—and that is not unknown to The Department of Public Works—they have been ad lis before this time—then, the aggrieved person who suffered damages would be left out of court. He would have to absorb his loss.

Why should this Legislature, at this point in its history where we are seeking to forward the notion that the public business should be transacted in public; that it should be under well-regulated controls; that it should be done according to good business principles; while trying to achieve those purposes, why should we at this point in time turn around, retrogress, and say, "No! We are satisfied that we will give these discretions to the Minister of Public Works."

I go to the end of the bill. We not only give the discretions to the Minister of Public Works, but under a later section in the bill we give them to his deptuy, to anyone else in his department that he may designate. The person is not identified; just anybody at all, presumably his executive assistant. Does he have one? He probably has two or three like the rest of them, well ensconced in a plush office.

He can give the discretion to him to exercise. I always thought the principle, the age-old constitutional principle—I turn to the erudition of the Minister of Social and Family Services, a fellow lawyer, my senior at the bar—I always thought it was a good principle of constitutional law that we observe the maxim, "delegatus non potest delegare."

Hon. C. S. MacNaughton (Treasurer): How about that?

Mr. Singer: One would think that the number two man would know what that meant. Obviously he does not.

Mr. Sargent: You should be very concerned about that.

Mr. Sopha: Let us translate it, at 5:20 in the afternoon. Let us translate that Latin expression. It means that a delegate has not the power to redelegate the power to some other functionary.

Mr. Sargent: Right, even I knew that.

Mr. Sopha: That sounds good business that, having reposed confidences in the Minister of Public Works which we are unwilling to do, we are not going to permit him in turn to give them to the deputy, or to some other person in his department to exercise our discretion for us. You see how far the surrogate aspect goes? Once we pose our confidence in the minister—and stopping at that point, we at least have the opportunity of seeing him every day.

I did not hear any cheers about that at that point—we see him every day and we can question him about his exercise of the delegation of power that we give him. But once he turns around under the new section 18 and hands them over to someone else, we are left without the responsible person before us. I, for one, am not ready in this the enlightened age of the development of parliamentary institutions, in observing the ethics of trying to make them relevant to the society in which we live, to go to that stage and say that any functionary in the bureaucracy can have the right in important matters to exercise those responsibilities which would really repose on me as a member.

How far-reaching are these? There may be some out there on the street corners of the nation, in the country stores, who meet around the farmhouses at night, who may wonder about the government's acquisition of land as a matter of principle. They might find it offensive. This bill deals with land. They might find that notion offensive. They might believe in the philosophy that government should only in most extreme circumstances acquire land, and government certainly should not have land and should not hold land for public purposes that it is not going to use.

I will refer a little later to some land they have in their possession. But the taking of land by government might offend a great many people in our society. Why then, might we ask, are these wide powers given to the minister, again unfettered or largely unfettered in the proposed section 3? The only fettering is approval by the Lieutenant-Governor-in-Council. We have not had the opportunity yet, and we are really looking forward to it at an early time, of ascertaining what goes on at the meetings of the Lieutenant-Governor-in-Council. From the outside, I strongly suspect that as a supervisory mechanism it is not very effective to check the exercise of discretion of individual ministers.

They probably walk in there before the meeting begins, lay down these routine orders on the table and, for all I know, the first item on the agenda when the Prime Minister calls the meeting to order is to approve all those requests in a sort of automatic and routine way.

I am one of those who believe that the acquisition of land is so important a matter that I would rather see a development toward the setting up of some land acquisition review committee as a governmental structure. And instead of reposing in the minister of public works an unfettered discretion, have somebody where complete representations could be directed in respect of the land that government owns. That is particularly attractive to me when I think of the immense problem that results from the disposal of land that the government no longer wants or has need of.

We really have not had a Crichel Downs case in this government. I know a set of circumstances that approaches it where the government expropriates a piece of land and then does not use it or does not use all of it. The nasty problem arises of whether the original owners had the priority of its return.

Mr. Singer: That almost threw out the whole government as this Act will throw you out if you pass it.

Mr. Sopha: Yes, that shook the British government—

Mr. Singer: This is worse than The Police Act, this one.

Mr. Sopha: —to its foundations. In section 3 of the Act there is absolutely no fettering, no inhibitions, placed upon the minister, except this vacuous notion that the Lieutenant-Governor-in-Council has to approve what he does. I was glad to hear the dulcet tones of the Treasurer. I say the dulcet tones because they are quite in contrast to his tones, white-lipped and trembling, as they were during the question period earlier this afternoon. It is well-known, of course, that the Treasurer is the great champion of the leasehold in the government. The Treasurer does not want to build or buy anything. He wants to rent, and he has had his way in the government and he wants to rent all over the province.

It is interesting, some of the people they rent from; interesting the prices that they pay from time to time. The ethic of the government in respect of the provision of office space for government services, as it descends from Mount Sinai, those Olympian heights over in that magnificent building occupied by the Treasurer, is that for heaven's sake we will never buy, we will rent spaces.

I could take the time of the House and illustrate that by reference to Sudbury, where an innocuous ad was put in the paper, indicating that the government of Ontario wanted to rent some office space for government offices, and would invite proposals. Every Tory and his mother-in-law and his relative rushed into the fray. They could hardly wait to get into the door, into the chambers of the Deputy Minister of Public Works; they smashed the door down in their frenzy to get in to show them the elaborate proposals of dwellings in Sudbury, to provide this office space. All the while now, mind you—and on this business of rent acquisition and its pretensions—the government, the Minister of Public Works, holds title, is trustee for us, to a magnificent piece of land in downtown Sudbury, measuring in quantity about four acres, upon which they could build an office complex. But the Treasurer? No, sir. He has got the veto and that is just as effective as any the Russian government imposes. The Treasurer says "Nothing doing. We are not spending any money for building."

Mr. Sargent: Does he have that power?

Mr. Sopha: Yes, he has that power. He has had his way.

What I am getting at is elaboration of the earlier principle I enunciated; why do we not set up some sort of apparatus, call it a central purchasing agency, or whatever you want—

Mr. Sargent: That is a joke, that central purchasing.

Mr. Sopha: —where the acquisition or use of land by the Crown is rationalized.

Mr. Singer: That is right. It is controlled, sold and watched and reported on.

Mr. Sopha: Indeed. Now what is another illustration, because I do not like to speak in the vacuous generalities that the Treasurer set an example for us earlier in the afternoon.

Mr. Singer: Say that again, he did not hear you.

Mr. Sopha: I invite the attention of you, Mr. Speaker, and the hon. members to the methods employed by OHC in land acquisition. They buy large amounts of land throughout the province. They will never tell us how much they pay. One suspects that in many cases they buy it from the faithful. Does that offend you, to say that they buy it from the faithful adherents? Well, I will give you some names if it offends you, and I will cite their

positions, the offices they hold in the Tory organization.

They buy these large tracts of land, but the Minister of Trade and Development will not tell us how much he pays per acre. And I ask again, rhetorically, why is not the structure, the apparatus rationalized so this could be done under proper circumstances of public review? Why not? Why should we be asked in this House, and in all unwillingness, to vote for a piece of legislation that gives all these powers and discretions to the Minister of Public Works? Not to any Minister of Public Works; not to this Minister of Public Works will we vote to give these powers.

Now, strangely enough, if you will look at section 4, again part and parcel of the main principle of the bill, you will notice, sir, if I may count them with you, 20 sections of the bill are repealed in one fell swoop and there are substituted for them four sections.

Mr. Singer: They are the expropriation procedures. They have done away with the expropriation procedures.

Mr. Sopha: That is fine. I am grateful for that comment. Thank you very much.

Well, he substitutes the four sections, to which I have directed some remarks to one of them, section 18, where they have splashed the delegation all over the lot so that it would vanish to the point where we could not find it. We could not find its exercise except under the closest, most searching scrutiny of the minister. How did this decision happen to be made and so on? He could come in here and give evidence of the sloppy administration of his department and say, "Well I left that with the deputy" or "I left that with Joe Doakes" or "The janitor walked by". Anybody.

Mr. Singer: Anybody at all.

Mr. Sopha: And I asked him to look after it. He might have some bright, intelligent-looking, well-fed executive assistant hanging around in the adjoining office—curly locks on him and so on; who knows?—who might exercise these discretions. But in the others, look at the list of powers in (a) to (f) that we are asked to give the Minister of Public Works and, in case they left anything out, the omnibus one in (g). Well, goodnight. Really, there is too much at stake here for this to get through the craw, to be further digestible by a responsible opposition. I can tell you that this bill, if it is enacted into law, is going to be over our protest and it is going to be over our vote and for those reasons, I tell you quite unequivocally, that this party today, at this time, this moment, before 6 o'clock, is going to cast its vote against this bill.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Speaker, we will support the Liberal Party in its opposition to the bill and against the principle of the bill. Before I make just one or two comments, I hope when the minister replies he will deal with this question of the present position of the Queen's Printer and Publisher and what his status is at the present time. Because it would appear that for the first time in many years he is being given some official position, and I would be curious if my assumption is correct that there has been no legitimacy to the position for all these years. I hope the minister would explain the basis on which the person holding that office has been remunerated in past years and the present basis of remuneration of the present Queen's Printer and Publisher.

The point has been made by my colleague and by the members of the Liberal Party that the discretionary power of the minister with respect to the tendering system, and his "out" from the tendering system under one of the principal provisions of the bill, is just not good enough in this kind of day. It certainly should be quite possible for this minister, at this time, to have developed the kind of guidelines that would indicate those areas where by law he must be required to call for tenders. And it should be possible, with all the experience that the government has had in this department, to clearly define and limit those areas where, for the purposes of flexibility and in a minor sense, it might be necessary to abandon the tender system because it would just not be an efficient way to transact that particular segment of the public business.

But in this day and age we certainly cannot simply support a bill which states that "in the opinion of the minister, the nature of the work is such that it is not advisable to invite tenders." The government on many occasions has used elaborate regulatory provisions; it has provided for regulations; it has spelled many things out in regulations. And there is certainly no reason whatsoever why this particular minister at this time should want to have continued this omnibus discretionary power. It certainly is not wise for the government to have it and we will therefore oppose the bill principally on that matter.

We notice, of course, that there is also the point that the member for Sudbury made which is of concern to us. I do not understand why, under our parliamentary system of government, it is necessary to provide for the delegation of authority. It seems to me that our whole system envisages that the minister of the Crown must be responsible for the whole of the operation of the department and that he should not be in a position, by statute, that he can delegate the substantial essence of his power to a deputy minister, regardless of the high quality of any particular deputy minister and his ability to do it. He just is not an elected official, and I would certainly ask the minister to explain to us, in the parliamentary tradition, why that kind of statutory delegation of authority is required. Certainly it seems to me to be almost a complete rejection of the parliamentary system when we allow that kind of delegation to take place.

My colleague referred, of course, as he and others in the party have referred over the years, to the need to get on with the question of a central purchasing agency of the government to carry out all purchases. Certainly Mr. Justice Campbell Grant, if he takes the recommendation of counsel to the Royal commission which has just concluded its hearings, is going to come through with a recommendations that all the purchases of the OPP go through a central purchasing agency. Certainly Mr. Robinette, in summing up and sorting out for the purposes of assisting the commissioner, was very clearly of the opinion that the purchase of lawn mowers in particular should not be made by the OPP individually, regardless of the quality of the merchandise and the price at which they were bought.

So, with those points, because we just do not think that the bill has had the kind of intensive, modern thought given to it that is required, and because I think that this government has got to learn it cannot just continue on in the horse-and-buggy ways that it insists this particular department of government be carried on by, we will support the opposition to the bill.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Mr. Speaker, I wonder about this government. Here we have another bill that could very easily have the shocking effect that The Police Act did. It is introduced in a most innocuous manner. It provides to one minister of the Crown or his deputy, or anyone else in the department, as my colleague from Sudbury so well said, the power to buy on behalf of government anything this person wants.

Does the government not remember The Police Act? Can they not remember the highway scandals of 1956 which cost them dearly? Can they not remember what happened then and that the whole thing revolved around the method of letting tenders, the method of spending money, and the checks and balances? Can they not remember, Mr. Speaker, what happened when the checks and balances did not work, when people were stealing money from the Province of Ontario? Can they not remember any of these things?

It is rather strange, it is hard to understand, why the government today wants to give to the Minister of Public Works, or to anybody in the Public Works department, the power to do away with tenders merely when the minister thinks it is reasonable. I have *Hansard* here for October 15. It is rather fascinating to see the very carefully chosen and quiet words that the minister used when he introduced the bill. I wonder if he told his cabinet colleagues the real implication? This is all he says—from page 5023:

Hon. Mr. Simonett: Mr. Speaker, the provision for the appointment of staff is brought up to date and in line with The Public Service Act and specific provision is made for the office of Queen's Printer and Publisher. We are also repealing that part that was in The Public Works Act having to do with expropriation.

Mr. Sopha: That is misleading.

Mr. Singer: I wonder if he told his cabinet colleagues what really is going on. This bill sets up a new dictator in the Province of Ontario.

Interjections by hon. members.

Mr. Singer: That is what it does, Mr. Speaker, and taking that in line with the thinking that has been done about central purchasing, can you imagine the power that a czar is going to have in The Public Works Department? He can do anything he wants without tenders. There are no provisions for accountability. There is no provision to find out if anybody is being favoured. There is no provision to find out if false bids are being put in. There is no provision for checking or balancing.

Mr. Speaker, this is one of the most shocking bills that has ever become before us, and it comes before us in such an innocuous way, that one must conclude unfortunately that the minister when he brought it in either did not understand its implications, or deliberately chose his words so as to hide the very implications that this bill has.

If this bill passes second reading, if the government does not see fit to withdraw it here and now, I can tell you that we are going to conduct a debate against this at every possible opportunity. We are going to ask that it be referred to the appropriate standing committee, subsequently to the Committee of the Whole House, and we are going to deal with it section by section, and we are going to bring as much public attention as we can to bear, and to draw to the attention of the people of the Province of Ontario that the government is now asking us to give unnamed people as lowly as the newest and most modest and least-paid employee in The Department of Public Works power to spend public money without even asking for tender.

That is exactly what this bill does and I am shocked, Mr. Speaker, after the care and attention that has been paid to the handling of public money, that the government would have the cheek to bring in a bill like this at this time. To ask us, or to expect us, to support this in any way is just beyond belief.

Mr. Gaunt: Right.

Mr. Singer: Mr. Speaker, without gilding the lily—and hopefully we will get to a vote before 6 o'clock—I will conclude my remarks, as I know there are some of my colleagues who want to speak on this as well. But I would like to hear some explanation from the minister as to how he can possibly bring this before this Legislature. You know, Mr. Speaker—you sat on a municipal council, so have I and so have many of us—how carefully we look to the handling of public money insofar as tenders are concerned: tenders are called, how they are opened in public and how the clerk takes care of them, date marks, stamp marks, and so on, so that most municipal councils are able to say with completely clear conscience, "Yes, when we had to go and spend public money, we looked after it well and there were all sorts of safeguards surrounding that procedure."

Not for the Province of Ontario. The minister can spend hundreds of millions of dollars if he wants, without tender, without anybody's say so, and without any ability, probably, on our part to be able to discover it. Remember, Mr. Speaker, when we tried to get from the Provincial Auditor the critical report addressed to this department, and how this minister refused, and it was only after a great fuss was made that finally the public accounts committee, by a majority vote, ordered its production.

Now, if this is typical of the way this department is run, and I say that it is, how possibly could we trust this department with this power, or any department of government? This is public money we are talking about, Mr. Speaker, and no government deserves this kind of arbitrary and unfettered power.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, the words spoken that I have listened to thus far for the opposition, are extremely well-taken. They may sound hectoring, they may sound even abusive, but they are fully warranted by the nature of the legislation before us. Not since I have come into this House have I seen such an innocuous looking document with such a snake's head beneath the covers.

This minister, running in the face of every tradition, the long slow traditions of centuries, everything that was done through the 19th century to make the parliamentary process a little neutral, with respect to the spoils system, the various forms that we have sought to set up under McRuer are just waved aside in placing in front of the head of this minister or any minister, the kind and range and depth, the officiousness, the dictatorial qualities, and the arbitrary powers written into the legislatiton.

What effrontery this minister has to come before the House. He is about the only minister I can think of who would take it upon himself, blithely, and with an inner knowledge of our traditions, in terms of this, to come before us and present legislation of this magnitude.

He apparently does not even know the full impact and what we are up against in this sort of thing where he can cater and pander to his friends, where he can obviate the whole process of tendering, which was designed to give some protection to the general public, and wipe it out, at the stroke of a pen.

I think that this is bone-headed, completely arbitrary legislation, which flies in the face of whatever would-be generations we have sought to engender. The same thing is equally applicable—and I notice it is in another bill coming before us, Bill 197—to the Minister of Highways (Mr. Gomme) with respect to the delegation of powers as has been mentioned, or to any other person employed in the department, in the exercise of these powers. We have some misgivings over here.

I have a dread as to the capabilities and abilities of both of these ministers to carry out the functions of the department. We rather suspect that their deputies are somewhat more informed individuals than they are, but to give, in any realm of the department, to their hierarchy—and at the lowest stage, I suppose the janitor probably is as well-equipped as this minister, in any event—the powers involved in this sort of thing (and which he wants the power to delegate, because in his secret heart, I suspect, he suspects that the janitor may know a hell of a lot more about it than he does) in any event, to give that kind of delegation power is simply to wipe yourself out as having any respectability, or any role, or any right to call upon this House to give you the kind of prestige and dessert that most ministers of the Crown have.

So the whole tenor and direction of the legislation in paragraph after paragraph, is to confer upon your head, your tiny suzerainty, a new Pooh-Bah in Ontario that we have to put up with. We will fight this, we will filibuster on it, we will give you every difficulty we have. You should not be asking for this sort of power. If you had any decency or sense again of our traditions, you would not ask for it.

Mr. Sargent: Mr. Speaker, we are hopeful that we can get this to a vote tonight, but I imagine the minister will probably talk on it anyway, so may I state I think it is utterly fantastic that this type of legislation can get past the cabinet and before the House.

Mr. Singer: And past the caucus.

Mr. Sargent: And past the caucus, I congratulate my colleague from Ottawa Centre, and the members for Sudbury and Downsview, and the NDP, for stating the bill is as innocuous as the police bill. We have this fantastic thing in this day and age to give one man the power to spend hundreds of millions of dollars by himself.

The first clause says that he can tell the Queen's Printer and Publisher—or it may be assigned to him by the minister—the minister can direct the Queen's Printer in the spending of millions of dollars in publishing by what route they should go, when it is known across this province that tenders are important. It is part of our way of life. If this dedicated group of men, many of whom are dedicated to this right to protect our economy, lets the minister have these powers, the patronage system will be in full flight if this thing is allowed to go into effect.

Consider the power to acquire by purchase or lease. We have examples of this, Mr. Speaker, of the deals going on. My colleague, the member for Sudbury, mentioned The Department of Education's 20-year lease at $3 million a year in one section and another lease at $2 million a year. Who is to say? Those things could happen before this legislation came into effect. Now, if this goes into effect, the whole grab bag is wide open.

Maybe it will make the hanky-panky deal you had with the McNamara boys look like peanuts, if you boys are allowed to operate under this deal here. In fact, it is an omnibus bill that gives wide powers to one man. The blanket legislation is, in effect, okay at the cash box to those who would like to do business with the government. It will give you an election pot in years to come.

And he says in clause 19 here, "the establishing of a central purchasing and supply board." Now, for years we have been hearing the provincial Treasurer talking about the great job we are doing through central purchasing. This negates everything he has ever said. I hope the minister can let us hear a reply to this and maybe we will get to a vote on it, but I want to say that for the first time I doubt the intelligence of the Treasury Board or the Cabinet that can let this come to this House.

Mr. Speaker: Is there any other member who wishes to speak to this before the minister? The minister has the floor.

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, I would like to say at the outset that I might have to agree with some of my lawyer friends opposite, as it is well known that I am not a lawyer and I was not responsible for the legal wording of this bill. However, I was very happy to hear that perhaps not being a lawyer I might be thought of as a janitor. Now, if there is anything wrong with janitors in this Province of Ontario maybe the NDP could tell me, because there are a lot of fine people who are janitors in this world and they have just as much right to be sitting in this House as other members provided they are elected—just as much right to sit in this House as any over there provided they are elected. Anyone who gets elected may take his seat in this House, whether he be a janitor, a grease monkey or what he might be, if he is elected to represent his people. They do not want lawyers from Toronto to say who they will elect here to represent them.

Mr. Sopha: I want to rise on a point of order. The point of order is that one of Parliament's traditions is being violated here and I ask you to step in and protect our rights. No minister of the Crown may stand in his place under our system, according to our custom and usage, and say that he is not responsible for the language employed.

By virtue of his office and long tradition of Parliament, no other person is responsible. Only he is responsible, and the government behind him, for every word in the bill. I ask you in the name of Parliament and its traditions to repudiate him and what he has said here.

Hon. R. S. Welch (Provincial Secretary): He accepts that.

Hon. Mr. Simonett: I will take the responsibility.

Mr. Sopha: That is precisely what you have said.

Mr. Speaker: Order. There is no question about the system of government which we have here. The point raised by the member is not a point of order, and has nothing to do with the procedures of this House. It is quite possible that the minister's remarks properly interpreted, would mean exactly what he—

Mr. Sargent: That is what he said.

Mr. Speaker: —mean exactly what he meant to say. However, there is no point in discussing that because, as I say, it is well known—and many of us know it indeed—that every member of the executive council accepts responsibility for not only his own position and his own department, but for the government itself.

Mr. Lawlor: Now the minister knows it too.

Mr. Speaker: The hon. minister has the floor.

Hon. Mr. Simonett: Mr. Speaker, after listening to many of the members opposite and to some of the finer parts of their debate, they were not on a personal vendetta in thinking that the Minister of Public Works would not be capable of administering this Act. I would just like to cover a few points and first—

Mr. Lawlor: You remember when you were minister of lack of energy?

Hon. Mr. Welch: Let us not get personal.

Hon. Mr. MacNaughton: That has got to be the most foul—

Mr. Lawlor: It is just bad legislation.

Mr. D. A. Evans (Simcoe Centre): If I were you, I would watch my tongue.

Mr. Lawlor: Would you?

Mr. Evans: Yes.

Hon. Mr. Simonett: Mr. Speaker, there seems to be a great deal of concern regarding the calling of tenders, and I might say that when I first looked at this, I would agree with everyone in here. Then, on the other hand, in order to operate The Department of Public Works I would think you might agree with me that it would be impossible to call a tender for every job that we have. I know it is very hard to spell this out in the bill; that we say we shall call large tenders and medium tenders, and then if we want—

Mr. Sargent: That is a lot of nonsense. Every other government—

Hon. Mr. MacNaughton: How do you know?

Mr. Sopha: Resign and we will do it.

Hon. Mr. MacNaughton: You will never have a chance.

Interjections by hon. members.

Mr. Speaker: It would appear to me that it now being three minutes to 6 o'clock, if the minister is going to make any explanation at all with respect to this bill, it should be done at another time. No matter how we manage it, neither can he complete his statement nor can there be a vote in the time left for this day's sitting. Therefore, I would suggest that the minister might move the adjournment of the debate.

Hon. Mr. Simonett moves the adjournment of the debate.

Motion agreed to.

Mr. Sargent: Saved by the bell.

Interjections by hon. members.

Mr. Singer: Mr. Speaker, before the motion is put for adjournment, would the House leader indicate to us if we are going to deal with this bill tomorrow? What is the order of business?

Hon. Mr. Welch: No, it has already been done.

Mr. Singer: The order of business?

Hon. Mr. Welch: Oh yes. The order of business is, as announced yesterday, that we will return to the estimates of The Department of Municipal Affairs tomorrow.

Mr. Singer: Could the House leader give us some indication as to when this bill is likely to come back and we are going to be able to hear the fascinating explanations from the Minister of Public Works?

Hon. Mr. McKeough: When you go on holidays.

Hon. Mr. Welch: I am sure the hon. member will be advised as the House leader advises all members.

Mr. Singer: Oh, I see. Better run for cover on that one.

Mr. Sopha: Bad bill. Shocking. I am sorry, Mr. Speaker.

Mr. Gaunt: The Minister of Highways has one exactly the same.

Mr. Speaker: If the members would give order, we will complete the adjournment of the House.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

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No. 132



Legislature of Ontario Debates

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Third Session of the Twenty-Eighth Legislature

Thursday, October 22, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 22, 1970

The House met at 2.00 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon our guests are students: In the east gallery from Royal York Collegiate Institute in Toronto; in the west gallery from Georgian Bay Secondary School in Meaford and Clarke Institute in Toronto. Later this afternoon, there will be students from the White Oaks Village School in Hagersville with us.

Statements by the ministry.

Oral questions.

QPP RAID ON OTTAWA RESIDENCE, EMERGENCY MEASURES JURISDICTION

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, a question of the Premier.

Is he aware that a raid was made on an Ottawa home, allegedly by members of the Quebec Provincial Police?

And, if he is aware of this, would he undertake an investigation as to under what powers and rights, this raid took place?

Hon. J. P. Robarts (Prime Minister): I am not aware of it, Mr. Speaker. It is the first time that I have heard of it, but I would be very happy to check into it and find out what I can.

Mr. Nixon: A supplementary question: Has there been communication with the government of Canada over just how the powers that were taken under The War Measures Act would apply in this province for those situations that exclude any reference to the FLQ and the troubles in Montreal? In fact, can the powers be used by the Attorney General (Mr. Wishart) for any purpose other than those specifically referred to?

Hon. Mr. Robarts: The order-in-council, itself passed under The War Measures Act, sets out fairly specifically the areas in which it can apply. That order-in-council applies to all of Canada, of course. The FLQ is mentioned but the terms are very broad—very broad indeed—as to whom it does apply, so that it does apply in Ontario.

There have been discussions, not that I have been involved in personally, but there have been discussions between this government and the government of Canada as to how it is to be applied. Perhaps when the Minister of Justice arrives the Leader of the Opposition might put this question to him, because I think perhaps he could give a somewhat more specific answer.

But, as a matter of policy, as I believe I said yesterday, we do not propose to exercise these powers just because they are there, unless there is a situation which is of sufficient emergency to justify it.

Mr. Nixon: A supplementary question: There is some confusion there. Is the Premier aware that statements have been made by federal officials indicating that the powers could not legally be used by any provincial Attorney General, except in reference to the FLQ situation?

Hon. Mr. Robarts: I do not know how such a statement could be made. I read the order-in council myself and I am drawing on my own capacities to interpret it. I mean, it is my reading of it that it refers to the FLQ specifically; but it also refers to any other—I forget the exact wording, but any other group or any other person. So I assume that extends it beyond the FLQ. That is my own personal reading of it.

Mr. Speaker: The member for Lakeshore has a supplementary?

Mr. P. D. Lawlor (Lakeshore): A supplementary for the Prime Minister: What plans have been made under the provisions of The Ontario Emergency Measures Act, Statutes of Ontario 1962-1963, chapter 41, particularly section 4, where it is made mandatory that each department of the Premier's government formulated plans once The War Measures Act is invoked—and not only the government, but each municipality and county throughout the whole province? And what co-ordination of these plans is at present being undertaken by the provincial government?

Hon. Mr. Robarts: Mr. Speaker, I would have to take that question as notice.

Mr. Speaker: The member for Downsview. A supplementary?

Mr. V. M. Singer (Downsview): A supplementary of the Premier. In the event there is some power to the Quebec Provincial Police to make raids in Ontario, what would the Premier of Ontario think about that?

Hon. Mr. Robarts: Not much.

Mr. Singer: And I would hope not.

Hon. Mr. Robarts: One of my staff has sent me up this clipping, but I do not think much will be served by me attempting to answer hypothetical questions until I am able to do a little checking on the matter.

Mr. Speaker: A supplementary?

Mr. S. Lewis (Scarborough West): A supplementary, Mr. Speaker: I take it that there have been no detentions under the Act in the last 24 hours in Ontario, Mr. Premier?

Hon. Mr. Robarts: Not that I am aware of, but once again may I ask that this question be directed to the Minister of Justice? He has been delayed for a few minutes, but he will be here.

Mr. Speaker: Has the opposition further questions?

The member for Scarborough West.

TORONTO-CENTRED REGION PLAN AND CENTURY CITY DEVELOPMENTS

Mr. Lewis: If I dare, Mr. Speaker, I would refer back to a question of the provincial Treasurer. Can my friend and Parliamentary colleague tell me whether he has met with the principals of Revenue Properties Limited, the townships around Stouffville and the farmers aggrieved over the outstanding mortgage payments, concerning the problems of the Century City fitting in with the Toronto-centred region plan?

Hon. C. S. MacNaughton (Treasurer): Mr. Speaker, the only meeting we have had that has any relationship to the question asked by the hon. member is with the council of the Township of Uxbridge. We have had a visit with them, but we have had no direct contacts with the property owners.

Mr. Lewis: By way of supplementary, have any commitments been made, either to Century City Developments or to the farmers in the area, about what will transpire in the prevailing legal chaos?

Hon. Mr. MacNaughton: Mr. Speaker, I would say to the hon. member that no commitments have been made. The matter now is being pursued as thoroughly as it can in the context of the Toronto-centred region plan. It is, I suppose, one of the principal conflicts of a number of conflicts that have developed. We will not be in a position to make any commitments until we have pursued the whole conceptual and conflicting relationships and before we single out any specific area for, shall we say, decision or resolution.

Mr. Lewis: A supplementary: Is the minister suggesting that he would allow the greenbelt parkway part of the Toronto-centred plan to be violated by the creation of such a city?

Hon. Mr. MacNaughton: No Mr. Speaker, I would have to say certainly not. I will say, though—and I think it only fair—that if certain conflicts can be resolved without destroying, if you like, the conceptual nature of the plan, it is certainly going to receive fair consideration.

Mr. Lewis: But the minister would agree that Century City, as it now stands, does destroy the conceptual framework of the plan and therefore that it is legitimate that the farmers who are involved and those who have sold in good faith be told of the government's position?

Hon. Mr. MacNaughton: Mr. Speaker, I think that is a fair promise, and I think it is something that certainly will not only be taken into consideration but acted upon when we are in a better position to do it than we are today.

Mr. Lewis: Well, there are months of legal entanglements.

Mr. Speaker: If a member wishes a supplementary, he is expected to rise.

Mr. Lewis: I am sorry, no.

Mr. Speaker: The member for Downsview.

Mr. Singer: By way of supplementary to the minister, is he giving equal consideration to other large developments that would be affected? There is at least one in the west—Century City is in the east—and there is one in the middle, where equal commitments

have been made. Is the minister giving similar consideration to all of these things at this time?

Hon. Mr. MacNaughton: Mr. Speaker, the short and simple, the best answer I can give, is yes we are.

Mr. Speaker: The member for Scarborough West.

GRANTS UNDER CITIZEN PARTICIPATION PROGRAMME

Mr. Lewis: A question of the Provincial Secretary, Mr. Speaker: Has the Provincial Secretary had contact with the Riverdale Community Organization and the Parkdale Community Coalition about the request for grants under the citizen participation branch of his department?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, the Riverdale group, through representations made by the member for Riverdale (Mr. J. Renwick), asked if one of our community development workers could attend a meeting within the last two days, as they were giving some thought to funding their operations for another year. They made no specific request of our department for financial asistance. It is my understanding that they were, in fact, preparing to make such an application of the Toronto city council. I am not familiar with the other group, the Parkdale group.

Mr. Lewis: Parkdale Community Coalition!

Hon. Mr. Welch: No, I am not familiar with the work of that group.

Mr. Lewis: In view of the rejection of financial assistance for both community groups yesterday, has the minister, through his department, set up any direct liaison and encouragement to urban councils around the province to support such citizen activity?

Hon. Mr. Welch: Mr. Speaker, it just so happens that on Sunday last I had the opportunity to speak at a conference on involvement at the St. Lawrence Centre. During the course of that discussion, I spoke with those at that particular conference about the criteria for what we call the community development grants.

It is sufficient perhaps to say at this stage that we have developed such criteria and so far approved 21 of some 40 requests. We still are prepared to consider requests from any groups from any place in the province, provided they come within the purview of these particular guidelines as stimulating or seed money grants. I would be very pleased to consider these in that context.

Mr. Lewis: One final supplementary: How much has the minister in his budget for such seed money for community organizations?

Hon. Mr. Welch: Mr. Speaker: $60,000.

Mr. Speaker: The member for York Centre has a supplementary?

Mr. D. M. Deacon (York Centre): Mr. Speaker, how many were invited to that meeting, and how many attended?

Hon. Mr. Welch: Well Mr. Speaker, the meeting was not organized by the government. The meeting was organized by several groups, of which the Ontario Federation of Citizens' Associations was one. I was invited by the organizers of the conference to take part in that particular conference and programme, and our staff was available to assist in some of the preliminary arrangements.

However, the attendance was less than expected by those who had organized the conference. They sent out several hundred invitations, from what I understand, but they were very disappointed at the response.

Mr. Deacon: About how many did attend?

Hon. Mr. Welch: I think that in the group I spoke to there may have been no more than 75 people.

Mr Lewis: Did they know the minister was coming?

Hon Mr. Welch: Obviously, on a Sunday afternoon too!

Mr. Lewis: Like an NDP general meeting.

Mr. Speaker: The member for Rainy River.

ASSURANCES ON PAYMENT OF TAX REBATE TO FARMERS

Mr. T. P. Reid (Rainy River): Mr. Speaker, I have a question of the Minister of Municipal Affairs.

Can the minister inform the House what steps his department is taking to ensure that the tax rebate to farmers will not be paid to speculators and non-residents?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, on possible payment to speculators, I think the announcement dealt with this, in that if there were a change in the use of land, there would be a recovery for up to 10 years, for whatever lessor period the rebate had been paid.

Interjection by hon. members.

Mr. T. P. Reid: Can the minister indicate what procedures or steps he is taking to find out who is who, and who is going to receive this tax rebate? Are non-residents holding land in Ontario going to receive this tax rebate?

Hon. Mr. McKeough: If they are assessed as farmers, yes.

Mr. E. R. Good (Waterloo North): A supplementary, Mr. Speaker: What provision will be made by either the Minister of Municipal Affairs or the Minister of Agriculture and Food (Mr. Stewart), who will be paying this grant, for the tenants on agricultural land who are farming and paying rent proportionate to the taxes to derive benefit from this rebate? Will there be any provision for this?

Hon. Mr. McKeough: That is an arrangement, of course, between the owner of the land and the tenant on the land. If the agreement is that he pays the taxes, for example, then the taxes are obviously that much less and he would therefore pay that much less.

Mr. D. C. MacDonald (York South): A supplementary, Mr. Speaker: What procedures is the government using for paying the farmer who has already paid his taxes, or the farmer who has not yet paid his taxes?

Hon. Mr. McKeough: I should say that the regulations which are being prepared jointly by my colleague, the Minister of Agriculture and Food, and ourselves under The Department of Agriculture and Food Act are not yet finalized; they give me a little room to manoeuvre, I think, within that ambit. They will be finalized next week, we would hope.

The member for York South's question was whether they have paid their taxes or not. We gave some consideration to this. The cheque will be going to Donald MacDonald, farmer. If it were at a different time of the year, if I could put it this way, that is had this been introduced in the spring, I think it would have been easier to ensure that the taxes had been paid. In other words, we could have asked the clerks, the tax collectors, whether the taxes were paid prior to mailing the cheque. Unfortunately, I do not think this is open to us at this time of the year. The due date for taxes in many cases falls in the last part of November in rural areas. For example between December 1 and December 15 in my own municipality. The situation as to whether taxes had been paid would change too much each day.

I have confidence. I think the municipalities are not going to lose any money on this; and for two reasons. We will supply the tax collectors or the clerks I suppose, with a list of those to whom cheques have gone, both from the point of view of the orderly collection of taxes and so that they have some idea who is getting them. Therefore, they are going to get inquiries as to whether so-and-so—from that person—as to whether he should have received a cheque which may be held up in the mail.

The clerk, and I would think probably the ag reps who both have a supply of application forms for those people, for example, who have less than 11 acres but still qualify because of the gross income, or people who in the process of the computer run are missed for one reason or another and who do in fact have more than 11 acres so that they are classified as farmers.

Mr. Speaker: Supplementaries?

Hon. Mr. McKeough: If I could just answer one other question: The provision is open that next year, if the plan is carried forward, then it may well be done—and this is not yet determined—by deduction from taxes, in which case the municipality would deduct the amount and then issue a claim on the government in the same way they do for the tax reduction scheme. So then there would be the guarantee that the taxes are paid.

Mr. Speaker: Further supplementaries?

Mr. Good: Yes. Will this process be accomplished through new legislation or by regulation under some existing legislation?

Hon. Mr. McKeough: By regulations under The Department of Agriculture and Food Act.

Mr. Good: In other words, there will be no opportunity for discussion in the Legislature regarding the procedures?

Hon. Mr. McKeough: Well perhaps we might discuss that very subject in about half an hour, and spend some time on that instead of some of the time that we sometimes waste in estimates.

Mr. Speaker: The Minister of Financial and Commercial Affairs has the answer to a question asked by the member for York Centre.

MEETINGS FOR SHAREHOLDERS OF REVENUE PROPERTIES

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Mr. Speaker, I am now in a position to answer a question asked by the member for York Centre on October 7 in regard to the holding of legal meetings of shareholders of Revenue Properties.

Under the present Corporations Act and under The Business Corporations Act, I am advised that a general meeting, however convened, would not be restricted to considering a motion of adjournment and could indeed elect directors.

In an interview published recently by the Toronto *Daily Star*, the president of Revenue Properties is reported as holding the view that the company cannot hold annual meetings because it is unable to produce certain financial statements and auditors' reports.

However, consideration of holding a general meeting would appear to be open to the directors and the shareholders under the present Act or under The Business Corporations Act, 1970.

Mr. Speaker: The member for Scarborough West.

DETENTIONS UNDER THE WAR MEASURES ACT

Mr. Lewis: I would like to repeat the question to the Attorney General, Mr. Speaker, that I put before. To the Attorney General's knowledge have any detentions been arranged under The War Measures Act in the last 24 hours?

Hon. A. A. Wishart (Minister of Justice): No, Mr. Speaker, I do not know. I did not consult with the police authorities today. But I think perhaps I should take this occasion, if I may, to say that the direction which has gone to the police forces of this province—

Mr. Lewis: Oh, the Attorney General has sent directions?

Hon. Mr. Wishart: I have. I thought perhaps the House might wish to know. On October 19 a memorandum was sent out to all Crown attorneys and I would read it into the record:

> Enclosed is a copy of the substance of the regulations to provide emergency powers for the preservation of public order in Canada, received here by telephone from the federal Department of Justice.
>
> The municipal police forces in Ontario and the Ontario Provincial Police force are being advised that the primary responsibility for enforcement of the regulations should be permitted to rest with the Royal Canadian Mounted Police force and that any relevant information received by the Ontario police shall be forthwith communicated to the RCMP. Counsel appointed by the federal department will represent the Crown in any prosecution or other related matter where counsel is required.
>
> I expect that both you and the police will co-operate fully with the federal authorities and advise me of any case in your area where action is taken under the regulations.
>
> In light of certain newspaper reports which may indicate the contrary, I would add that the extraordinary powers provided apply to the offences mentioned in the regulations and not to ordinary crime.

And I followed that, Mr. Speaker, on the same date, with a letter to the chairman of the Ontario Police Commission, which read:

> Re: Regulations Under
> The War Measures Act
>
> I enclose herewith a copy of a letter I have sent to each of the Crown attorneys. Will you please send an appropriate letter to the various police forces?

Each of these are signed by myself.

This bears on the question directed to me; I have asked that I be advised of whatever happens under The War Measures Act regulations.

Mr. Nixon: Mr. Speaker, a supplementary question of the Attorney General: In his statement to the Crown attorneys he indicates that the powers will be restricted as is indicated in the federal order-in-council. Has it ever been a subject of discussion between the Attorney General and The Minister of Justice or any official of the Justice Department of Canada that these powers would

only be used in connection with the problems in Quebec associated with the FLQ?

Hon. Mr. Wishart: No, no!

Mr. Nixon: No restrictions of that type?

Hon. Mr. Wishart: No, there would be no point, I think, in discussing that point, because there is no question that The War Measures Act has no geographic limitations. It extends across Canada. I think we all realize it was designed for a particular situation almost wholly contained within one province, but it is wide enough to deal with any situation of insurrection, the employment or use of crime or force to overthrow or change a government. There is no question about its geographical extent. There is no limitation on that. It applies to Canada.

Mr. Nixon: A further supplementary, in connection with another part of the minister's statement where he said it is restricted largely to Quebec but applies across Canada, has the Attorney General had any report of activities of the Quebec Provincial Police in the city of Ottawa, which is certainly outside their jurisdiction; and would it be possible that this might occur at the behest of the RCMP?

Hon. Mr. Wishart: I did not think—I was looking at my statement—I did not think I mentioned any reference to Quebec in that.

An hon. member: In the minister's remarks!

Hon. Mr. Wishart: Oh in my remarks. Yes. Have I had . . . ?

Mr. Nixon: Has the minister had any information that the Quebec Provincial Police are operating, to some extent, in the city of Ottawa?

Hon. Mr. Wishart: There was a newspaper report—upon which I have not been able to get full details, I believe it was yesterday—about an officer or a member of the Quebec Provincial Police who had entered premises there and made a search.

Now it is true that The War Measures Act defines a peace officer in very wide terms; any policeman, any member of the armed forces, would be a peace officer. But I think that one would be bound to interpret that, however, insofar as police officers or police constables are concerned, as being peace officers within their own province, their own jurisdiction.

Mr. Lewis: This was the Hull detachment.

Hon. Mr. Wishart: I would think one would have to interpret it that way. I am not sure—and this is the point that I wanted to be clear on—as to whether, and I think it most likely, that Quebec Provincial Police person, if he did enter a premises in Hull, did so probably in the company of a member of the armed forces or the RCMP who would be peace officers and who would be entitled to enter with him.

Mr. Nixon: A supplementary: Would the Attorney General make it clear to those people in the city of Ottawa and elsewhere who have this responsibility in Ontario, that it would be the OPP, under the minister's direction that would be called upon to assist in these matters?

Hon. Mr. Wishart: I think that is clear, not just the OPP, of course, a member of any municipal force could serve. As I say, under The War Measures Act and the regulations any member of the armed forces is a peace officer, so they would not necessarily need to call upon the OPP. I do not think we will have any invasions of our jurisdiction by the Quebec Provincial Police.

Mr. Nixon: Just one more supplementary if you will permit, Mr. Speaker. We are to understand from the Attorney General's statement that he sees no restriction on the use of the special powers as long as it refers only to insurrection. There is no restriction associated with the problem in Quebec so that the minister feels he has a free hand to apply the powers in Ontario the way you have stated?

Hon. Mr. Wishart: I say there is no geographical limitation to the application of The War Measures Act and the regulations thereunder.

Mr. Nixon: But subject limitations?

Hon. Mr. Wishart: No geographical limitations! As to how those wide powers are to be used it is quite clear, certainly in my view, that it relates to the type of insurrection or apprehended insurrection which was mentioned in the proclamation, and it definitely mentioned that it applies to the FLQ in particular and names any group or association which may use crime or force, or attempt to use crime or force, for a change of a government. As I have stated in my memorandum, that is the content in which those regulations shall be applied in this province.

Mr. Speaker: The member for Riverdale has a supplementary?

Mr. J. Renwick (Riverdale): Mr. Speaker, by way of a supplementary question: As the Minister of Justice and Attorney General has stated that the definition of peace officer encompasses the members of the police forces in the Province of Ontario, does his statement giving the responsibility so far as our forces are concerned to the RCMP not amount to either a dissociation by this government from the proclamation, or at least an abdication of their responsibility in this area?

Hon. Mr. Wishart: Mr. Speaker, The War Measures Act and the regulations under the Act were proclaimed by the federal government of Canada with a view to dealing with a situation which affected the national security and public order related generally, as I have said, to one province. But I think there is no question that this being a law of Canada, we must co-operate, as we have done, and the actions of our police, should they have occasion to use this Act or these regulations in this province, should be in full co-operation with the RCMP, as I have indicated. I think it is the federal government's intention and responsibility to then deal with any persons detained under those regulations or The War Measures Act and to carry on the prosecutions.

This is somewhat similar to the situation under other federal Acts. The Drug and Narcotics Act particularly comes to mind, where we assist in apprehensions and detentions. The persons so arrested or detained are then placed in the custody of the RCMP and the charge and the prosecution and all the rest is carried on by the federal authorities. We have approached this in the same way.

Mr. J. Renwick: Mr. Speaker, by way of a supplementary question: Is it not true that the RCMP are specifically authorized by the statute under which they were formed to deal with matters related to narcotics and toxicants and revenue laws and that it is not up to the Attorney General of this province to abdicate his responsibility about the enforcement of a federal law any more than it is for him to abdicate his responsibility for enforcing the Criminal Code, which is also federal law?

Hon. Mr. Wishart: I do not know that the RCMP, in their formation and in the powers and the duties they are given to perform, are restricted as the hon. member suggests. In any event, I think that where the government of Canada, supported by Parliament, has said, "Here is a situation which affects the national security," and these wide and sweeping, drastic measures are called into play, then I think we have a duty to co-operate. I think—perhaps one might argue—that we give up some jurisdiction in this situation in that we say to the federal authorities, "You may prosecute; we leave it to you." An argument might be made, but I would not be prepared to argue very strongly in this situation.

I do think that as the new measures come forward, which the government has promised and is now proposing and which we have discussed with the Minister of Justice in Ottawa, there will be questions of jurisdiction raised; and it has been indicated that we will be consulted and we will take these into account. And I am sure in the viewpoints we put forward we will be very careful to be jealous of our jurisdiction and to see that the provincial jurisdiction is respected and taken into account.

Mr. J. Renwick: Well Mr. Speaker, by way of a final supplementary question so far as I am concerned: Is it not a matter of sufficient constitutional importance that this government, which has been concerned about constitutional matters for several years, should require or at least request the convening of a federal-provincial conference to deal with any such intended legislation and the implications of the present laws?

Hon. Mr. Wishart: Mr. Speaker, we have not seen the draft of the proposed new legislation; we have some knowledge of general terms and some specific terms of what is proposed to be brought forward. If the questions which the hon. member raises with respect to jurisdiction, as it relates to that legislation cause us concern, as they might, then I think we might very well consider, along with the other Attorneys General of the provinces, the question of a conference to deal with the whole matter.

Mr. Speaker: There has been sufficient exploration of this matter. The provincial Treasurer has a reply to a question asked by the member for Windsor West.

CERTIFICATION OF CHEQUE FOR TRADE AND DEVELOPMENT ADVERTISING

Hon. Mr. MacNaughton: Thank you, Mr. Speaker. I did pursue a question asked by the hon. member for Windsor West with respect to the exercise of the authority of the Provincial Auditor in terms of certifica-

tion of a cheque with regard to advertising now being carried out by The Department of Trade and Development. I find on reviewing or pursuing this matter that there is not such refusal engaged upon with the Provincial Auditor and I think it follows then that the Treasury Board has not become involved.

Mr. H. Peacock (Windsor West): Supplementary, Mr. Speaker: Does The Audit Act provide that the Legislature may call on the Provincial Auditor to place the accounts of The Department of Trade and Development under that particular vote before the Legislature now rather than after the conclusion of the fiscal year?

Hon. Mr. MacNaughton: Mr. Speaker, I will have to confess that I am not familiar with the statutes to the extent that the hon. member's question has been raised.

Mr. Peacock: Well, I think it does. I think you should—

Mr. Speaker: Does the Leader of the Opposition have any more questions? Then the member for York Centre.

IMPLEMENTATION OF DESIGN FOR DEVELOPMENT IN TORONTO-CENTRED REGION

Mr. Deacon: A question of the provincial Treasurer, Mr. Speaker: Have municipalities in the Toronto-centred region been advised of the new approach the province will be taking to provide the resources necessary to make the province's design-for-development plan work in this area, as outlined by the Treasurer recently during the consideration of his estimates? Namely: the planning co-ordination; the provision of water and sewage services at competitive rates; the special financial incentives for residential development, and the high-speed transportation access.

Hon. Mr. MacNaughton: Mr. Speaker, we have had some discussions with municipal authorities, particularly with the chairman of Metro and the mayors of the borough municipalities of Metropolitan Toronto. These matters were discussed in general terms at a meeting attended by the Minister of Municipal Affairs and myself and I think we are able to say, as far as those who expressed their concern, or at least, their interest in the matters related to what the hon. member has stated are concerned, that the matters were discussed in a manner satisfactory, at least at this point in time, to the authorities who attended for that purpose.

He indicated that there would be a required element of consistency at least, if certain plans were to be pursued and directions given and accepted, and that certain financial connotations would obviously ensue. We accept that prospect, and we indicated that as the matters clarified themselves as the plan progressed, then of course these were situations that would have to be taken into consideration.

Mr. Deacon: Supplementary, Mr. Speaker: Since the development of Metro is virtually complete and the requirements for services and all the other assistance are largely for areas outside Metro, and co-ordination of planning and so forth is for outside Metro, should the government not have meetings with municipal representatives from those developing areas from the Toronto-centred region other than Metro to ensure that they are aware of these new areas of assistance in which the province will be working?

Hon. Mr. MacNaughton: Yes, I do not see anything unreasonable, Mr. Speaker, about the question which the hon. member has raised and I am reasonably sure that these meetings will transpire. Certain involved areas—one in particular, when one considers that the new regional government of York county is involved—as I say I think all agreed that they should also be involved in certain discussions where the relationship the member referred to would exist. I would say, to go back to my reference to the meeting with the chairman of Metro and the Metro borough mayors, I think they recognize that the pursuit of these situations would be rather limited unless the new regional government of York were brought into the discussions and it concurred in this. It is our intention to resume discussions in that context.

Mr. Deacon: A further supplementary: Would the minister undertake to have such a meeting with the representatives of York specifically, within the very near future and with the others later on?

Hon. Mr. MacNaughton: Mr. Speaker, the Minister of Municipal Affairs has already had one meeting. I have no reason to believe there will not be more as the situation develops and as the plan moves forward. I think that there will have to be a series of meetings. I rather assume—and I think it is fair to assume—that I will be having meetings with these people, the Minister of Municipal Affairs will continue to have them, and many of them may be conducted jointly.

Mr. Lewis: Right! Did the minister see the press release that the member for York Centre had?

Mr. Speaker: Has the Minister of Highways his answer to a question?

HIGHWAY CONSTRUCTION IN BOND LAKE-OAK RIDGES AREA

Hon. G. E. Gomme (Minister of Highways): Yes, Mr. Speaker, I have the answer to a question asked me by the member for York Centre concerning reconstruction of Highway 11 through Bond Lake and Oak Ridges area.

In regard to the suggestion reported to have come from the OWRC that the department change its plans in that particular area, I wish to say the department has been in touch with OWRC and has failed to substantiate the suggestion or recommendation reported to have been made by that authority.

Highway 11 at Bond Lake is presently a four-lane rural section. The department is now reconstructing Highway 11 through this area to a four-lane urban section, with curbs, gutters, storm drains, and so forth, with no increase in the number of lanes. In the redesign, drainage has been confined to its natural watersheds, as existed in the past. From our review of the project there will not be any appreciable increase in flow or change in character from the drainage pattern as it presently exists.

During the week of October 5, at the request of local groups, the department's district construction engineer met locally with the residents of the area to answer questions regarding construction details of Highway 11. Among these questions the matter of drainage was discussed, and I understand that all matters dealt with at this meeting were explained in detail for the residents.

Although the department was unable to verify the suggestion reported to have originated at OWRC, department engineers investigated the possibility of diverting the waters from Bond Lake watershed to the adajcent watershed. The estimated cost of such a project would be in excess of $70,000, an expenditure which the department finds it very difficult to justify. I might point out that problems could arise in the adjacent watershed by diverting these waters. Also it could conceivably result in the lowering of the water table within Bond Lake watershed.

CLEAN UP CONSTRUCTION SITE AT McGOWAN LAKE

Mr. Speaker, the member for Huron-Bruce (Mr. Gaunt) asked me a question about McGowan Lake. All I want to do is tell him the posts were cleaned up yesterday—the few that were in the lake—and we are sending equipment out to take the old piece of pipe out today.

Mr. Speaker: Has the member for Scarborough West any further questions?

Mr. Lewis: No.

Mr. Speaker: Then the member for Wentworth, if he wishes it, has the floor.

CHECK ON SALE OF FIREARMS IN ONTARIO

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker, I have a question of the Attorney General.

What action has been taken by the government, recognizing the reason for The War Measures Act as being terrorist activity in Quebec, to ensure that a curb, or at least a close check, is maintained on the sale of firearms through retail outlets in the province of Ontario?

Hon. Mr. Wishart: Mr. Speaker, nothing with respect to the sale of firearms. We have laws which relate to the registration of handguns and offensive weapons and that sort of thing, but no action on the sale of ordinary firearms.

Mr. Deans: By way of a supplementary question, does the Attorney General not feel, in view of the situation in Quebec and the reasons for The War Measures Act, that to continue the indiscriminate sale of firearms in the province of Ontario is perhaps not proper?

Hon. Mr. Wishart: I have not any feeling at this moment that action is necessary in that area.

Mr. Deans: One final supplementary question: Might I ask then if—oh, I will let it go.

Mr. Speaker: The provincial Treasurer has the reply to a question asked by the member for Hamilton East (Mr. Gisborn).

EIO LOAN TO McCOY FOUNDRY, HAMILTON

Hon. Mr. MacNaughton: Yes, Mr. Speaker, on October 20, I believe, the hon. member for Hamilton East asked me to review a matter related to a $500,000 loan to Archie McCoy of Hamilton Limited.

I have reviewed the matter and I would point out that in the first place it is not an unrecoverable loan, as the hon. member stated, it is a fully recoverable term loan.

A settlement from the city of Hamilton for expropriated plants and properties was in the order of $950,000. Of this, some $200,000 was required to recover certain of the moving expenses, together with the loss of business incurred during the transition of the new plant to Beverly township.

Net moneys available then to the company, as a result of the sale was $750,000, and this was insufficient. Financially expanded facilities which the company has put into operation at its new location cost some $1.3 million. The Ontario Development Corporation loan of $500,000 was made to enable the company to bridge this gap, expand its facilities, upgrade its equipment and provide 30 additional jobs over and above the existing work force which had been employed in Hamilton. The total of new jobs is forecast to rise to 70.

I think that the principal matter involved in the hon. member's question is that it is a fully recoverable term loan.

Mr. R. Gisborn (Hamilton East): A supplementary to the answer from the hon. Treasurer: Inasmuch as he has cleared an obvious mistake, would the minister check with The Department of Trade and Development as to the verification and accuracy of the dossier records they put out? Pointing out people who receive loans under the equalization of industrial opportunity plan is where the mistake was made. I feel that the minister should make sure that those records are correct so that we do not make mistakes that reflect a wrong impression.

Hon. Mr. MacNaughton: Yes, Mr. Speaker, I think the best way for me to do that is to bring it to the attention of the minister when he returns early next week.

Mr. Speaker: The member for Port Arthur.

COMPENSATION TO INNOCENT DETAINED UNDER WAR MEASURES ACT

Mr. R. H. Knight: Mr. Speaker, I have a question of the Prime Minister. I wonder if the Prime Minister could tell the House whether his government has any programme, or any way or means of compensating the innocent who suffer defamation of character and notoriety by being arrested under The War Measures Act, questioned, and then sent back to the community? Is there any way these people are compensated for this great loss?

Hon. Mr. Robarts: Not that I know of, Mr. Speaker.

Mr. Speaker: The member for Huron-Bruce.

REQUEST FOR WITHDRAWAL OF HIGHWAYS BILL 197

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the minister of Highways. Will the minister withdraw Bill 197, in view of the rather lively discussion which ensued over the Bill 199 introduced by the Minister of Public Works yesterday?

Hon. Mr. Gomme: Mr. Speaker, unfortunately I was attending to business in another part of the province yesterday, and I did not read that discussion yet. But I would say no, that I will not withdraw it, that we will proceed with it.

Mr. Gaunt: The minister had better read the discussion.

Mr. Lewis: Right!

Interjections by hon. members.

Mr. Speaker: The member for Lakeshore.

Mr. Gaunt: He had better read it.

INVOKING OF EMERGENCY MEASURES ACT IN ONTARIO

Mr. Lawlor: To the Minister of Justice: Why has he not invoked the provisions of The Emergency Measures Act of Ontario, as he is obliged to do once the federal War Measures Act comes into effect?

Hon. Mr. Wishart: I do not believe, Mr. Speaker, that I am obliged to do it.

Mr. Lawlor: Read the Act.

Mr. Lewis: By way of supplmentary, Mr. Speaker: What are the obligations of the Attorney General in Ontario, since within the province of Quebec, if I understand it, all the jurisdiction of The War Measures Act falls within the prerogative of the Attorney General, and none of it has been surrendered or abdicated to federal implementation? Why is he setting this precedent in the Province of Ontario? Does he not think that the people of Ontario would have some security if they felt that the Attorney General here were to have authority, rather than just to have advice sought from him?

Hon. Mr. Wishart: I think, Mr. Speaker, the fact that I have directed that the provisions and the regulations of The War Measures Act are to apply only to those very definite things stated and mentioned therein is the security which we require, and that the ordinary prosecution of the Criminal Code remains as before. I think that is my position and I do not think it needs to be altered.

Mr. Lewis: Well, you have given away more than the other Attorneys General, Mr. Speaker.

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY ACT, 1965

Hon. Mr. Auld moves first reading of bill intitutled, An Act to amend The Centennial Centre of Science and Technology Act, 1965.

Motion agreed to; first reading of the bill.

Hon. J. A. C. Auld (Minister of Tourism and Information): Mr. Speaker, the proposed amendments do three things. They change the name of the centre from the Centennial Centre of Science and Technology to the Ontario Science Centre, which is what it is commonly known as.

The quorum of the board of trustees is changed from a simple majority to seven; and the amendment adds the centre itself to the matters exempt from taxation, to ensure that the exemption includes taxes not based on property, business or income.

Mr. Speaker: Orders of the day.

Clerk of the House: The fifteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES OF THE DEPARTMENT OF MUNICIPAL AFFAIRS
(continued)

On vote 1402.

Mr. Chairman: The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Continuing with the vote of provincial assessment, I have several things here I would like to speak of and then we can get into a discussion of the relief of farm taxation under this vote as well.

First of all, as I have mentioned previously, it is somewhat encouraging to see that the government, and particularly the Minister of Municipal Affairs (Mr. McKeough), is now recognizing that there has indeed been a shift of assessment from industrial and commercial to residential assessments. This we have been trying to impress upon him for the past year, but received only the answer that if industrial assessment did go down it meant they were paying too much taxes before. I was never convinced this was correct. The results have been very, very devastating in certain areas of the province, so much so that in two selected areas, the region of York and the county of Peel, the minister has now undertaken to do something about it quickly enough to affect their 1971 tax. I, personally, would like to know why there are not included, along with these areas, other areas in the province that have suffered equally as severely as the two aforementioned areas. Industrial shift has been tremendous in areas such as Preston and Hespeler, as has the shift in assessment for market value in some other smaller communities, and particularly the shift to cottage owners in the Amabel township area.

The minister is quite aware of what has happened in Hespeler. We will not go into the details of that; there is a 16-mill shift. They have invoked, Mr. Chairman, the provisions of Bill 142, or at least I should say they are wrestling with the provisions of 142 and trying to draw up municipal bylaws which would permit them to invoke those provisions. So complicated is this procedure —and I hope the minister realizes this—that as yet in the town of Hespeler they have not

been able to strike a mill rate for this current year. They have had two interim bills but as yet they are unable to strike a mill rate.

Likewise, in the town of Preston there has been a tremendous shift. The provisions of Bill 172 permit the redrafting of the rolls, showing those that have suffered increases of over $50 and decreases of $50. Then the municipal council must make a decision as to how it is going to deal with those who have been severely dealt with. The provisions of that bill do not do anything to alleviate the hardships caused by a shift from industrial to residential assessment.

The reason—and I am sure the minister must be aware that this does not look after these instances—is that where you have a great many residents increased by a very little bit it will not allow the provisions to be implemented. At the same time the industrial people, who are much fewer in numbers, receive the benefits of the numerous small increases that have been heaped upon the residential owners.

The figure $100,000 is the figure that the residents who are property owners in the town of Preston must bear this year. This was formerly borne by industry. No one surely, could say that this is a better method of assessment. Industry has its provision. They have the facility to build the cost of their property tax into the selling price of their product. This of course, is not available to a farmer or to a resident property owner. So consequently, I think we have to point out here the shortcoming of Bill 172. The minister said there were eight municipalities—is that correct—I believe, that have invoked this. I wonder if later he would tell me which eight municipalities use the provisions of this legislation and how successful they have been in relieving the hardship which occurred to the residential property owners?

Also I would particularly like to know why he is not doing anything for areas in the province, other than those of York region and Peel county? Would the minister like to discuss that point, Mr. Chairman, before I go on? Would the minister like to reply to those points before I go on to the next, or has he not been listening?

Hon. W. D. McKeough (Minister of Municipal Affairs): There are two or three questions here. First of all those municipalities—and I am not sure that this is up to date, and I am not sure that it is necessarily completely correct. We received 27 inquiries; eight have opted to go under The Municipal Act, five under The Assessment Act, 10 under none and four are undecided.

The ones that went under The Municipal Act—which is the member's question—were Aurora, Newmarket, Woodbridge, East Gwillimbury, Vaughan, Mississauga—of course Hespeler have not yet, but I think it will—Preston I have down, but I am not sure of Preston.

Now to the other questions: The member mentions Hespeler. Hespeler, of course, has some difficulty in terms of a shift. Hespeler has enormous difficulties in terms of something which happened long before reassessment was even heard of.

Mr. Good: This I am aware of, we discussed that.

Hon. Mr. McKeough: Certain industry, I suppose—that court case has worried the department—and, I would hope, the municipalities, but perhaps not as much as any other court case in recent assessment history.

There were appeals in 1966 by one industry and then it spread to three industries. I think settlements have been reached, or are about to be reached, with those three industries which will involve writing off a considerable amount of taxation for the last three or four years.

There is no question that Hespeler finds itself in somewhat of a bind and a difficult position, aside from reassessment. In fact I think I could put it this way, the difficulties of reassessment are relatively minor in Hespeler compared to the court case difficulties which started three years ago.

The member also asked why the announcement made by the Prime Minister (Mr. Robarts) on October 6 confined itself to Peel and York. I do not preclude the possibility of other areas being considered. It is much easier for us to deal in terms of two complete units, a county and a region. Undoubtedly some of the relief measures which will be developed in the course of our studies and consultation and ultimate implementation would have regional-wide significance. We will move ahead on that basis. If we find in the process that we are able to pick up some of the other areas which have been reassessed we will do so, but initially our studies will be confined to the two total areas.

Mr. Good: Dealing once more with the shift—and I understand that your studies in these two areas will be primarily concerned with the shift of assessment—many of the areas that have not gone through the market

value assessment are just scared silly about the implications. The minister must realize that with most residential property, there is a short-fall of taxation generated by that property as far as the municipality is concerned. Consequently, the industrial assessment is of prime importance to every municipality and each municipality has guarded very jealously the facilities they have for industrial assessment.

Now unless we put some safeguards into this market value assessment, it is going to eliminate this shift from industrial to residential property. It is going to be even worse than the situation which now exists, where municipalities are reluctant to allow low-priced housing into their area because it does not generate enough taxation to pay its way. This is half the problem in our province. The property tax is looked upon to pay for a lot of things which, in fact, it should not be paying for. Your low cost housing is something which is shunned by many muncipalities for that very reason. If you are going to impose more tax burdens on residential property you are going to create more problems all across the province.

A matter was referred to the other day and I would like to say a word on that—the matter of dividing assessment between land and building. I am sure the minister has read the article put out by the Bureau of Municipal Research. If he has not he certainly should read every word of it, including the *Globe and Mail* editorial this morning. It gives strong argument, the same as we had given and I had given in committee when The Assessment Act went through, that you are disadvantaging an individual who tries to appeal his assessment when you do not give him the breakdown of his lot and property. Your assessing department will have it; they will break it down—

Hon. Mr. McKeough: Is it the recommendation of the bureau that it should be broken down here?

Mr. Good: Why, it will just show the short-falls, or what happens when it is not broken down. Have you read your latest release that came out last week?

Hon. Mr. McKeough: Yes, I have, and it does not call for breaking down between land and buildings.

Mr. Good: Let me read it to you.

> Although the argument for a single recorded total assessment is a logical consequence of the theory of market value assessment, it is not a logical consequence of the realities of current assessment practices.

In other words, you are saying one thing in theory and your assessors are doing something else in practice. This is what I say; when they are assessing land they are still assessors, do not forget, they are not real estate appraisers who go out and appraise property. They are still assessors and as long as they are assessors, they are going to be putting down on their appraisal cards, to which the home owner never has access. This is where I say the unfairness creeps into it. When it comes to an appeal your assessment people will have access to the breakdown and they can use it where it is advantageous or not use it where it is disadvantageous, whichever they see fit. But the individual property owner will not have a clue as to how he is going to be assessed for land and buildings. I think there is a very great disadvantage there.

Maybe you do not interpret this the same way I do, but the article by the municipal research bureau says:

> The assessment division has the cart before the horse. There are strong arguments for keeping the policies of information disclosure on assessment rolls consistent with assessment practices rather than assessment theories. As long as the division continues to use assessment practices that make a substantive division between land and building, the result ought to be reported in a similar manner.

In other words, if they are using one manner to assess, you should give access to that information to the person who wants to appeal his assesment.

Coupled with that argument, of course, is what are you going to do if a person tears down the building on his land; you have no division of the assessment? In some cases it may be true the land is worth more without the building, in which case I am sure the assessment department will be very quick to draw it to the attention of the appeal court.

Getting on to this matter of the farm assessment, which was referred to—

Mr. I. Deans (Wentworth): Could I speak on this particular point? Thank you.

I raised this with the minister on Tuesday evening and we had some discussion. I think we all recognize that there are occasions and circumstances where the assessment of land and buildings as a total, rather than

as separate items, may well be necessary. It is pretty difficult in downtown Toronto to assess the value of a piece of land upon which sits an office tower that occupies the entire piece of land and to somehow separate the assessment. But I think when you are trying to apply this separation, or the total package to properties, homes and pieces of land upon which they are sitting, it becomes pretty difficult.

I think we are going to have to have two approaches to the reassessment in the province. I think one approach may well be the total assessment of land and buildings when we are dealing with commercial properties in the downtown core where the building itself in actual fact determines the value of the land. But I think when we are talking about the assessment of a piece of proprety and of a house that is sitting on it, it is much more difficult for the individual, if he wants to appeal his assessment to determine where the error was made—when he feels an error was made—if he does not know the relative assessed values of the two pieces.

What we have happening is that up to today they are assessed as separate items and up to today everyone—I say everyone, maybe not everyone but the majority of people—base appeals on either a land assessment or a building assessment being improper. Unless they can somehow have a history of the manner in which the assessment was done, and the basis for the assessment, it is going to be very, very difficult for them to go before any court of appeal and try to win their case.

I think the research document that was being referred to by the member for Waterloo North contains some recommendations. I think the recommendations were valuable and, while the news brief he read from did not have them, the book itself did. And the bureau of municipal research, did recommend four things. I do not know if the minister is familiar with them, but I suspect he is. You are familiar with the recommendations made by the bureau of municipal research?

There is some validity to what they are saying. I think it is important that the basis upon which the assessment is done is open to public scrutiny. I think it is important to me, for example, if I want to lodge an appeal against the assessment on my home and property, to be able to first of all compare it with what I consider to be, from the outside, similar properties in the area. I think that is important.

How can I possibly tell whether I am being accurately assessed, or whether the assessment practices are being equitably applied, unless I am unable to compare my property with one down the street, around the corner, or in another part of the town or city and see if it was applied in the same way there?

I think the recommendation that was put forward by the bureau of municipal research is very important. In fact, I think all the the recommendations are important and I think are recommendations the minister could well pay attention to. I have put them on the record so that at some point we might refer to them.

The first recommendation was that the recommendation which prevents assessors or employees of the municipality from disclosing information to the public which is not on the assessment roll, should be deleted. I think that this is important. I think that it makes for a more honest approach to the whole assessment problem, in addition to many other things it does.

The second recommendation is that appropriate legislation should be brought in to permit assessors to discuss or to make public any assessment information pertinent to their work. This is what I was saying to you the other night.

One of the major problems that you are facing is that there is tremendous doubt in the minds of people about the manner in which the assessment is being applied. There is a great deal of mistrust developing throughout the province, and this can only be overcome if you are prepared to make public the records and the manner in which the assessment is being done and the conditions under which the assessors are forced to work.

I think with the third, the assessment roll should carry more complete information on rental data, the type of structure, including the dimensions, and activity for which the property is being used. If I were going to appeal an assessment and I was trying to compare my property with someone else's, and this is really what the assessment is based on in the first place—the relative value of similar properties—then I would have to be absolutely sure that my property was the same size and was being used for similar things, and unless I have access to records, how can I make sure of this?

I can hardly walk up to the door of an individual whom I do not know, living five or six blocks or even miles away and say to him, "Would you please tell me what you use your property for as I might want to use yours as a basis for an appeal". I surely can-

not be expected to walk up and down the streets until I find one who is going to talk to me, and I think that this is important.

I think that in the fourth—that members of the public should be permitted access to assessment files on individual properties in order to provide a history in the assessment for those properties—the same argument carries a lot of weight in that particular recommendation too.

I would ask the minister to do this and do it now. Do it while there is still a chance to recoup some of the lost favour that there is with what is happening. People are actually afraid of the reassessment. People are worried sick about it; they have heard all of the tales of Mississauga, many of them true, and they have heard all of the tales of reassessment in the other areas, in my particular area and in the Stoney Creek area, and they are concerned.

They see the reassessment as being some great, huge ogre that is going to come along and hike their taxes, because, let us be fair, that is what has been happening, generally speaking; the tax shift was not compensated for early enough—and this is prior to the provincial takeover and since—to offset the tax increases that were in effect, and people now are very wary of the whole change. I do not think anyone denies the need for reassessment. I think it is just simply a matter of what was said by the member for Waterloo North as he quoted the bureau brief, that the cart was put before the horse.

I want also, in regard to the reassessment and assessment in general, to say to the minister that, as he is probably aware assessment is the basis for education grants. There have been municipalities who have lost assessment because of reassessment and because of changes in the structure. And because they have lost assessment they have lost portions of education grants that were previously available. They still have the same schools to operate—

Hon. Mr. McKeough: It is the reverse.

Mr. Deans: Well, let me say to you then that the information I get is that in York there was a loss of something in the order of $2 million to education grants over regional government changeover, on its introduction; and I understand that this situation is also true elsewhere. The minister shakes his head, no. I will tell you what we should do.

Hon. Mr. McKeough: Well, presumably if the assessment goes down your grant would go up.

Mr. Deans: No, no.

Mr. Good: You equalize them.

Mr. Deans: No, they do not. This is why I was about to say to you, that you should get together with the Minister of Education (Mr. Davis) and try to make sure that municipalities are not being forced to carry additional burdens as a result of the reassessment which has not been properly adjusted to meet the needs. I do not think you or anyone else intended to impose an additional burden on people who could not afford it, but you have done it. And the fact that you have done it has been for the reasons I enunciated on Tuesday night. The whole thing has been done hastily and in actual fact there was no attempt made to compensate for the tax shift, not quickly enough anyway, and some of them, even yet, have not been compensated for.

Whether it be provincial reassessment or whether it be assessment that was done by municipalities prior to the province taking it over is of little consequence. The truth of the matter now is that we are faced with reassessment provincewide, and that hopefully some day we will all be assessed on the same basis, and until that happens let us not permit people to be discriminated against, let us not permit people to be overburdened by taxes.

I have other matters but again I will yield to my colleague, or my friend here, to raise what he wanted to raise.

Hon. Mr. McKeough: Presumably you would like a reply?

Mr. Deans: Yes, I would, very much.

Hon. Mr. McKeough: I should first of all say that I have not had a chance to more than glance through what appears to be a very excellent report of the Bureau of Municipal Research. When one talks about shifts, of course, one should refer to page 20 of that particular document and read that 91 per cent of single family dwellings, four to five years old, have experienced decreases; 99 per cent of single family dwellings, seven to 15 years old, have decreases. It is also true that there were increases in certain categories, but simply to say that there was a shift—

Mr. Deans: Could we talk about the increases too, please?

Hon. Mr. McKeough: Yes, the overall figures which we have given before, show that 60 per cent of the residential property is

either paying the same amount or less. I think actually that that figure is now 72 per cent, and it means then that 28 per cent of the residential taxes rose. It is not correct, of course, to say that there was a substantial shift. The shift, for the most part by our analysis, was in two places: One, on large lots in Mississauga—and we have been through this discussion before—and the other on vacant residential land. Both of which raised the residential total, but it does not necessarily say that there was a shift to the residential home owners when 72 per cent of them actually paid less or paid the same amount. The totals reflected a shift but I do not think the individual circumstances reflected a shift.

However, I suppose until we have had an opportunity of checking the research done by the bureau with our research and that of the town of Mississauga, I perhaps should not make any further comments other than to say that I think it is a well done report. I think that I would have to say that the first pages justify the reason for the transfer of the assessment function to the province, which seems to be still lingering in the minds of some as a problem.

However, dealing with the recommendations, and I do want to say this, we have prepared some notes on the four specific recommendations and I want to say that these are a very preliminary answer to the recommendations and that we do want to look at them in some depth, and I would propose to try and have a discussion with the authors of the bureau's report to see if we cannot find a meeting of the minds. It is not correct of course, we are talking about apples and oranges when we talk about what the bureau referred to in this report and a simple breakdown of lands and buildings. To break down the assessment on the assessment notice into land, buildings and total, would not in itself satisfy any one of the four recommendations. Obviously the bureau have something more in mind than that. In fact, this report does not take issue with the single total at all. The previous report took some issue with it.

Mr. Good: Yes, September 1970 does.

Hon. Mr. MecKeough: The first proposed change is to section 78, which prevents assessors from releasing that information which they gather in the course of their duties, which is not included in the assessment roll. By the very nature of their work much of the data gathered by assessors is confidential.

Most companies, corporations for example, are willing to give the assessor their full and complete co-operation in discussing rental data, mortgage and financing arrangements, tenants' improvements to rented property and so on. And we are quite sure—and I think this is reasonable—that they would be much less willing to volunteer this kind of information to us and to assure us of the complete co-operation which our assessor needs, over and above their legal obligation to do so, were they placed at a competitive disadvantage by publicly releasing figures which could put them at a disadvantage with their competitors who might have been less co-operative than they were. We think some of this information is privileged to the owner of a property, if he has commercial property. It seems to me there are two categories in this which are nobody's business but the owner's. It is helpful for us to have it. We do not propose to pass it on to anyone else—that is, owner's mortgage arrangements, rates of interest, length of the mortgage and perhaps any rental information, growth or otherwise.

Mr. Deans: Do you insist on getting that information?

Hon. Mr. McKeough: No, we ask for their co-operation. I think it is because the assessors, not just the provincial assessors, but I think because assessors generally over the years have built up with many people the appearance and the actual fact of confidentiality, that this information has been relatively easy to get. We get it in enough instances that we can draw some comparisons.

Mr. Deans: I do not want to keep interjecting. I just like to get things clear while they are in mind. Could you tell me, then, what use in assessing the market value of lands and property that knowing the interest rates and the amount of indebtedness could possibly be?

Hon. Mr. McKeough: Sure, that reflects on the value of the building, for one thing. It may be that—and I think this comparison was used in the House not long ago—somebody may pay, I might pay, $100,000 for your house and I would do so on the basis of your giving me a 3 per cent mortgage. On the other hand, if I went to a mortgage company, who were going to charge me 10 per cent or 11 per cent, I suspect I would not pay more than $50,000 for the house. So that on the market value, which is regis-

tered in the registry office, of $100,000 or $50,000, there is a very definite impact by the type of financing arrangements which were arranged between the buyer and seller.

Mr. Deans: If I may, Mr. Chairman, am I to assume then that in every assessment situation, if a person in a home somehow or other still had a 5 per cent mortgage, or at least a portion of his mortgage was at 5 per cent, this is taken into consideration in determining the market value?

Hon. Mr. McKeough: No, the house is obviously worth either $50,000 or $100,000, but it is not worth both. The market value, I suppose, is what a willing buyer would pay a willing seller on a cash basis—and how often are these things on a cash basis? If they are not at a current rate of interest and if there is something peculiar about the rate of interest, then I think it reflects on the market value.

Mr. Deans: All right.

Hon. Mr. McKeough: Perhaps the member might allow me to finish my comments.

Mr. Deans: Can we go back to that then later, because I want to—

Hon. Mr. McKeough: On the specific recommendations: In their second proposal, the bill suggests the enactment of legislation to permit assessors to discuss or make public any assessment information pertinent to their work. This has empowered an extension of the first proposal. Insofar as this point relates to assessment procedures, I would point out that our assessment commissioners, our area directors and our staffs spend many hours explaining the procedures to the public at ratepayers' meetings, to service clubs and to individuals at the assessment offices. And any individual—I think that is guaranteed in the legislation—any individual who wants to know how his assessment was arrived at can go and get the information, and obviously this is where frankly I think the bureau's recommendation is a little ridiculous. Because the number of things that are on the appraisal card include, for example, the number of square feet; it might include how it was heated. It includes the number of bathrooms; it includes the garage; it may include some comment about the condition of the house, the size of the lot. Obviously by legislation it would be completely impractical to put that on the assessment roll and in effect on the assessment notice which goes out in the mail but—

Interjection by an hon. member.

Hon. Mr. McKeough: Do you want to let me finish or do you want to talk?

Mr. Deans: I would like to do both.

Hon. Mr. McKeough: Obviously if the person goes to the office, that information is completely available to him. The assessor will pull out the card and go over it with him and discuss it with him. Secondly, what the assessor will do—and he is not legally bound to do this and I do not think he should be legally bound to do it—but the person may well say, "What is the house next door assessed at?" "What is the one down the street assessed at?" "What are those three houses assessed at?" and the assessor will provide that kind of information. Now, he will not provide for that person the kind of confidential information as to what their mortgage arrangements were, or if it was a rented house, what the rent is. That is nobody else's business except the person who is the owner or the tenant. They are not in the business of assisting anyone trying to find out what financial circumstances may have prompted the assessor to change the assessment on a particular house or piece of property.

I do not want to indicate in the answer to these two questions that all is perfect and that all is well. Certainly last year when the roll was closed in Missassauga there was simply no time for the assessors, in 1969, to sit down and try and answer those kind of questions. I think we have done a somewhat better job this year.

I can only tell you that the job can only go forward and not back. We are prepared. We will have to acquire staff, time, space and money, both for public meetings—if I can put it that way—and obviously at a public meeting I do not think you discuss individual cases, and at private meetings, where I think you might discuss individual cases.

The third recommendation—and I think I have touched on this—suggests that assessment rolls should contain more complete data on the structure, the use of the property and rental information. I think any wholesale expansion of the information on the assessment roll would increase costs and I do not think that the cost increases are justified at this time. I also have some doubt about the propriety of putting all this on what in effect is a public document, namely the roll, and therefore the notice.

Finally, they recommend that members of the public should be permitted access to assessment files on individual properties. As I pointed out, any property owner, or any person designated by the owner as his agent, is given access to all information in the assessment files concerning his or her property, but I cannot accept the argument that any person should be allowed access to the assessment files on the property of any other person.

This position is not taken to hide assessment procedures from public view, but it is in our own best interest, as well as the interest of the public, not to have these procedures publicized; otherwise, perhaps, it would be done. But I think there must be some area of confidentiality and I am trying to draw a distinction which is difficult to draw—

Mr. E. Sargent (Grey-Bruce): Why should they not be wide open?

Hon. Mr. McKeough: Because I do not think it is anybody's business to go into an assessment office and demand to see the assessor's card on Eddie Sargent's house and find out that he has 10 bathrooms, four washrooms, no heat, and that he is carrying a mortgage at whatever he is carrying it at. I do not think that is my business.

Mr. Sargent: We have always had a policy—

Hon. Mr. McKeough: You have not had that information. It is not on the assessment roll. It is in the appraiser's trust; it is in the appraiser's cards.

Mr. Sargent: The cards are open to anybody.

Hon. Mr. McKeough: And the assessor gives that information out? If that is the way they did in Owen Sound, fine. I do not know whether they did or did not.

Mr. Sargent: It was on my orders as mayor that they did it.

Hon. Mr. McKeough: I have some doubts as to the propriety of giving out all that information to someone else.

I have no objection, and I do not think the assessor's have any objection, to discussing the total amount. You cannot legislate this sort of thing. If somebody comes in and says, "My assessment is $21,000 and I think it is too high," the assessor explains to him how it was arrived at; he looks at that appraisal card and finds out the number of bathrooms—I seem a little hepped on bathrooms today—the number of square feet, which the owner knows, and then he may well say, "Okay, what is the assessment on Mr. Sargent's house?" I think he then has some idea of market value, if we are using market value, and he will relate that to market value. But if he says "Well, Mr. Sargeant's house is assessed much too low, perhaps the appraiser may have a look at the card to see.

Mr. V. M. Singer (Downsview): And say Mr. Sargent has three less bathrooms?

Hon. Mr. McKeough: He may, but I do not think this is something which—and the assessor is doing the looking at this point. He is not handing that document to the person who came into the office and saying, "Here it is, it is public knowledge." There is a difference, surely, between what the assessor does himself, by looking at the card and passing on information, than in making that roll in effect public for everybody to walk in and have a look at it?

Mr. Singer: Surely you can get it on cross-examination at an assessment appeal hearing?

Hon. Mr. McKeough: After we assumed the responsibility for the assessment function on January 1, 1970, it became apparent to me, through complaints which I received from lawyers, from real estate appaisers, and from others, that there had been a great deal of variation in municipal policies relating to the disclosure of assessment information. Obviously, from what the member for Grey-Bruce tells us, they did it a little differently in Owen Sound.

We found, on close examination of municipal policies, that it was common practice in some areas for the secretaries of law firms, real estate agents, and indeed of credit bureaus, to merely phone the assessment department and be given virtually any information which they wanted. At the time, we took a conscientious decision, a conscious decision, that our assessment officers would not follow that practice.

The real question here is, of course, where to draw the line between that information which should be readily available to anyone who wishes to obtain it, and the legitimate right of individuals to privacy concerning their personal affairs. I think the greatest danger here is not inadequate arrangements for disclosure of information, but rather the danger of eroding individual rights.

Interjections by hon. members.

Hon. Mr. McKeough: I think we have drawn the line in the proper place. Some, of course—obviously the member for Downsview—feel otherwise. I am willing to consider changes in our information disclosure policies and, as I have said, we will examine the recommendations of the bureau of municipal research. I am interested in the comments of the members opposite. We do not think we can ever be involved in giving out large quantities of otherwise confidential data in what would really amount to a wholesale manner. This would be a benefit to certain interests. I think it would be a detriment to the public as a whole. As I say again, we are going to examine these recommendations of the bureau. It is a good report. It is well done. I would like to consider the implications of them further before I finally make up my mind as to whether we should broaden our practices or not.

Mr. Chairman: The member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. I cannot agree with the minister in this. I think that if you have certain procedures that are followed and certain matters which have a certain weight within the total assessment of a property, then, surely, those things have to be available for the people who want to, if they want to appeal assessment. It is hard. What kind of weight does the assessment department place on the various items that they have on the cards, the personal cards of the assessed property?

Hon. Mr. McKeough: I am sorry?

Mr. Deans: What I am trying to find out is this. You have got a number of things on the cards, things which you claim should be confidential. To begin with, I do not happen to agree with you. First of all, when a thing should be confidential and yet has a bearing on assessed value, or market value, I am a little worried about how you can reasonably expect people to be able to lodge sensible appeals against their assessment, if they are not privy to this information.

I do not see how you can argue that we have to know—in some instances we do not have to know—and that if the people are prepared to tell us we will use it as part of the reassessment. If they are not prepared to tell us that is okay, it then will not affect it. Surely to goodness if a thing is going to be taken into consideration in determining market value, it should either be mandatory that it be told or it should not be told at all to begin with.

I do not agree that we should take into consideration the mortgage interest rates on industrial properties, for example. The reason I do not agree is that many of the industrial properties have been refinanced with the property used as the collateral and, therefore, the mortgage is applied against it to do other things. The fact that it has a high mortgage interest rate, because it has been applied in the current year, is used to reduce the assessed or the market value of the property. Do you understand what I am saying on that?

Hon. Mr. McKeough: Yes, but it works both ways.

Mr. Deans: I do not agree that that is a principle or a practice that should be followed in determining market value. It became then a matter that an individual can have a reduction because his lien or mortgage against his property is assessed at a nine per cent interest rate. The money which has been raised may have no bearing on the actual property itself. It can be used for some entirely different purpose. I think that this is wrong.

Now in the case of the residential properties, if the things that are being taken into consideration in determining the market value cannot be made public then they should not be taken into consideration.

Hon. Mr. McKeough: Nobody is saying that they should not be made public, but not specifically public.

Mr. Deans: I am sorry; I was caught in a conversation here. Cold you repeat that, please?

Hon. Mr. McKeough: Nobody is saying that they should not be made public. It is the individual ones that should not be made public.

Mr. Deans: That is the import of the whole thing, and we go back through the same sort of futile exercise. I get my assessment notice and I look at it and I think, "My God, the assessment has gone up". That seems unfair to me. I wonder why. So I go down to the assessment officer and I say to him, "Why is it that I am assessed at the level I am assessed?" He draws out my card and he tells me I have one and one-half bathrooms.

Hon. Mr. McKeough: No, he would show you your card.

Mr. Deans: All right. He gives it to me, then, and I look at it and I have X number of bathrooms, as you say, and two or three swimming pools. Whatever it is that I have, those are the matters that are taken into consideration for assessment purposes. I then say to him, "How does my house differ? What is the assessment of the house at the corner of Elm and Main?" He says, "Oh, that assessment is a little different from yours. It is such-and-such a level". As I understand it, that house is the same as mine. I have not noticed any difference. It was built by the same builder.

Hon. Mr. McKeough: He will explain the differences.

Mr. Deans: He will explain. He will show me the differences in assessment. Well, what then? You are saying that this cannot be made public. Where is the confidentiality then in that?

Hon. Mr. McKeough: I think there is an awful difference between someone walking into an office and asking for an explanation on that kind of a basis and saying, "Why is the house down the street assessed for less than mine in total?" I think there is an obligation on the assessor at that point to explain it. The assessor, after all, is not interested in having every assessment go to court.

Mr. Deans: But you say he is not obligated to say it.

Hon. Mr. McKeough: He is not obligated. He is obligated, I suppose, as an employee to explain it to the best of his ability. There is no obligation. The only way that you could, if you were going to put the obligation, is to make these figures public. Then they could be truly public and they could be paraded out from one end of the street to the other, which I do not think is the intent.

Mr. Deans: This is fine; this may be so. It could be paraded from one end of the street to the other, but at least it would be paraded for everyone. What possible difference could it make as long as the things that are being considered are equal? I want to make is clear right off the bat that I do not think interest rates to be an integral part of market value. I happen to believe that the fact that refinancing can take place at a moment's notice completely destroys the credibility of using interest rates as a part of the determination of market value. I want to make that clear now.

I think that all other things, whether a house has two bathrooms or one, surely to goodness, that is not infringing on the privacy of the individual, if you are going to use it as one of the factors for the determination of the market value. Surely to goodness, if it has a recreation room or no recreation room, as long as it is accurately reported then it is not infringing on the rights of the individual if you consider it to be an integral part of determining in market value.

I do not understand how it is that you can say, on the one hand, that I can go in if I happen to think I want to appeal, I can ask to see—and you would expect that I would be able to see all of the card, or at least be told what is contained and what is now a confidential record of any number of my neighbours that I want to know about, because I have to in order to compare my assessment against theirs—and then turn around in the next breath and tell me that this confidential information should not be made available. Now there is something wrong in the logic some place. If I can do it, then it is not confidential.

Mr. Singer: Mr. Chairman.

Mr. Chairman: On that point?

Mr. Singer: On that point.

Mr. Chairman: Go ahead, on this point.

Mr. Singer: Yes, Mr. Chairman, I fail to follow the minister in this at all. I really do. He talked about everyone wanting to know about everyone else's mortgage. There is a very simple way that you can find out about mortgages. You go to the registry office and look.

Hon. Mr. McKeough: That is right. I do not quarrel with that at all.

Mr. Singer: The relationship of a mortgage on a particular property to its actual value again escapes me, unless you know the whole of the credit rating of the person involved—maybe he is a very bad credit risk and he has to pay very high rates for a mortgage. It may be that the mortgage on a particular property is collateral to all sorts of business deals. Without the complete information the exact relationship is almost impossible to tell.

Now what difference does it make if it is available in the office of the assessor or it is available in the registry office; there it is in the registry office for the world to see and that is part of government policy.

On the other hand, I think the hon. member for Wentworth makes a very good point: As an individual who feels his new assessment is too high, how do you compare your assessment with your neighbour's assessment or with somebody's 10 blocks away? The theory has been advanced, and I support it, that under the Grey system of assessment in Metropolitan Toronto there were about 99 different neighbourhood series of evaluations and often the argument was made during the course of assessment appeals that it would be reasonable to compare a house on a street in Forest Hill with a house on a street in North York, or a house at Avenue Road and Bloor Street with a house at Jane and Wilson; and surely, Mr. Chairman, that is the citizen's right.

If the minister and his colleagues are sincere in their thought that we are now going to have equalized assessment all across the province and if this is the minister's best answer to the criticisms that we have advanced about provincial control of assesment all across the province—I do not believe it can ever come about and I think the minister is about ready to throw his hat in on this anyway—then surely, Mr. Chairman, the information must be available to citizens who want to concern themselves about comparative assessment rates.

It really does not matter if assessment is for full value or for 20 per cent of value as long as it is done on an equitable basis across the board, but we must have built-in appeal procedures so that we can check and see whether these things are, in fact, true or not. How else does one fight an assessment appeal? You go to the court of revision—and frankly I have found an appeal to the court of revision by and large is useless, but you finally begin to make ground when you get on the higher levels of appeal—and how do you do it? You do it by comparisons and by asking the assessor to justify his position. On the big assessment appeals—and I have acted in some of them—the assessor is under very tough cross-examination to justify what he has done; he is given a list of comparisons and asked about this other building and the building 10 doors away and a building 17 blocks away, and if they are not of comparative age and so on.

Surely, Mr. Chairman, all of this is public information. I cannot understand what confidentiality the minister is giving away. If the minister was talking about levying a tax based on income, or on the basis of ability to pay at a fixed rate, depending on what your assets are—and those can be easily ascertained—yes, I could understand confidentiality. But we are talking about an asset, a building, that is there, that lies visible, that anybody can go around and say, "There it is; it has seven rooms and three bathrooms and a finished recreation room, or it is an office building that runs 10 stories up in the air and it was built in such-and-such a year and has this kind of elevator and that kind of air-conditioning system"; it is all there and should be comparable.

Hon. Mr. McKeough: Rental values?

Mr. Singer: Rental values, yes.

Hon. Mr. McKeough: You would make those public as well?

Mr. Singer: Right. Because if the lease runs over a period of seven years, the tenant will register it against the title to protect himself.

Hon. Mr. McKeough: He may.

Mr. Singer: All right, that is fine; there are no secrets in that. You are talking about an entirely different thing and it is my submission, Mr. Chairman, that the minister unfortunately is all confused again. He has mixed up a theory of confidentiality with something that has no confidential basis at all, and surely to goodness in order to convince the people of Ontario that this new and wonderful assessment theory that we have now enunciated is now the law of the province of Ontario, is fair and equitable every way, I would think the minister would have been the first to say you can find out whatever you want.

Maybe it would have put our assessors to some trouble and if it does, maybe you should pay a fee for it, but you should do it within reasonable hours. Perhaps you should write out your requests. We have tax certificates and so on, if that is his concern; okay, I do not think anybody can object to that. But surely, Mr. Chairman, this higgledy-piggledy nonsense—and that is really all it is—about confidentiality is completely meaningless. One must conclude, unfortunately, this is a cloak to hide apparent inequities of the new system of assessment. The minister and his advisers are not confident that it is being properly done and they want to throw as much of a cloak of secrecy about it as is possible; there is no other reason that I can understand that justifies this present policy.

Mr. Chairman: The member for Grey-Bruce.

Hon. Mr. McKeough: Well I can just say, of course, that there is no change, other than to broaden the right of the individual to look at these things, between the old Act and the new Act. This has precisely nothing whatsoever to do with new assessment. Provisions are exactly the same—

Mr. Good: Let us start into the division of land and buildings; that is how it started.

Hon. Mr. McKeough: That is completely unrelated. Obviously the things that we have been talking about here have nothing to do with it. You are no farther ahead simply knowing the division between land and buildings, for heaven's sake. In fact, you are farther behind to know that.

Mr. Singer: Why?

Hon. Mr. McKeough: I would simply say that there is no change between the old Act and the new Act in this respect, other than to broaden or to guarantee the right of an individual to look at his card which was not there before. There are no changes; it is not related to new assessment. Finally, I would have to say that my conception, with great respect, on the invasion of privacy, if you will, is somewhat different from that of the member for Downsview.

Mr. Chairman: The member for Grey-Bruce.

Mr. Sargent: Mr. Minister, more so now than ever before, you and the government should be conscious of the need for fair play, in the fact that you have centralized all your taxing authority for the province in Queen's Park. You control the whole ball game now from Queen's Park. More so, you should be conscious of the need for an open deck to everyone. This is public knowledge—your assessment rolls are the cash box of the government, and they should be wide open to anyone to walk in off the street and say what is John Brown's assessment.

Hon. Mr. McKeough: He may.

Mr. Sargent: And he has the right to know.

Hon. Mr. McKeough: Right.

Mr. Sargent: And you agree that he can find out then?

Hon. Mr. McKeough: Sure, the assessment roll per se is open to anyone. Anyone can see what the total is on any properties.

Mr. Sargent: But the factors in creating the taxes on my house and my property—if there is an income factor there, with two houses the same but one has an income, the other does not, should the income house pay more taxes, more assessment? Those factors should be open to anyone to know, and I think that you would put an awful clamp on the area of business if a retailer or a businessman cannot phone up city hall and say "What is the assessment on that property? What are the taxes last year or this year?"

Hon. Mr. McKeough: They can do that.

Mr. Sargent: This is what it should be and I think that in any area a person can walk into city hall and say "I want to see any individual property, the taxes they are paying—I have that right"; and they will continue to have that right in Owen Sound, I hope.

Hon. Mr. McKeough: Right! I want to say briefly to my friend from Grey-Bruce, they have that right, of course. I have drawn the distinction between a girl phoning city hall and asking for that information. I have no doubt that there are probably some girls phoning some assessors, because their voices are known, and getting that information. On the other hand, what we discovered, for example was that there were real estate agents phoning quite regularly to find out the assessment on a given street so they could phone the owner and see if they wanted to sell.

Mr. Singer: What is wrong with that?

Hon. Mr. McKeough: We had credit bureaus phoning assessment offices to find out what assessments were. I have some doubts about that, frankly; I have come doubts.

Mr. Deans: I agree.

Mr. Singer: Nothing wrong with that.

Hon. Mr. McKeough: I have some doubts, I will let it go at that. We now say that, of course, anyone can walk in to the city hall wherever the assessment roll is, and look at that roll. I am trying to draw a distinction between complete freedom of answering the phone and giving that information, and somebody walking in; and they can walk in and get the total amount on the roll.

What I want to say is that I think we are at one on that point; I am at one with my friend from Grey-Bruce. The question in my mind is how that value was arrived at, how much of that information should be on a

public document, which is the assessment roll. I have no objection—I do not think any of us have—to going in and seeing the assessor and finding out how your own assessment was arrived at, and then saying how was so-and-so's arrived at, and getting that information from the assessor. But I do not think it necessarily needs to be a public document which anybody can go in and look at in city hall. Does the card indicate whether they are tile bathrooms or not? It could? Well, that would be a great thing then, for somebody in go through and see who has not got tile bathrooms and send them all literature and go and knock on their door—

Mr. Sargent: I agree with that.

Hon. Mr. McKeough: I call that the state then allowing—not allowing but encouraging—an invasion of privacy, and we have got too much now. All of us, I think, feel that our own private lives are attacked from 25 different directions at once, mainly by government. Let us not add to it.

Mr. Deans: Well Mr. Chairman, one final word, as far as I am concerned, about this particular assessment picture.

First of all, I do not want to leave any misconception in the mind of the minister. No one claimed that this was new as a result of the provincial takeover of assessment. What I said was that because of the doubt in the people's mind as to the manner in which reassessment was being done, and because there was a great deal of fear among the people of the province of Ontario in regard to what was being reassessed, this information should be made available.

If the minister would undertake to inform the assessors across the province that anyone coming in for the purpose of an appeal was to be shown the properties, the complete breakdown of the component parts of the total assessment for all of the properties that he considered to be similar to his own, then that is fine; we would abide with that at this particular time. If the minister is prepared to make that kind of a concession, that the assessor has to tell—

Hon. Mr. McKeough: Mr. Gillis is sitting in front of me and he tells me that they have those instructions. If they do not have them from me directly, they would have them, as a matter of assessment practice, from their commissioners, from the area directors—I suppose, indirectly from me. I would still want to leave some discretion in the hands of the assessor as to whether he would do in 100 per cent of the cases what the member has described. Because you can picture someone coming in and asking for the breakdown on 100 properties, you know, for no useful purpose. So I do not think we would want to make it mandatory that that must be done. But certainly, from what Mr. Gillis and the deputy tell me, those are the instructions with a little bit of leeway for the commissioner.

Mr. Deans: Do you mean to tell me we have argued this for an hour for nothing?

Hon. Mr. McKeough: Yes.

Mr. Deans: Well, anyway, if it is not being done, it is going to be done; we can be sure of that, can we?

Mr. Singer: You should speak to your officials a little sooner.

Mr. Deans: Fine. Well we are pleased to hear that. Just one last thing then about this whole matter of taking interest rates into consideration: I want you to reconsider it. I consider it to be wrong. I do not think that in the present situation, particularly as it applies to industrial but as it may apply to commercial and residential, the fact that properties are used as collateral and therefore interest rates are inflated by the use of the properties and the mortgages or liens that are placed against them, should in any way reflect a reduction in the taxes that are paid by the people who are paying them. And that is what would happen if you would follow through to its logical conclusion what you said.

Hon. Mr. McKeough: The number of bathrooms and the interest rate on the mortgage—all of these things are items which the assessor feels that if he can get that information, the more information he has, hopefully the fairer the assessment will be. No one suggests for a moment that the rate of interest or even the amount of the mortgage is a key determinant. Perhaps rather than the rate of interest, a better example would be if there were a second or a third mortgage. And if there were a third mortgage on a piece of property, residential or industrial or commercial—think of commercial particularly—if there were a third mortgage at a very high rate of interest, then I think one might become a little bit suspicious of the total purchase price, if I can put it that way. But perhaps in that case the purchase price was too high because the man took very little security at perhaps an inflated rate of inter-

est. Perhaps the example I have given is not very good—and it is not an overwhelming factor in the determination—but it is something which the assessor can find out and he should know.

Mr. Chairman: We are getting very repetitious and each one has presented his own argument two or three times now.

Mr. Deans: Perhaps we are getting very repetitious. I happen to want to know how it is done, and that is the purpose of this exercise, I had thought.

I want then to say to the minister that what he has just finished saying may well be fine on a piece of property that has recently been sold, but a man could have two or three mortgages on a place that he has owned for 30 years and the sale value might not be readily available or evident. And to take this consideration, particularly on large industrial and commercial properties, certainly would reflect on the amount of tax paid; it certainly would reflect on the market value as determined by the assessor and it would certainly reflect in the assessment as it was applied on the assessment roll. And under those situations I do not think it should be considered.

Mr. Chairman: The member for Waterloo North.

Mr. Good: Mr. Chairman, I would like to speak about what I think is the whole weakness and the thing which is causing more problems on the reassessment market than anything else, and that is the fact that there are really two methods being used.

We have the simplistic idea in the act which says that market value is what a willing buyer will pay to a willing seller. That is great—and on the average-priced home in the city of Toronto or in Weston or anywhere else, you can ascertain this. But I do not think that this is in fact what the assessors are using even to get market values. They are still assessing—and I think they will admit this; I have spoken to them in my own area, in the Toronto area and around Toronto, and they say that naturally they have to combine sales performance of the past. And in certain instances there are numerous sales in certain types of property—in the same way the regional offices of the assessment department have always used sales performance to arrive at their factor for each municipality which is used for the giving of grants.

Now, when these sales are then transformed down to their basic amount—that is, taking into consideration their mortgages, the type of a house, whether it was an arm's-length deal and all the rest of it—they can arrive then at a basic sale price for the house.

But we had in Ajax last year instances of homes which were being built at one end of the street and sold for a different price from whether the same type of house, was assessed for when it was sold six months ago. And there was $2,000 or $3,000 difference. Right away, I mean, one has to say this is not market value assessment if the assessment does not reflect the market value.

There certainly cannot have been enough experience up to now to get enough sales figures and everything is assessed by the sales process. They still have to use the square footage; the type of building—whether it is brick, solid brick, wood construction or what it is—the type of roof, classified A, B, C, D or E; the type of building; the rental factor involved; and the location within the municipality. Then they arrive at a figure. What process are they using to relate the two methods? Actually, when you think about it, market value should really be an appraisal value, should it not? All right. It is not, though, is it?

The way it is being done now, it is not an appraisal, because if the time comes when you are going to pay taxes to the city of Toronto, how are you going to get market value of this building here in Queen's Park? There is no way you can get an appraisal market value of what a willing buyer will pay to a willing seller. Nor can you for most industrial or commercial buildings. Nor can you in areas where sales are not numerous enough even to give you a guide. The result is that we have conditions where a single residence in one town of which I know, is assessed at the same price as a sixplex simply because there are no sales; the one is new and the other is old. You have to revert to replacement costs less depreciation. Now what I want to know is what steps is your department taking — or what steps are you taking — really to reflect market value which is really appraisal value?

I know you are still using the same manuals and perhaps if this department had insisted years ago that these manuals had been used and used properly by all the assessors across the province, we would not have many of the assessment problems which do exist across the province, and which I admit do exist. What I would like to know is how are you going to relate these two methods of assessing to arrive at a true equality of assessment between different types of property?

Hon. Mr. McKeough: I could only refer the member—I could answer this at some length—but I could only say that it is far better described in the Bureau of Municipal Research report which we have made reference to today—a study of the theory, the practice and the results. It is beautifully set out there as to how it is done, far better than I can do it.

There will always be the need for a manual of some sort or another. There will always be the need for assessing rather than straight appraising, if I can put it that way. Even an appraiser, of course, who goes and looks at your home and says it is worth $22,000, is probably right.

He is close enough but if he does the same thing for The Department of National Revenue, or because you have an appeal with The Department of National Revenue on a succession duty matter, or with our friend, our own Minister of Revenue, he will obviously go farther than that. He will measure the size of the property; he will probably look at the number of bathrooms. In other words, he will, in effect, assess the property as well as appraise it. What we are trying to put across to them—and the reason —is that he has to be prepared to go to court to substantiate that appraisal in that particular case. He may end up not changing his figures one little bit. That is an appraisal method, but he may go through the same thing.

An assessor, historically, has gone through the assessing — the square footage, the number of bathrooms, the size of the lot, etc. What we are trying to inculcate into them now will not happen overnight. Somebody made a speech on this not long ago and said they go through the same process that they have always gone through and they look at, use the manual, in the same way, as a guide, as they have always done. Then, when they are through and they walk out of the house and get ready to go from number 31 to number 33 Elm Street, they take a look at number 31 Elm Street for 15 seconds berore they leave and they say, "What would this house bring on an open market? $22,000."

Then he looks at his cards and his figures and if it comes out somewhere near $22,000, he knows that he is right; that he is on the same track. If it does not, then I think he should go back and start looking at his figures again, because he may have made some horrible mistake. In other words, the appraiser ends up with an assessment method. The assessor we hope, will end up ultimately with an appraisal method.

The two things are not unrelated. They are really one and the same thing except perhaps they start in different directions.

Now we would hope, over a period of years, to get assessors, when they are all through assessing, to stand back for 15 seconds and appraise. And perhaps we have to do some of that too. When the street is all done we have to send around in a car somebody who has no idea what the figures are at all and jot down on a piece of paper what he thinks those houses are worth and then go back and compare them with what the assessors have done.

Mr. Deans: Then what?

Hon. Mr. McKeough: They see if they agree or not and if they do not, then they get out the appraisal cards and have a look and see what the difference is.

Mr. Good: Mr. Chairman, where does the actual performance in the sale of that house come into the picture?

Hon. Mr. McKeough: Sales?

Mr. Good: The actual sales.

Hon. Mr. McKeough: The information gathered from the sales—I think we use the sales put out by the builders, the Real Estate Board, if they are available—common knowledge, if I can put it that way—the ads that appear in the newspapers.

Mr. Good: Then projecting it just one step further—projecting this a little further then. Market value—that is the appraisal market value—there are so many other things which enter into your assessing value of a property —this is what I feel.

The problem which results depends then on the grants which are given from the province to the municipality. Where you have a shortage of homes, you have a booming community, and naturally you are going to have higher market values. If there are no houses available in a certain price range, you will have high market value in that particular price range. If that type of a house is a drug on the market, it will have a lower pricing.

I cannot see your assessors reducing their assessing method of valuation because a certain house is not selling in a community. But on the other hand, if certain houses in a medium price range are selling very quickly and very fast, this will reflect the market value.

Now when that affects the market value, and the sales in that area, it is going to affect the factor which is used by the province in giving grants to that area. So you have an artificial inflation of market values and an artificial depression of grants from the province.

Somewhere along the line you have to reconcile these side effects that market value assessments is going to have.

Hon. Mr. McKeough: Two things. The factor provides part of the answer, I suppose —not completely. The other point is that assessment will have to more closely follow the trends of the marketplace, if I can put it that way. We are a long way yet from achieving that happy state.

Mr. Good: You mean it will be adjusted annually?

Hon. Mr. McKeough: I suppose the average now is that they are adjusted about every 14 or 15 years. In Peel, as a matter of fact, I do not know if they were adjusted again this year, but they were adjusted three years running, really, taking into account current sales and an inflationary pressure.

We would hope to get to that state; we are a few years away from it. We have got to get it all done, approaching one level first, and then we can carry it forward year by year.

Mr. Chairman: The hon. member for York South.

Mr. D. C. MacDonald (York South): Mr. Chairman, I want to ask the minister a number of questions with regard to the background to the government's recently announced policy in connection with farm taxes.

Hon. Mr. McKeough: I do not want to interrupt, but I answered the question in the question period. The Treasurer (Mr. MacNaughton) pointed out this may be more appropriate when—I have no objection to answering your questions related to assessment. It is a Department of Agriculture and Food programme but I will do my best to answer them.

I should have also pointed out, as the Treasurer reminded me, that the money for this will be coming forward in supplementary estimates. He anticipates that there will be a discussion then, but I have no objection to proceeding now.

Mr. MacDonald: My questions are more related to assessment, although they stray somewhat from that. My first one does stray a bit. One would calculate from the figures that the government has given, namely that they are paying 20 per cent of the total tax bill for farmers this year—

Hon. Mr. McKeough: It is 25 per cent.

Mr. MacDonald: I am sorry, 25 per cent of the total tax bill—and that amount of money being paid out is $20 million that, therefore, the total tax bill was $80 million. But my information is that the latest published figures upon which your department are operating indicate the total tax bill for farmers was $69 million. What is the explanation for this $11 million differential?

Hon. Mr. McKeough: The $20 million may be a little bit high. We were stabbing with the estimate which you saw of $80 million and we are stabbing a bit with the estimate of $20 million and you have caught us out.

Mr. MacDonald: In other words, if it is $69 million and you are paying 25 per cent, actually you will be paying between $17 million and $18 million?

Hon. Mr. McKeough: We will be paying 25 per cent. We are not sure of what the total is. I have no objection to telling the members of the House our original estimate was $17 million and some odd which is related to the $69 million which you figure you have found. We ran to that $20 million because we want to be sure when we come to the House that we have more than enough. We will not know until we pay the bills really.

Mr. MacDonald: Am I correct with regard to assessments, or with regard to tax bills, that the education portion of farm taxes would be in the range of 55 to 60 per cent across the board?

Hon. Mr. McKeough: From 50 to 55 per cent. The last figures I think we had were 1968's. I am guessing at this and I will get those figures for you.

I do not see the person who has them on the top of his head, but I think the last figures we saw were 1968 and they were 53 per cent. Both the Minister of Education and myself felt that that has probably moved up in the last year.

Mr. MacDonald: To about 55?

Hon. Mr. McKeough: Probably—somewhere in that neighbourhood, but I do not think 60, not yet. Somewhere around 55.

Mr. MacDonald: In other words, assuming the total tax is about $69 million, the education portion would be, oh, roughly $40 million?

Hon. Mr. McKeough: Yes.

Mr. MacDonald: Perhaps a shade less?

Hon. Mr. McKeough: Yes.

Mr. MacDonald: One or two other points. And I took the minister's counsel that we should debate the policy at the appropriate time.

Hon. Mr. McKeough: I do not care.

Mr. MacDonald: Have you any calculations to indicate what proportion of farm assessment is land and what proportion is building? Second, how do the building assessments break down as between residence and other farm buildings?

Hon. Mr. McKeough: We do not have all the breakdowns that we would like to have, to begin with. Second, our problem was—and this perhaps relates to the discussion we are having; in other words I think what the member is asking me is why we chose 25 per cent of the total rather than 50 per cent of the land only? Can I put it that way?

Mr. MacDonald: Yes.

Hon. Mr. McKeough: This relates back to the discussion we had earlier about land and buildings and totals, particularly so in terms of farms. Without being facetious, the member for York South knows enough about the price of farms. He knows that farms are sold as a total, and historically they have been assessed, to the best of our knowledge, to determine a total.

In other words, and although they have not used market values, let me use market values for a minute. A 100-acre farm in my part of Ontario is worth some $50,000 odd, say $50,000. It may be that there is a house on that farm on an attached lot which, if it were on a separate lot, would in my part of the world, be worth perhaps $20,000. That may be a little high, let us say one that is worth $10,000.

There could be a farm next door, and on the farm next door, the land may well sell—a similar 100 acres with no houses and no buildings—may sell for $48,000, which means that the house is only worth $2,000. Obviously it was worth something more than that, but this is the way farms have always been priced and even assessed.

They have tended to look at the total and, in my part of Ontario, I guess, that a $50,000 farm would probably be assessed for something less than $10,000, but let us say $10,000, or 20 per cent of value. Actually it is about 14 or 15 per cent in my county, I think, or most of it, but say 20.

Then they have somewhat arbitrarily split that between land and buildings, and also between the residence and buildings. I do not mean to say that they just pull some figures out of the air, although in our examination you would almost think so.

So to begin with, we have great doubts about the integrity of assessment; secondly, we have greater doubts about the assessment of farms; thirdly, the division between land and buildings and residences compounds the lack of integrity even more so.

We backed up one step so that we are not getting, at this point in time, into the hiatus between farm land and farm buildings, and we just took the farm assessment total. I will admit that we will have a number of inconsistencies because of this. We will be able to defend it better, though, I think, than if we had gone to the actual breakdown between land and buildings and come at it that way.

To be very frank with the member, we looked at both for a long time. We would certainly hope to end up with—and we will try this in Peel and York, undoubtedly, because we are satisfied there with the integrity of the assessment, or reasonably enough satisfied with it that we will have a good look at those figures and the breakdowns which are there. Then undoubtedly, when we develop the new plan there, we will probably switch the assessment to farm land as opposed to the farm as a total.

Mr. MacDonald: As you move to establish provincial assessment across the Province of Ontario, are you going to attempt to come up with a more sophisticated division between land and buildings, and perhaps a building division between residence and farm buildings?

Hon. Mr. McKeough: Yes, the farm residence and the rest. I will try very hard, but I will have to tell you we are bucked every inch of the way by the assessors in the field who say, even the assessment commissioner—we finally won the director of

the assessment branch over to that point of view. But from the point of view of the assessor—who always thinks in terms of going to court, as he must—he is very leery of making that division because, as I described, the farm is sold as a farm. But we beat him. They have had enough that I think they will finally subscribe to some sort of a breakdown ultimately between the two, and also between the farm buildings.

Mr. MacDonald: The minister stated that at the moment that he had new figures which had integrity, if I may borrow his phraseology.

Hon. Mr. McKeough: Yes.

Mr. MacDonald: Let me try them on for size to see if he at least agrees with these rules of thumb. I have been trying to get this clear in my own mind, sir, as I have been interested in talking to people who have had a great deal of experience at the provincial farm organizational level with assessments. They said the simple rule of thumb was 50 per cent land and 50 per cent buildings. Then when I put the question, "How do you split the buildings"; they said, "Oh, roughly half and half". So there would be 25 per cent residence, 25 per cent farm buildings and 50 per cent land. However—and I have cleared that this can be used—I understand that the Federation of Agriculture has been trying to get a clearer picture of it and got a batch of recent real estate sales and picked 20 sort of typical ones. Their breakdown, interestingly enough, came to 53 per cent land, 31 per cent residence and only 16 per cent so called out-buildings, farm buildings.

Hon. Mr. McKeough: 53, 31 and 16?

Mr. MacDonald: Yes.

Hon. Mr. McKeough: Mr. Gillis says that the studies we have done indicate about that split.

Mr. MacDonald: In other words, the residence would be perhaps a bit more than a quarter, on the average, across the board—

Mr. Good: The depends where in the province.

Mr. MacDonald: I grant you it depends where, and it may depend also, in terms of the buiding; if is a new home that is being built, it is worth maybe $100,000. If it is an old farm home, although I sometimes wonder how this really works out in the marketplace, sometimes it will be worth only $10,000 or even less.

I think that I have been listening to the basic information I wanted. I leave my arguments re the policy to another occasion.

Hon. Mr. McKeough: There is an interesting sidelight to that, of course, too. Without putting the view of the opposition, if I can put it this way, a farmer, historically, has always just talked about his taxes. In some of the meetings which I have had with the farmers on this issue in my own riding and provincially they completely forget that 31 per cent, if you will, of that total tax bill is the same tax bill which is being borne by you and other people in your borough and other people. They tend to equate as a matter of fact, that it works out to taxes per acre. You know, $5, $6, $7 per acre or $3 or $2 if is up in Bruce, I think, regardless of whether the house fits into this or not.

Mr. M. Gaunt (Huron-Bruce): Yes, but they are going up.

Mr. MacDonald: Yes, but without getting too far into this argument, which I said I was going to postpone, the simple fact of the matter, however, is that the farmer has to bear a double inequity in terms of regressive taxes. True, he bears the basic inequity of property taxes on his residence that everybody shares, but he also bears an even more crippling kind of inequity and that is, if I may use my terminology, that land is the sort of tool of his trade and he has got to have a lot of it and it is very highly priced. To have a regressive tax that is not only on his residence, but on the effective tools of his trade—how he makes his living—is what is really the crippling thing and has driven farmers to rather desperate action in light of this government's years of procrastination.

Hon. Mr. McKeough: My friend from Essex South (Mr. Paterson) who occasionally remembers that he represents some urban people in Leamington and Kingsville and not just farmers, called out, *sotto voce*, "What about the income tax, then?" Which is a consideration!

I think without agreeing with everything the member for York South said, as one who lives in a farming area, we started on a course well over a year ago, on March 4, 1969 when the government for the first time said that where there historically has been two levels of taxation, residential and farm, on the one hand, and industrial and com-

mercial, on the other, there would have to be a third rate, farms, and the farms were going to bear a lesser rate.

I will tell you quite frankly that when we started out on how we would implement that, our great concern was the Peel situation, not York. The farmers in York generally have benefited from reassessment. You find most farm taxes in York are something less under reassessment, other than those people on the Holland Marsh who were rather badly hurt. But Peel was very fresh in our minds, and Pickering was fresh in our minds, and we felt that the first problem to be tackled was the problem of agriculture in an urbanizing area. It became apparent that there were great problems in it, and some day we can discuss them in the committee on farm assessment and taxation.

It was a good report. It brought on a number of problems because it would simply have shifted the burden from farm lands onto the other taxpayers, or part of that burden on farm land, onto the other taxpayers within that municipality. Obviously, I think it can be said, and it can be said across the board, that as long as our consumers insist on a cheap food policy, and I have not seen any move by any party to say that—

Mr. MacDonald: And governments dare do nothing about it.

Hon. Mr. McKeough: All right. Then it is the responsibility of all of the province, or all of the country indeed, to subsidize that sort of thing rather than just the people within the boundaries of either Peel county or one of the units in Peel county. So I think it became obvious the more we looked at it, although in some cases the shifts were very little, the same people were going to pay more on their houses. There were some other people who were going to pay something more. The shifts in most cases, other than in Toronto Gore, and I detailed this in the House, were not all that bad. We could have lived with them. We felt that equity demanded that there be greater provincial input in funds into this, and it also became apparent—and my friend from Essex South would know this, he comes from that great farming part of the country that I come from —that in the last five years, 10 years, it became more and more obvious that the good hard-working farmer, who had become as efficient as he could become, barring some miracle, is simply having a difficult time, period.

He is having a difficult time, I would have to say, mainly in terms of farm income, but certainly I think if farm income zoomed up tomorrow we would hear very little about the farm taxes. But I do not think, realistically, any of us can see in the immediate future that farm income is going to take off in that way. That being the case then, we felt that we should do something about one of the expenses, inasmuch as we perhaps could not do something about the farm income.

If we could see a cure for all this tomorrow perhaps we would not have moved. But as one living in southwestern Ontario, I cannot see something happening to change that situation tomorrow. This is why we felt that a move should be made. It became obvious that we had to do something, not only in terms of the urbanizing areas of Peel county, Pickering township, York county, Ontario county, Halton county, but where they really farm, which is in southwestern Ontario, and where they were in more trouble perhaps than they were in Peel. They were even in more trouble in my part of Ontario than those hobby farmers out in Peel county.

Mr. Chairman: The hon. member for Niagara Falls.

Hon. Mr. McKeough: Let the record show that I was laughing when I said that.

Mr. G. Bukator (Niagara Falls): I would like to approach this problem from another angle. The minister knows how I feel about many things, including regional government and reassessment. I received a letter from a Toronto man not too long ago, and he explains the problem much better than I could if I were to try to tell you in my own words, so I am going to read part of his letter:

> I feel constrained to write to you concerning the assessment notices on our lot in Chippewa, which we just received from The Department of Municipal Affairs. When these notices were issued by the village of Chippewa we received them together in one parcel at a cost in stamps between $4 and $5. Now that they are sent out by The Department of Municipal Affairs, we have so far received 80 separate envelopes, with 80 accompanying form letters, and no doubt we shall receive the remaining 190 in due course, one at a time. This means that apart from the cost of the 270 envelopes, 270 form letters and 270 six-cent stamps, there is the additional handling in the department itself and also

the time it takes our staff to open 270 envelopes.

If one multiplied this by the number of sub-divisions in Ontario, the mind boggles at the additional costs involved. No doubt a departmental pundit will tell you that because it was now done by computer it will work out cheaper. I should like to know how.

When this assessment was taken into the province, naturally you were striving for efficiency and economy—

He talks about an insert in every letter, plus an envelope for each one, when the 270 could have been packaged up, as they were previously by the village where they were sent out from; there would have been a saving there. I think the argument is sound and well taken. I am not going to ask the minister at this time to reply to this particular letter. No doubt he is working on that particular problem and eventually will work it out, but I would like to talk about the reassessment of some of the properties in Niagara Falls.

I would like to talk about some of the areas of that municipality that has been now enlarged to the greater city of Niagara Falls, and how it affected the assessment of some of those areas. I picked up the paper at the Falls when this reassessment and the budget were discussed on August 27, 1970, and I find that in the Clifton Hill area—most of you people are acquainted with of that particular part of the city—the room tax on the individual units, based on the average assessment for a Clifton Hill hotel room, increased an average of $35.48 per unit—$35-per-room increase in taxes per year!

The cost to the Sheraton chain—and I have no axe to grind for them—under reassessment has increased by $31,000. Now, then, you will say that I speak for the man in the higher bracket of income and that it is very easy for them to pass on the difference in costs by increasing the price of the room. I have heard it argued many times that in Niagara Falls the rooms are more than high, that they are taking the public, and I would like to touch on that for just a moment. I realize it has something to do with assessment because the money comes from taxes on the room rents and we, as every other city, happen to have rooms that you can rent. There are cheaper cabins and tourist homes but, naturally, if you want a corner room at the Brock Hotel you have to pay the higher price.

Having said that, I would like to point out what happened to Crowland township in the new city of Niagara Falls. You will recall that Niagara Falls was enlarged by taking in the village of Chippewa, the township of Willoughby, a part of Bertie township and a small section of Humberstone Township plus a large section of Crowland. The man representing that ward on city council, because of the re-assessment again, was making it known in the city council when he said—and I quote the caption under this picture:

Fighting for home: Alderman Harry Schisler, of Crowland ward in the enlarged city, protested city council's tax charge on his ward when the 1970 budget was brought down on Wednesday night. The alderman complained that Crowland got hit with the biggest mill rate increase of any section of the city. The mill rate on residential property in Crowland is 81.9 and the commercial rate is 95.18. This means an increase of 35.89 mills to residential property, and 40.38 mills on the commercial property. This is an established fact.

When I argued about this previously, I was projecting my thinking or hoping to put it straight to this minister and this government that this may cost somebody a lot of money. This is one area of the new city of Niagara Falls that is enjoying an increase in its taxes from 35 to 40 mills—a 40 mill increase. If it is 80 mills, that is a 100 per cent increase of taxes in that particular area.

Let me tell you there is a gentleman in the city of Niagara Falls, a man by the name of Puttick, who made it his business in the last election to see to it that I was defeated. He was a Conservative and he did not pull any punches. He said that this member is not a good representative—and he could be right. But let me put the record straight, as far as he is concerned, about the budget of Niagara Falls when he said in the same paper:

In voicing his opposition to the budget, Alderman Puttick attacked Municipal Affairs Minister Darcy McKeough, who was responsible for establishing regional government in Niagara.

He said the province should pay in the cost of keeping mill rates down in rural municipalities that were absorbed by the city. The province established a formula that compels bigger municipalities to provide money to keep mill rates down in the smaller municipalities.

> Mr. Puttick said the city should hold up the budget until Mr. McKeough and his dictatorial staff come down and solve the problem created by regional government.

Now I know he was a little bit harsh and I know that man can make his points and make them well, but I say to this minister when the county had—and I know you cannot backtrack at this stage in the game — but I tell you this, Mr. Chairman, through you to the rest of the Legislature, you ought not to impose this type of administration on people until you determine the cost. This is a good illustration; an exceptionally good illustration.

I could not find it in my heart to sit and watch this particular bit of legislation go through—at least, a part of the Legislature pass this particular estimate without my putting my position clear to you. I do believe that there have been errors made. I do believe that this minister is responsible for large costs to municipalities, to sections of municipalities, because of his inadequate research on the work that he did before he imposed this on the people. I thought I would put that on the record for what it is worth.

Mr. Chairman: The hon. member for Yorkview.

Hon. Mr. McKeough: Mr. Chairman, I would like to answer the first part of that question. The second part, of course, Mr. Chairman, has nothing to do with assessment, but is is always nice to hear the member for Niagara talking.

I will answer the first part—there has been no reassessment in Niagara Falls. The Sheraton-Brock, I suppose, may have suffered from the neutralization of the business tax which we talked about yesterday, inasmuch as by action of the Legislature in 1968 their business tax rate would have increased from 25 to 40 per cent. That is why they would have got the increases they did, being a chain of five or more hotels.

The other question, on the matter of the envelopes and the stamps for the inserts, I agree with the member completely. They spew out of the computer; in some places when we had time, they were manually sorted for this sort of thing when they knew where there were some big property owners. In parts of Muskoka, they were able to do this; in other parts they were not. That is just one I happen to know. We are trying to do something about it.

We can prove, it can be proved, that it is cheaper to mail them and pay for the stamps and the envelopes than it is to sort them. But the public and your friend, who got 270 different envelopes, would never believe that so it will probably cost us more money to sort them. We will try next year so he will get one big envelope.

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, on a couple of occasions during the afternoon we have been back to the reassessment in Peel county and York counties and I wanted to ask the minister about the confusion in Peel county with special reference, sir, to Chinguacousy.

The people there had a reassessment before the province took over and they are not sure what is happening at the present time. Some representation has been made, I think, to the minister by people there and there seems to be some bewilderment. They have received their tax bills based on the reassessment of a couple of years ago, and some of them have refused to pay those taxes because they are, they think, unfair both from the point of view of evaluation of their own property, and secondly in relationship to other properties in the area.

One example was given where Markborough has an area where they—the development company—are paying on about $750 an acre. The person from whom they bought the land is paying on about $2,500 an acre. Now it may be that the discussion earlier this afternoon brought out some of the reasons for that, in that the people with the smaller holdings have buildings on their land on which they are assessed, whereas the development company does not have those buildings. Therefore, with their larger holdings they have been able to appeal and get the assessment rate down.

I think perhaps the minister could make it clear as to what is actually going to happen. The people have been reassessed; the province has now taken over that function. The people have been billed on the assessment made by the county at a previous time and they are withholding taxes, not knowing what the plans are the minister has for them. I suggested to them, when I was talking to some of the people there, that there was going to be a five-year look at this thing. But they said, "no, we are assessed on that basis now, and we are expected to pay our taxes on the reassessment which the county did."

Hon. Mr. McKeough: The farmers?

Mr. Young: The farmers. In this case we have people with 50 acres of land; one with another 50 acres; another one with 10 acres; another 28.8 acres; this kind of small holding; acreage upon which in some cases there are orchards. In any case, the feeling is that they are being hard done by because the assessment is different in many cases, and because it is so vastly different from the assessment of the developer. I think the minister might explain what the general policy is going to be. Are they paying taxes on the reassessment value? Is that going to be held up and then they go back to the former valuation? What is the situation in that particular area?

Hon. Mr. McKeough: They pay taxes, first, on the basis of their assessment, there is no turning back. What happened in Chinguacousy was that there were a number of appeals arising out of the 1968 reassessment. One such appeal was taken through to the Ontario Municipal Board and it is now under appeal by the township of Chinguacousy to the court of appeal. It has not been heard yet and I do not know how soon it will be heard. I think that, obviously flowing from that decision, there will be a number of adjustments or otherwise, in a great number of farm properties.

Mr. Young: Perhaps the minister could make a comment on the difference in value between the land being held by the developers and the land actually being held by the smallholders.

Hon. Mr. McKeough: Some of the smallholders are apple farmers, among other things. No, I cannot make a comment. One hears these stories. The average price of good farm land being farmed in Chinguacousy was assessed at about $400 an acre. The municipal board knocked this down to $285. Whether the land was owned by a developer or not, or a farmer or not, if it was being farmed it would be assessed the same way.

Mr. Young: Mr. Chairman, I have here a 30-acre parcel on lot 3, concession 5, which is assessed at $1,200 an acre. This has some orchard. Another one on lot 4, concession 5, is assessed at $1,560. Another one, 50 acres, on lot 4, concession 5, is assessed at $1,100, and then you have the Markborough properties assessed at $750 in one case and $835 in another case. This, I think, is where part of the problem comes. The feeling is that there is real discrimination in this case.

Hon. Mr. McKeough: I can only say that some of them are before the courts. I would be glad to have the assessment commissioner sit down and explain to the member why those assessments in his view are what they are, but I could not attempt to do it here.

Mr. Chairman: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, coming back to the matter of appraisal of homes, I was rather amazed at the minister's description of the way an appraiser does an appraisal of a home. I wonder if this is his view of the way it should be done? He should spend an hour measuring and assessing and doing the typical work of the traditional assessment, and then take 15 seconds to look around to see what the house would sell at. Is that what the minister feels he should be doing?

Hon. Mr. McKeough: No, somebody made a speech to that effect the other day.

Mr. Deacon: It seems to me that we should be virtually throwing out the assessment book and using an appraisal book because, contrary to what the minister implied in his remarks, we are talking about appraisal when we are talking about market value. Appraisers do have to stand up in tax courts to substantiate values for estate tax purposes, or some other similar situation. I would appreciate the minister clarifying what is being done to correct situations where, as mentioned by my colleague from Waterloo North, a sixplex was assessed for less than a house — I think it is a four-bedroom house in a town — because the sixplex was 35 years old and the depreciation factor applied. There were no sales to compare it to, and the depreciation factor was applied and it brought the sixplex down to well below the value of the house. Twenty-five, 30-, 40-year-old houses, and particularly 60-year-old houses in that town have very low assessments, and yet for appraisal for sale value they are not very different from newer ones that are assessed well above them. It is because this depreciation factor is used rather than looking at what the house would sell for. Is it that this policy—

Hon. Mr. McKeough: In that case—very simply, in the case of rental property of the size of the sixplex, an assessor might look at the depreciated value, and he might well look

at the market value. I would suspect what he would look at, what he should be looking at, is the gross revenues of that building if they are available to him. He probably never has to leave his office to put a value on it.

The assessors tell us here that you never have to leave 801 Bay Street if you have the gross revenues of the apartment buildings of Metropolitan Toronto and the sales values vary; however there is enough turnover in apartment buildings in Toronto, that a gross rent multiplier may be readily determined. It varies I think between 6.7 times the gross revenue to 7.2—right around the seven mark—and you can literally stay in this building and assess every apartment building in Toronto and be within five per cent of the sales value.

Mr. Deacon: Well, Mr. Chairman, we are talking about St. Mary's. We are talking about some town quite a distance from Toronto where the effects of rents here and prices here do not apply. You still have a factor I am sure that does apply.

Hon. Mr. McKeough: There would still be a relationship between the gross revenues though.

Mr. Deacon: Yes, and the fact of the matter is that there is such a thing as appraisal value and an estimation of sale value, rather than assessment, that should be used, and depreciation really should not come into it. It is what you can get for that property in its sale, surely that must be the emphasis.

I just wanted to be sure the minister confirmed that it is the sale value, the market value, the appraised value that assessors must be going for, and that those who feel that their homes are being discriminated against because of age, because of the use of this depreciation factor, should take action to correct the situation. And the minister is confirming it.

Hon. Mr. McKeough: Yes, with the exception that if the member had been here he would have heard the remarks of his colleague from Waterloo North who pointed out that of course there are many instances, particularly commercial industrial property I suppose more than anything else, where you often have to fall back on the depreciated value because there is not a market for industrial property.

Mr. Good: That is what gives them the advantage.

Hon. Mr. McKeough: I beg your pardon?

Mr. Deacon: Mr. Chairman, I heard my colleague make that statement, because I was in the House. But the fact of the matter is there is even without any sale, a basis on which appraisers do estimate what could be obtained in the event of a sale.

Mr. Chairman: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): I just want to clarify a few things in regard to the question I asked during the question period, and that is, that non-residents who own farmland in Ontario—and I am particularly concerned with Rainy River district—who own farmland in that district over 11 acres of property, will be receiving a tax rebate. There is nothing in—

Hon. Mr. McKeough: If they are assessed as farmland.

Mr. T. P. Reid: If they are assessed as farmland. Well, may I ask the minister: If it has been on the rolls of the municipality as farmland but in effect is not being farmed or being held either as hunting area or for speculation, what will happen in that case?

Hon. Mr. McKeough: If it is not being farmed—and these records are not always as up to date as they should be—then it should not be assessed as farmland.

Mr. T. P. Reid: If it is not being farmed? Just one further question of the minister, Mr. Chairman.

I have before me a letter which sets out a particular problem that one of the municipalities in my area is having, and which may be province-wide. And that is, people moving into a small township, building a residence, and in particular moving in mobile homes, may not be immediately assessed. As a matter of fact there may be some months before they are assessed on the property and on their home.

Now I understand that according to section 43 of The Assessment Act, the taxes begin only after the home and the property have been assessed and not at the time that the actual residence takes place. And because of the lack of qualified assessors and the large area to be covered in northwestern Ontario, there is sometimes a considerable amount of time between the time residence is established and the assessment is made.

The municipalities have been fighting out their tax bills and their budgets on the basis of what they had in their municipality

at a certain point of time. Now, because the province has imposed this assessment on them, they are short of this revenue because of section 43. Does the government have any plans for giving a grant in lieu of these taxes because of the time difference between assessment and time of residence?

Hon. Mr. McKeough: Well, the assessors in many cases are exactly the same people, and they are tipped off about this from building permits.

Mr. Good: I do not think they are picking it up as fast as they did before.

Hon. Mr. McKeough: I question that very much, but however we think that the job is being done in a more remote area where perhaps the assessor does not get around as often; it could be somewhat of a problem. Actually, to answer your question, the taxation starts on the first of the month after it has been assessed. Mayors and reeves are giving some thought to recommending that that be backdated for up to three months if in fact occupancy has taken place, and that may not be a bad suggestion.

Mr. T. P. Reid: At present there is really no solution to this problem.

Hon. Mr. McKeough: Well no, other than fast assessing. But of course in many of the small communities in Ontario, and some of the larger ones, too when you built a house the local assessor did not move that quickly. In my municipality, I remember we discussed this, somebody had just built a new house. They did not assess it the day that they moved in; they quite often gave them a month without paying any taxes. They got the building permit. They knew they were going to get the taxes for the next 50 years and they gave the poor guy who had just moved in a little bit of a break by not sort of pouncing the day he did move in. Nothing illegal of course, but they did it.

Mr. T. P. Reid: I realize that, but could this problem be solved by assessing these places under section 42 of The Assessment Act rather than 43?

Hon. Mr. McKeough: No.

Mr. Chairman: Vote 1402, the hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. I would like to ask the minister to explain to me, what kind of political advantage did the Prime Minister foresee in making the statement that he intended to put the assessment back in the hands of the municipalities after it had been completed? Exactly what kind of political manoeuvring do you expect us to think that was? Can you explain the benefits to me?

Hon. Mr. McKeough: Well of course my friends sitting over to the left of the Speaker never conceded that it should have been taken away from the municipalities. I do not think the New Democratic Party were quite as adamant in that position. I think I said this earlier, that if there was ever a justification for the province having done what it did—if one were needed—the Bureau of Municipal Research's report would indicate how necessary it was.

However, a number of municipalities said, "This is a proper local government function. We have not done a very good job at it but we should have it back." The Prime Minister said, "When we get the job done, if you want it back you can have it back."

Now I have not really concerned myself with that very much because it is four years away. And you will find some of the wiser mayors who will say to you that they will be quite happy to let the province keep this responsibility in five years' time.

Mr. Deans: Yes. I think I might ask the minister, surely he would agree that to have gone through this exercise of setting up a department, to have trained assessors and to have set standards for the Province of Ontario, and then to say that we are going to hand it all back and let it go back to exactly where it was, was—as my colleague says—irresponsible?

Hon. Mr. McKeough: Yes, and particularly of course when the department supervised and assisted—and it was well done—the assessment of Metropolitan Toronto when it came into being 17 years ago. Yet when we come back to it, I think it is fair to say—and this is a regional municipality that we live in, if you will—one comes to the conclusion 17 years later that things have not changed much from 18 years ago.

However, my leader having said that we will turn this back, we will meet that argument when we get to it.

Mr. Deans: Just one final point, lest someone say we are trying to infringe on the economy of the municipalities. It is just simply a matter of having once done what we set out to do, and then destroy it, by permitting—

Hon. Mr. McKeough: Right, not let it drift again. I agree.

Mr. Deans: Yes, to let it drift again would be ridiculous. It would create more chaos than we already have.

We might have been able to accomplish what we are attempting to do by having set more stringent standards and enforcing them, and then permitting municipalities in the first place to apply them. We have been able to do that. But we certainly could hardly go back to the situation as it once was.

Mr. Chairman: Vote 1402. This might be an opportune moment to point out that there are approximately 11½ hours remaining for consideration of the estimates.

The hon. member for Huron-Bruce.

Mr. Gaunt: Mr. Chairman, I wanted to—

Mr. W. G. Pitman (Peterborough): The voice of doom.

An hon. member: Is that all estimates?

Mr. Chairman: All estimates!

Mr. Gaunt: I hope this is not a threat, Mr. Chairman.

Mr. Chairman. It is no threat, I am just being kind. Be my guest.

Mr. Gaunt: I will not take very long, but there is one matter with which I want to deal for a few moments. I have talked with the minister about it, I think he is acquainted with the situation.

Specifically, it has to do with the status of the people who worked in the assessment field prior to the provincial takeover. I have been quite concerned with this matter, because I have had a number of representations dealing with it; particularly with respect to seniority.

It was indicated to these people at one point in time, that their seniority in the assessment field would be considered, and they would be given credit, by way of salary increment, for the number of years that they had spent in the assesment field. I realize that they had to take courses, and they had to up-date themselves, and they had to become familiar with the new requirements, and so on. All of them did that, to my knowledge at least.

Now what has happened in a number of assessment offices—and I can only speak with any kind of authority with respect to two offices. But a situation has occurred in those two offices and I suspect it has happened in many others across the province. Maybe in all the others across the province.

In any case, what has happened is that the people who have been working in the assessment field, in some cases for 12, 15, and 20 years, are now in a position where they are being paid less money than young people who have gone to the school. I cannot recall it at the moment, but it is the school of municipal assessors; I think it is conducted in Hamilton. It is a two-year course, and they are given a certificate having passed the course and written examinations, and so on.

Those people that are coming out of that school, most of them young people, on going into the regional offices are being paid higher salaries than people who have worked in the assessment field and were brought into the office when the province took over the assessment function.

What it is doing is reflecting on the morale of the whole department. The whole group of people involved in the assessment function within the regional offices are being affected with respect to morale.

The younger people have the qualifications on paper, there is no question about that. They are qualified, in theory at least, to work in the department and to go out into the field. In actual fact, the thing that they do well, and perhaps best, is hold the tape.

The other people are having to do the work; they are having to supervise them and they are having to prepare most of the rules, and here they are being paid on a increment basis, which is inferior to these other people, who admittedly have better educational qualifications, but certainly do not have the practical end of it.

I know that there is at least one appeal. At least, it is before the Civil Service Commission at the moment—I do not know when it is going to be adjudicated. But it seems to me that this is entirely wrong.

I do not know who is responsible. Whether it is the administrator of the finance division within the department or whether it is the director of the municipal assessment division, or whether it is the chairman of the Civil Service Association. I do not know, maybe it is all three of them. But in any case in my view it is wrong and I think the minister should take a look at it.

This programme is going to require a lot of salesmanship. There are a lot of people in the province who do not agree with this

programme. And, if your people who are going out into the field are not all that happy with the programme to start with—if they have little gripes along the way, with how the system is being handled—they are not going to be in any mental state to meet the objections and the downright demands of people who are being faced with reassessment.

If an assessor goes on to a property and the property owner is giving him a hard time, he is not prepared mentally for this type of thing. And if the department is interested in selling this programme and making it work, I think you had better give some consideration to that point.

Hon. Mr. McKeough: Mr. Chairman, the member and I have discussed this particular case. We have discussed it with the deputy minister and we will not go into the details of it here particularly.

I would not want to let the House think that the transferrence of 2,000 employees, 10 months ago, to a relatively small department of government, a department which at that point was only 500 employees, has been the easiest and softest experience for the deputy minister and those people in the department responsible for the transfer. There have been some horrible problems.

I think the first payroll—I have forgotten, but there were a number of people that were not paid, and that went on with that particular group. The computer gave us problems there, as well. But gradually these things have been sorted out.

You will realize that we were taking over something like 160 jurisdictions, as I recall. Every one of them, I think, had a different form of employee card. They had a different form of reporting, a different form of payroll. And in these last few months—and I pay tribute to the staff for this, not only in my own department but in the Civil Service Commission—the payroll people have been, without too much difficulty—if there has been, I must say very little of it has reached me—making this transfer possible.

There have been problems in terms of people not receiving cheques. There was a lot of confusion about pensions. I think we have most of those sorted away. But I would have to say to my friend from Bruce, to my knowledge there were not that many dissatisfied employees for one reason or another.

I quite agree, that this has been a great emotional change, for people who have worked for a relatively small employer to be suddenly in the middle of—what are there; 50,000 provincial civil servants?—a very enormous change—his leader objects to the use of the word—bureaucracy, but that is what it is. It was a very difficult and traumatic change.

I may say that we have had a great deal of co-operation from these 2,000 people. I think our directors, regional commissioners, have worked overtime in trying to pave the way. The office managers all pitched in. And I would have to tell you that wherever we fell down we could always count on the Civil Service Association of Ontario to remind us that things were not going well. In the particular case, of course, which the member is talking about, the Civil Service Association did not get very enthusiastic about the complaints made by those two people—for whatever that is worth, I put that in.

The Civil Service Association and Treasury Board have negotiated a new agreement—is that the word, agreement? It has been agreed to by the assessors. We were delighted that nothing went to arbitration.

I think it has been studied down to the point now that we can start to concern ourselves even more with some of the human problems which the member is aware of and try and sort some of them out, and there are enough to be troublesome.

Mr. Gaunt: I just want to make one final comment and, in my view—and perhaps the minister will not agree with me, but in my view, someone with grade 10 education and 17 or 18 years' experience in the field can do the job more adequately than someone with a university education, coming right out of that university, and going into the field. Yet that university graduate is recognized to the extent that he is on a higher pay scale. Do you think that is fair? I really do not, in terms of ability to do the job.

Hon. Mr. McKeough: I would not want you to think that I agree with all the decisions of the Civil Service Commission.

Mr. Chairman: Now, the hon. member for Waterloo North.

Mr. Good: Mr. Chairman, I have just a few comments. I would like to return to the matter of the farm assessment. First of all, has the minister reached a policy that will be consistent across the province regarding the assessment of business tax on farmers who have a vertical integration operation on their

farms with the feed companies? Is this uniform in all parts of the province? I think some areas previously were assessing and others were not.

Hon. Mr. McKeough: I hesitate to give you a firm answer on this because things keep cropping up. As far as we are aware, there is no business assessment being levied in the situations that you have described, but there may be some things that will keep turning up. I think particularly of bowling alleys —we did not catch all those, for example, when we made a decision.

Mr. Good: But what is the policy, that there—

Hon. Mr. McKeough: There should be no business assessment.

Mr. Good: There should be no business tax on a feed company's operation? Fine.

Hon. Mr. McKeough: A farm feed company that is considered to be on a farm.

Mr. Good: Yes, on the farm. Now, further—

Hon. Mr. McKeough: No, not Jones Seed!

Mr. Good: A vertical integration where the feed company is doing the financing on a farmer's property and he is doing the work?

Hon. Mr. McKeough: That is a tenant then. The tenant would not, in that instance, pay the business tax.

Mr. Good: And there would be no business tax?

Hon. Mr. McKeough: No.

Mr. Good: Fine. All right; the other thing—

Hon. Mr. McKeough: Can you spare a minute?

Mr. Good: —I would like to deal briefly with the committee on farm assessment and taxation. Do I understand correctly that you have completely given up the idea of the soil productivity assessment ratios? You have not given up on it?

Hon. Mr. McKeough: No. I would expect that when we move ahead, and we are moving ahead now with the specific study on Peel and York, that will be a large part of it.

Mr. Good: I see. So there are, I suppose, certain dangers built into that, too, where a tobacco farmer on poor sandy soil could be making a big income and another farmer on organically better soil might be assessed lower. The Assessment Act that we passed, of course, incorporated the same idea that on the sale of farm lands, the values can only be incorporated into the assessment value if there is no redevelopment use for any other purpose incorporated. I think to some degree this is being interpreted that as long as the land is not sold at that time for another purpose, even though it be sold at an inflated value for agriculture, these factors are still entering into the sale price of farms that are being used.

In fact, in any areas that are near to a large city there is a certain degree of speculative value in farm land when it is sold. This, of course, reflects in the market value of that farm, which makes it, I think, very difficult to deal with the problem that has to be dealt with—the fact that the farmer needs a big inventory of land. I would hope that in spite of your—well, it is not legislation—but in spite of what you are going to do with the 25 per cent rebate—which I understand we can discuss under the Treasurer's supplementary estimates—you will, in fact, be looking for a more sophisticated solution to the problem than just handing back 25 per cent of the taxes. Although that is a very good stopgap measure, I am sure, in the eyes of the farmers, I do not think it is the answer to the problem, because I can see a great many things that could enter into that situation which are not going to end up in a very equitable situation.

A few other questions I have asked in the past year — the minister has given the assurance that there are studies being made in such areas as the fixed assesment on golf courses. Is that study reaching any conclusions?

Hon. Mr. McKeough: Yes. I would be glad to give you a report on that.

Mr. Good: As long as it is not too long.

Hon. Mr. McKeough: Only about four or five pages.

Mr. Singer: That can go under ministerial statements. I had better warn you; he has issued a press release on it in advance—in these trying times.

Hon. J. H. White (Minister of Revenue): Any time you are in the House I find it trying.

Mr. Singer: That is a strange voice; I do not see you around here very much.

Hon. Mr. White: If you come in more often, you will see me more frequently.

Hon. Mr. McKeough: This is rather brief. To date there have been seven full meetings of the committee on golf course assessment and taxation. Four subcommittees dealing with the definitive problems of valuation; fixed assessments, statistics, and public versus private courses were appointed at the first general meeting and have convened at various intervals. Statistical questionaires covering zoning, type of course, revenue, membership, assessment, taxation, and so on, were dispatched to all golf courses in the province, and the results are being prepared for analysis by data processing methods.

Written and oral briefs were requested from all the golf course owners and their submissions have been received, heard and considered by the committee. Data has been compiled on all recorded sales of golf courses in the province in the last 10-year period and is presently being analysed. A professional golf course architect has been commissioned to prepare cost factors for all improvements to land peculiar to golf courses, and his tentative agenda has been formulated for a team of evaluaters to visit selected courses in the province in order to analyse financial information in more detail and apply the new evaluation criteria so that results may be evaluated as to equity and uniformity.

A proposal receiving, serious—and I noted the minutes on this the other day — consideration by the committee is the possible application of a province-wide golf course zoning which would require courses to be assessed at market value for that purpose only, eliminating the necessity for special sections in The Assessment Act dealing with this subject.

I must say that when we started this I think I thought that it was perhaps not an easy task, but it was not going to take all that long. They have been at it for, I guess, six or seven or eight months now. They meet quite regularly; they could have played a lot of golf in that time.

There are two, three or four municipal people on it; several people from the department, and I think five or six people from golf courses, both public and private. They really are devoting a great deal of time and effort to it and I am hopeful they will come up with a solution which is satisfactory to the department, to the municipalities and the golfers.

Mr. Good: Mr. Chairman, I have one more thing under assessment and that has to do with the assessment of cottages. I think this is becoming a very great problem in the last few years in the Province of Ontario. The history has been given before. Many people have taken what was before useless wilderness land, developed it at their own expense and now found that suddenly in the last five years, lakefront property has an exceedingly high value. This was not of too much concern until market value assessment has been used in some places, especially in Amabel township in the Sauble Beach area. Many think, and I think rightly so, that when you are dealing with a piece of property which has limited use, perhaps would be condemned by a public health officer for habitation six months of the year, in practically all instances there is no education of children involved with it. On the other hand, there are other services which are being provided by some municipalities.

I think the minister gave me an indication a year ago that they were going to take a look at this problem, about the assessment of cottage lots with limited services that they require for their limited usage. I am wondering what has been done on that.

Before I sit down I would also like to bring to his attention once again the concern of those people in the Amabel township who have cottage lots on Indian-held lands. Now The Municipal Act permits that the municipality may tax property when the residents on the lands are not members of the band. While the Indians pay no tax, the people do.

Their other problem, which has to do with their leases from the Indains, I realize has no bearing within the province but I think I suggested it before and I am wondering if the minister will give it his consideration. The market value assessment of this land is reflected very highly in their taxes. It is reflected to such an extent that with their leases and their taxes, many are paying around $500 a year to stay on land which they do not own.

I have suggested that the market value of the land is not really a fair basis on which they should be assessed. I think myself the market value of the lease, which they hold with the Indian band, would be a much fairer way of assessing their land. The buildings of course would have to be assessed as usual. This then returns to the municipality the money that is required for them to give what limited service they do to these particular

people. The way it has turned out now the terms of the lease have become so severe, the yearly rental, that in many cases the leases have little or no market value but the market value of the land has been determined by the assessors the same as if the person owned it individually.

I think that some serious consideration should be given to these people who have seen the yearly cost of retaining their cottage lot—and many of them have 40- or 50-foot lots—rise four times just in the last few years by the combination of these two things, the market value assessment and the increase of their agreement with the Indian bands.

Hon. Mr. McKeough: I cannot give you too much of a progress report on this. We have two or three people looking specifically at the assessing of the cottages, at the rationale, the methodology and are taking into account some of the lease situations. When this first came to a head—and I think the member and other members would have had copies—the first time this came to a head was a year ago, as I recall, in Port Elgin or Southampton—I have forgotten which—when our sales analysis indicated that their cottagers were still under-assessed relative to the permanent residents, despite the fact that their taxes took quite a boost. I had a discussion yesterday with people from Haliburton and they feel that in Haliburton generally the cottagers are under-assessed relative to the permanent residents. Whether they are or not I do not know at this point in time. Certainly there are parts of the province where the cottages have been over-assessed relative to the permanent residents or commercial and industrial property, if there is any, or the farms.

Indian-held lands were complicated—and I sympathize with the problems which those particular people at Sauble Beach and Amabel have had. Their assessments certainly were raised. We assume that the assessments were correct, and I think the courts certainly have indicated that they can be assessed—there has been no problem about that. I do not think that any of their appeals have been particularly successful as yet. Let us assume for a moment the assessment is correct. It has certainly been complicated by the fact that the band doubled, I think—the annual levy—it was a healthy increase, in any case—and then the township council and the board of education, and more particularly the township council, really went to town this year on their levy. They increased their levy for general purposes in the county from something like $1,000 to $2,000—just doubled the local levy. I would be glad to send these figures to the member. The county purposes went up something like 48 per cent; the education levy went up but not all that much.

I would have thought I might have sent a copy of this to the member but I would be glad to send him a copy of it right now; it details the reasons for the tax increases, which were substantial.

The assessment was increased on these cottages, the band raised the annual rental fee and well, I am glad I did not own a cottage there myself.

Mr. Gaunt: Mr. Chairman, the minister mentioned a moment ago that as far as the department was concerned there was no bonus tax applied to farmers. You may recall a situation we had last year in the county of Huron. Many of those levies were appealed and, as a result, the decision came down that business tax was payable on all farming enterprises under 10 acres. In other words, these poultry and hog operations that are sitting on an acre, two acres of land, are taxable, if in fact there is no other farming operation attendant with that particular type of farming. I am wondering how the minister is going to resolve this matter. Is he going to rescind that order and indicate that to the assessment office in Huron, or how is that matter going to be handled?

Hon. Mr. McKeough: It was a court decision and the assessors are bound by the court decision, but I can tell you that we are giving some thought to perhaps looking at the legislation. The Minister of Agriculture and Food (Mr. Stewart) has more than a passing interest in this problem and we have been taking a look at it.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, a part of the answer to the housing situation is the provision for portable and mobile homes, and I wanted to ask the minister what steps the department is taking regarding the assessment of mobile homes to encourage the development, because a lot of municipalities are a little hesitant today to permit mobile home parks in their area because of the lack of a clear-cut policy concerning assessment of mobile homes. Would the minister care to reply to that?

Hon. Mr. McKeough: Well they cannot be assessed. The courts have so held. They can be moved and therefore they are not assessable. Of course, the municipality can assess the land on which they sit, the improvements to the land, really, and they can charge a licence fee of up to $20 a month, which is $240 a year, plus the land tax; so it is not a small amount of money. As a matter of fact, we are under pressure both ways on this. We are giving it some little thought. One pressure is from the municipalities who feel that the $20 should be higher. We are under an enormous amount of pressure from the trailer camp operators, the overnight people or the weekly people, that obviously $20 a month would be punitive for them, and that, well, they should not really pay anything. I think the municipalities feel they probably should.

The problem is that it is very hard to draw the distinction between the two kinds of trailer parks, and in fact many operators do not. There are two kinds really: There is the mobile home park where people move in and live and then there are a number of private camping grounds on which trailers move, which frankly we want to encourage.

The other place where we are getting some pressure from is from The Department of Tourism and Information, also from The Department of Lands and Forests, because if those costs get too high on the private people, then there will be a greater pressure to build more provincial parks or to build more trailer camping spaces in provincial parks. But as long as private enterprise is prepared to do part of this, we are quite delighted to see them do it.

We have undertaken a review of the provisions of paragraph 15 of section 401 of The Municipal Act, these being the provisions relating to the licensing and regulating of trailer camps and tourist camps. We have had a number of representations, as I said, with respect to the licence fees that may be imposed under the paragraph, which is a maximum of $20 per month payable in advance.

The operators of the seasonal type of trailer camps—if we can refer to them as such, for discussion purposes, to distinguish them from operators of year-round facilities—they contend, with much validity, that for their type of operation the permitted fee of $20 per month is completely unrealistic and no operator could stay in business in any municipality that saw fit to impose the maximum fee. Invariably reference is made to the fact that in many areas they have to compete directly with camp sites provided by the province, mainly through The Department of Lands and Forests. On the other hand, the municipalities and the school boards suggest to us rather strongly that a $20 per month fee is not adequate for trailer camps accommodating the year-round resident and, here again, we feel there is considerable validity to their request. This is really what the member for Windsor-Walkerville has said.

This has lead us to the point where we are now favourably disposed to recommending revisions of the paragraph to distinguish between the two types of camps, namely, the seasonally operated camp and the camp operated on a year-round basis. The latter obviously requires much more in the way of municipal services, including school facilities. For the former type, I will be quite frank, we thought this question would probably come up in the estimates and we had this statement prepared, to put it on the record. We hope that it will have, and we will undertake now to give it wide distribution among the trailer people and among the municipalities, and attempt to find somewhat of a consensus before we move to amend the Act.

We are considering a permitted maximum fee of $3 per month per lot for—the seasonal people, that is $3 per month for the overnight people and for the latter, on the year round basis, a permitted maximum fee of $30 per month per lot. I would stress that these are only tentative figures and we will welcome any comments as to the appropriateness thereof. As a matter of fact I can go further and say that we welcome any suggestions with respect to this whole subject to assist us in achieving our goal of providing a framework within which the municipalities may regulate and license in a manner that will be equitable for all segments of the community.

Before leaving the subject of trailer camps, I should for the record, comment that we are not unaware of the difficulties that may be inherent in attempting to provide an adequate definition in the legislation to distinguish between the two types of camp operators. Our present intention is to relate the definition of seasonal camp to the number of months that the camp is open in each year, as for example we might provide that any camp that is not open for business in excess of nine months in the year would be classified as a seasonal camp.

In other words, they would have to close down, close up tight and completely. On this basis, if the camp has to be closed for at least three months, there should be no danger of camps that are, in fact, of a year-round nature attempting to disguise their operations so as to qualify for the much lower fee as seasonal camps.

Beyond that I can also tell the members in the House—this perhaps really comes under the planning vote—that we have embarked on quite an ambitious study internally with the use of some outside help—and perhaps if I can find that I will detail it further to the House a little later on—in conjunction with ourselves, Treasury, and Trade and Development to look much more broadly than we have in the past at the whole question of mobile homes. And not only mobile homes but prefabricated homes—that whole industry—and to examine some of the problems which have arisen in the jurisdiction to the south of us. We plan to look at the economics in terms of the municipalities, in terms of taxation. This study will take some little while, and we will give it wide distribution when it is done.

Mr. B. Newman: Mr. Chairman, I would appreciate it if the minister would differentiate between the two by never using the word "camp" when he refers to the mobile home; always refer to it as a mobile home. There is a tendency to degrade that type of living and it is a modern type of living that is appreciated by all of us here in the House. The others that move around are also referred to as "trailer" type of accommodation.

What are the highest rentals that are charged—no, I will drop it there.

Mr. Bukator: Mr. Chairman, may I—

Hon. Mr. McKeough: There are a number of rates.

Mr. D. A. Paterson (Essex South): What about on trailer parks? The last one?

Hon. Mr. McKeough: Some of them, I think, have gone up or have tried to go up to $6, $7 and $8, and I think realistically this practically puts them out of business.

Mr. Bukator: May I speak on this subject for a few minutes. There is an application before the OMB to approve a 500-site mobile home unit in Niagara Falls. The man who is building this is going to put them on rented land. Naturally he is paying for all the services and the city has agreed to the proposition.

It will have a country club atmosphere about it. They are going to have a recreational centre, storage space for their boat or whatever they have other than what is necessary, parking for two cars, all underground wiring. I called the minister's office some six weeks ago about this particular unit because I think it is good housing, it is something that is necessary and it ought to come quickly.

Here is an opportunity to put 500 homes on the market in an atmosphere of a type that you really could not call mobile home, except on occasion they will take the odd one off and take it some place else. On top of all of that, he is willing to pay and agreed with the city to pay $20 month, plus a per capita cost for each student going to school, plus provide bus service to take them to school, and if need be, give then six acres on which to build their school. Now a proposition like that—the paper did say in Niagara Falls that it was too good to be turned down and they approved it.

It has been many weeks since it has been before your people. I know you have to contact many groups, such as Hydro, schools, highways, and agreed there is a holdup here somewhere. That is why I called your office about six weeks ago. I called the other day but maybe I got the wrong person. He knew nothing of this particular development. I do not have a file number. I was just interested in seeing the show on the road because this man is willing to start tomorrow morning.

The holdup seems to be someplace in the planning branch of your department. But we in Niagara Falls would like to see these people go on with this unit because it is good and will be the type of thing the people of Niagara Falls can be proud of. It is not a mobile home or part-time affair. It is a year-round proposition where both the city has agreed with the developer who wants to do the job for you and I think you will find some place in your department there is a hold up. I was going to pursue this further through one of your department heads to find out why this plan was not approved. I am sure there is good reason for it but I think we need co-operation and we should get on with the job.

Hon. Mr. McKeough: I am not familiar with this particular plan, of subdivision I suppose it is. But I will be glad to look into it and get a report to the member.

Vote 1402 agreed to.

On vote 1403.

Mr. Gaunt: Mr. Chairman.

Mr. Deans: Mr. Chairman.

Mr. Chairman: The member for Huron-Bruce.

Mr. Gaunt: I just want to make a few brief comments with respect to this vote. As the minister knows I have had my problems over the past number of years with the community planning branch of his department by way of subdivision approval and severence approval, and so on.

I recognize that there are many good people in that branch. They are trying to do a job. They have to do a job. Balanced against that I realize that many of my requests were rightfully rejected.

Nontheless, I just want to make one appeal to the minister and it is really an appeal. This is with respect to the amendment to The Planning Act that was passed last June 26. In that Act, as I recall it, the land division committees were to be set up with each individual county whereby they would handle these severance applications. I want to appeal to the minister and beg the minister to get his people out and get these land divisions set up as quickly as he possibly can across the province so that the department is dealing only with sub-division approvals rather than with the severance applications.

Many of these severance applications that have been coming in over the past number of months are rather routine. That is to say that it is a severance dealing with the farm house as set aside from the remainder of the farm. The farmer sells the farm and the buyer wants to sell the house or the farmer wants to retain the house while selling the remainder of the farm.

Many of those types of applications have been coming in. I would suggest those are fairly routine and could be handled by the land division committees. I am sure this is the intent, but I just want to appeal to the minister once again to get these set up as quickly as possible. These subdivision applications require, in many cases, a great deal of study. I suggest that the community-planning branch of your department have not the personnel in terms of numbers and is not able to give the type of in-depth study to these severance applications that perhaps they should be giving to them simply because they are flooded with them.

Hon. Mr. McKeough: I can only agree most enthusiastically with nearly everything that my friend from Huron-Bruce has said. I am informed that there have been something like eight meetings held to date in eight different counties. There are seven more planned for next week.

I am speaking to the counties and regions on Monday, the Lord willing, and I propose to encourage them to get on with this job. Not only do I think it is ultimately where the job should be, at the local municipality, but as the member points out, we are being bogged down with the job. It can be done locally, and if we return some autonomy to the county level, we hope they will get on with it very quickly.

I think some counties are a little bit concerned that the cost may be too much. Really, the cost of running a committee of adjustment—and this will be somewhat similar—is not all that great in any of the counties, or would not be proportionately that great in Ontario.

There is some question as to whether the $25 fee for the committee of adjustment is adequate. We are giving some consideration to raising that, but I think it can be safely said that none of our counties will go broke setting up these committees.

I think that part of the problem is that some counties already have some committees of adjustment and probably propose to keep them. But the county is going to pay for the loss on the new land division committee and that means that a couple of municipalities may pay something twice. Small though as that may be you can well imagine the reaction, in even the Huron county council, to that proposition.

Mr. Gaunt: I will give it a boost on Monday.

Mr. Chairman: Vote 1403?

The hon. member for Wentworth.

Mr. Deans: Mr. Chairman, I want to say to the minister there is something drastically wrong with the government's approach to planning. I do not want to deal with specifics as much as I want to deal with the whole general application of the government's policy towards planning the development of the province.

We have heard a lot said, in the last couple of years, in particular, about the need for planning. The minister has turned out any number of speeches, all have which were delivered to every office, saying that we

have to plan, we have to make sure we get orderly development. I think we are all agreed; I think there is no question that we all agree. And yet the government itself does not seem to put first things first in setting up a proper plan of development for the province.

An example I want to give: In Niagara, when they set up the regional government they were given a short length of time in which to prepare an official plan which would indicate, not only what existed but what their future development programme was going to be. Some time later, under the design for development programme, the government then travelled down to the very same region and unveiled their grand scheme, what they have found out about that particular part of the province, all of the problems they have, and all of the directions that ought to be taken. This is after they had started the official plan for the Niagara region.

Yet when we ask in the House what the government intends to do by way of specific legislation to deal with recommendations and shortcomings that have been discovered in the design for development programme as it applies to the Niagara region, we are told that some time in the future, there will be programmes brought out that will clearly set out what the government's policy is going to be towards land use; what the government's policy is going to be towards urban development; what the government's policy is going to be towards industrial development; whether or not at some point we are going to have a policy about the maintenance and preservation of the Niagara region in terms of its farm orientation, or whether we are going to permit urban sprawl to just take over the entire peninsula. All of these things are being said as if they will happen some day in the future, while today the area is drawing up its official plan.

How do you hope to be able to somehow bring some rationalization to this whole thing? How do you hope to be able to bring about some sort of planned orderly development, if you do things backwards? How can you say to them, on the one hand: "Give us your plan." While on the other hand tell them that, "some day we are going to tell you how it should have been done?"

This has been the problem with the government all the way down the line in almost every single thing that they have done. There are a lot of progressive thoughts, there are a lot of great ideas, but when it comes right down to the implementation of them, it is not worth the paper it is written on.

We have got statements by the minister—and I want to remind him of one but I am sure he will not forget it. It appeared on page seven of the Toronto *Daily Star* on October 13 and it says: "Ontario Cannot Permit Cities to Devour the Rural Areas". Great stuff, great stuff! What are you doing about it? You know, *ipso facto*, what is happening? What is happening in the Niagara peninsula? What is being done to try and avoid exactly what the minister is saying is happening and which he says we cannot permit to happen?

Mr. Good: Why do not you say no to Century City for a start?

Mr. Deans: This is the sort of thing that makes you wonder about all of the statements about planning. The minister speaks to the community planning association on October 14 and he says, "Planning is future-oriented and what we are talking about is the designed development of Ontario as a society that you will be proud to inherit." He was talking to some young people at that point.

That is great, but in the meantime, every time you set up a regional government, you say to them, "and we need an official plan." That is part of the whole programme. An official plan which obviously cannot take into consideration the findings of the design for development branch of this fellow here, the Treasurer.

Hon. Mr. McKeough: Oh yes, it most definitely does.

Mr. Deans: But it cannot. It cannot if that does not come out until after the official plan is under way.

How do you tell the people of the Niagara region, for example, and how can you possibly expect them to take into consideration the plans of the government as regards to economic growth and industrial and residential urban development, if you are asking them to prepare their plan before the government unveils its plans for that kind of development?

How is the Province of Ontario possibly going to develop in an orderly way unless, before you get involved in the isolated planning that has to take place at some point, you do not set out what inevitably will be a land-use policy for the Province of Ontario?

How do you tell the Niagara, or the Hamilton-Wentworth region, that they should have official plans when, if they draw them up in accordance with the things they have

obviously set as criteria by the manner in which the development is now taking place, you turn around a month or six weeks later and say that the development in the Toronto-centred region will take place at the Oshawa end, that industrial development and the incentive for economic growth will all be oriented towards the Oshawa direction rather than towards the direction of the Niagara region? How, in the Niagara region, are they going to meet the lack of industrial and commercial development, which is fairly obvious to most people, a lack which they are obviously now trying to compensate for, if the government is going to set a policy in five, six, or ten years that says that development will all take place in the east end of Toronto, or in an easterly direction from Toronto?

Surely we have got this whole thing backwards. Surely what we are talking about in drawing up a plan is to try and integrate existing communities and their objectives with the over all policy of the province of Ontario so that we do not have the kind of economic disparity, so that we do not have economic depression, so that we have economic growth spread out across the province.

This cannot be done if you continue to do your planning backwards. It cannot be done if you are going to say to each and every region of the province, "Prepare your own plans and let us hope without any direction from us that somewhere along the way we will be able to integrate them into what we will eventually come out with as an official masterplan for the development of the province."

There is something drastically wrong with the thinking in the area of planning.

Hon. Mr. McKeough: I would simply say, Mr. Chairman, that this is a discussion that might well have taken place—and I think in reading *Hansard*, perhaps did—in the Treasury estimates rather than these estimates. My responsibility is towards local planning and toward regional planning. Certainly both should fit into provincial planning, with which we have already been involved, and which now is moving ahead. I suppose it is a chicken-and-egg proposition, but we have been approving official plans for the last 20 years, I guess. The community planning branch are probably delighted to say that the province is getting ready to catch up. In the case of the York region, for example, I would expect they will start preparing an official plan next year. They will not get too far along on that process before the Toronto-centred region plan becomes a government document, a statement of policy, and then that plan will fit into it.

Mr. Deans: Will it?

Hon. Mr. McKeough: It will not be approved unless it does; it is as simple as that.

Mr. Deans: Well, what is the sense of having them draw it up in advance?

Hon. Mr. McKeough: I said that they will not be really started on it before the Toronto-centred region plan is approved by the government.

Mr. Deans: How about the Niagara area?

Hon. Mr. McKeough: Niagara? I think most of what Niagara has done to date—and we would encourage this—is to set up a planning mechanism for their municipalities. They have not moved ahead quickly in the preparation—I think this is a fair statement—of their regional plan. And we would expect the output from the Niagara plan—it was the Niagara Development Council, but they have changed their name to something else—but the output from that would be part of their regional plan.

Ottawa-Carleton. Let me put it this way: We hope—and I think the Treasurer stated this—that the regional plan stages one and two both will be presented in something like the next 16 months. They will not become a provincial plan in 16 months, but the guidelines are rapidly becoming apparent.

Mr. Deans: Has the minister given any thought to trying to correlate the design for development programme with the planning branch of his department, to trying to get them both under one minister, so he can deal with them in a reasonable and sensible way. This is nonsense about having dealt with them under the Treasury estimates. Under the Treasury estimates you cannot talk about local planning, and under The Department of Municipal Affairs estimates you cannot discuss regional or municipal or provincial planning, and each is dependent on the other. It just makes so little sense.

I just want to say that you have probably read the press report of the statement by Professor Krueger, in which he said that the development council is the weak link in regional planning. I think he is right. I think development councils are the weak link in the regional planning. I think in many instances, given some sort of direction in terms of the economic growth of the areas, that as we set up regional governments they

probably can do their own planning within a fairly broad-brush type of provincial plan. But you have got to set down the standards first, and you have got to say to them, before you can expect them to come out with anything that can be reasonable and anything that can be lasting—and that is what we are hoping to have—that you have got to first of all set out for them the kind of economic growth that you expect to be able to develop in the areas that they are particularly concerned with. If we cannot wait for every region to be set up within a regional administration before we get to that point, I think that the minister must surely get after his colleague and get him to transfer the department into his department, or else move regional planning out or something so that we can get it all under one.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Has the department taken steps in this budget for this year, or is it contemplating the building up of a planning department that will take over the role that in the past has been handled by the Metropolitan Toronto planning board?

Metro, of course, has had the co-ordination of planning within the very much larger area than it actually has political jurisdiction over. One of the great concerns that Metro has expressed in the past is the question of who is going to do this work in the future.

There has been very little actual contact between the department and the Metro planning board in the past. All the detail work has been done by the Metro planning board. I would appreciate the minister's statement with regard to what role he expects to play this year and in the coming year with regard to the work that in the past, has been done by the Metro Planning Board, and which I understand in the future the department will undertake?

Hon. Mr. McKeough: That is not correct. The work that has been done by Metro planning—we are talking merely about Markham, Vaughan and Richmond Hill at this point—will be done by the regional municipality of York.

Mr. Deacon: Since York is the first of the regions, who is actually going to co-ordinate this? What steps have been taken by the department to handle this role, because in the past Metro has looked after it? You are now being set up to handle this.

Hon. Mr. McKeough: No, we are not setting up a formal mechanism and I do not propose to but it will be the province's responsibility.

Mr. Chairman: Vote 1403. The hon. member for Waterloo North.

Mr. Good: Under the planning vote, perhaps the minister is—

Hon. Mr. McKeough: I might just add that we have hired, in consultation with the chairman of York, a planning consultant to take a look at York's planning needs. In addition to taking a look at York's planning needs in terms of the ultimate development of a regional plan—how it will fit into the Toronto-centred plan, the kind of planning staff which York should have for York's purposes, and perhaps on a contract or on a free basis for planning in local municipalities. The consultant, who happens to be Mr. Donald Patterson, not of Essex South, of Muskoka and OPADS fame. He will also be taking a look at the possibility of a mechanism—interface is the word—between the province and the regional municipalities of York and Metro. Sorry to interrupt.

Mr. Good: The minister undoubtedly read the contents or heard of the contents of the speech by the professor from York University, a Mr. Comay, I believe it was, who indicated the waste of time and money that has taken place in our particular area of Waterloo county over the past number of years.

I think he made a very good point—one which reinforced things which I have said here for the last few years and which, I think, have to be repeated again. That is along the same lines as were said by the member for Wentworth.

Things are being done which should probably be postponed until other things are established. In our particular case the amount of planning which has been done in Waterloo probably exceeds, thanks to some provincial financial help, planning which has been done in a great many areas of the province. Maybe we are overplanned. I do not know.

Hon. Mr. McKeough: Studied!

Mr. Good: Well studied and planned. We have had about $3 million worth of studies and plans in the last few years, and in the midst of this, of course, many of the things that did happen did nothing more than create the necessity for more studies. I speak of Ontario Housing Corporation assemblage

of land which came in the middle of our regional government studies. Then we have the water study, the dwelling and land study, and so it goes on and on and on.

And still we are how far away? I am asking how far away are we from a re-establishment of municipal government, a regional type of government or whatever type of restructuring we are going to have? Originally the plan called for 1971 as the deadline date. This we know cannot be realized at the present time due to the length of time required for Dr. Fyfe's study to be completed and the length of time of the briefs. All these things were necessary for input into the planning of the area which will be done.

We can discuss this further under the regional government vote, but I think this must be repeated time and time across the province where we have great studies, great planning going on. I think if we may briefly discuss this Toronto-centred region plan which was given out by the provincial Treasurer we have another indication here where we have a plan, very rough outlines of a plan, then we get back to the problem, "Well, how are we going to accommodate such things as Century City in the northeast end of the planning?"

How are you going to accommodate the OHC land assembly in my own area and other land assemblies around the city of Toronto? Do they or do they not fit into these plans? If the plans mean anything at all, they are going to have to fit in.

The Treasurer was very vague this afternoon as to what role the government of Ontario was taking in trying to unravel the mess which has developed now with Century City, foreclosure of mortgages and the legal implications which are going to be there. Somebody is going to lose a bundle probably, unless somebody makes a decision as to whether the thing can go ahead or whether it cannot. Should it ever have been allowed in the first place is probably the question. Surely people can assemble land—

Hon. Mr. McKeough: Nothing has been allowed.

Mr. Good: Nothing can be allowed, that is what I am saying. People have the right to assemble land but in the light of proper planning programmes, had they been in existence previously, they would have taken a good hard look at that area before they would have assembled the land. So hindsight is probably better than foresight. This is what I am saying; now can we prevent—is this department really interested in planning the future of Ontario to prevent such things from happening? We have said it before—the dollar bill has done all the planning in the province or a good bit of it. It is doing it now down in the Haldimand-Norfolk area.

I think there are steps being taken and a very good study being done by Mr. Richardson. I think the development there of Hydro —none of us can, perhaps, realize what the potential growth of that area will be when the Hydro plan is fully developed, and Defasco, Texaco and the Steel Company of Canada all get their developments there. There could be half a milion people there before we know it. Is the planning being done properly in these areas? I do not think it has been in the past, and I am not too sure that the necessary steps are being taken quickly enough to develop it here.

This professor of environmental studies at York University says we have wasted $3 million in plans, none of which, perhaps, should have really been done until we established what type of government we are going to have in the area. We have been working on this for the last three or four years. In the meantime, we have all these other outside influences which do nothing other than complicate the whole idea of planning in our area. Those are all the general remarks I want to make.

I want to bring up once again this matter of Walker Lake development under the subdivision section of planning for the simple reason I have not had a satisfactory answer, in my view. I asked the minister, Mr. Chairman, in June, why he allowed the draft plan of this subdivision on Walker Lake to be approved in the light of the statement of The Department of Lands and Forests which says the present amount of cottages on the lake should not be increased because of the shallowness of the lake and the lack of fish population in the lake. I did not receive a satisfactory answer and I still have not. The minister said they are looking into it.

On August 18 he said they are waiting for a more detailed report from The Department of Lands and Forests which he evidently cannot get from them and I say there is something wrong somewhere. In the meantime, the developer is suffering. I am not trying to create any hardship for any developer; all I want is a simple, straightforward answer of why he gave approval of a draft plan for this subdivision on a relatively shallow lake which had a 15-foot mean depth when The Department of Lands and Forests

said there should not be any more development.

Hon. Mr. McKeough: That is not correct?

Mr. Good: What is not correct?

Hon. Mr. McKeough: That the Department of Lands and Forests said they should not be building on that lake.

Mr. Good: All right I have a copy right here. I know the copy the minister has did not include that sentence on it but the copy I have includes that sentence—

Hon. Mr. McKeough: In writing?

Mr. Good: Something is wrong somewhere along the line in this department or The Department of Lands and Forests. These things should not happen—there is no reason these things should happen. As yet, you have not answered any letter after August 18, and in the meantime a developer is put at great inconvenience. He is probably sinking a whole lot of money into something which he does not know whether or not he can develop. I think you owe me an explanation, as a member of the Legislature who is trying to ascertain why certain things are happening, and an explanation to the developer who is left sitting on his hands for six weeks, waiting for an answer from your department as to whether or not you would have a meeting with him.

Hon. Mr. McKeough: I would simply say there are two or three things here, Mr. Chairman. First of all, going back to too much local planning, particularly the $3 million; perhaps this has been spent in Waterloo county—$3 million I think was the figure he used. I think in some ways I would have to agree with Mr. Comay, and perhaps with the member, that that sounds like a great deal of money.

I think too much of our planning in the past, or a great deal of the planning in the past, has in effect been local planning. A great deal of it has been money well spent and I think in many of our new communities—not new but expanding communities, Mississauga, North York—you can see the results of it, and in much smaller places than that. You can see the results of the amount of money which has been spent on planning and improved techniques. It is only 10 or 15 years ago that subdividers were laying out streets in straight lines and lots in rectangles, rather than something more interesting the way most of the subdivisions are being laid out today. If we have made great progress in this area, and this perhaps comes back to the subject that the member for Wentworth raised in terms of regional planning, in terms of provincial planning, there is no question that the province was not ready, in our view, to move to this type of planning. We think that they very definitely are now and I think to some extent at times we feel we are running to catch up. I do not apologize for that.

Of course the terribly interesting thing which Mr. Comay said in those remarks was that the $3 million was wasted until you have the local government structure—regional government, he called it—be it plan A or B, to go with it.

Of course, this is something which I am saying regularly. I said it in northwestern Ontario the other night. If we are to have the kind of directed growth to improve the quality of life which we need, we have two alternatives. I suppose we have three—that we do not have that kind of direction given—which I think would be a mistake.

The other two alternatives are either that there is a strong enough local government, a restructured local government, to do it. Or the alternative is that the province does too much of it. I think all these programmes go hand in hand.

I admit it would have been great to have a provincial plan tied down in every detail before we proceeded to the level of regional plans. I do not think we can wait that long—plus the fact it would worry me that the provincial plan, in the absence of local planning, would become much too fine, much too detailed. The bureaucracy would—and maybe even the minister would—be much too involved in regional and local planning if one was not coming up to meet the provincial planning which was going on.

I can tell the member that—well, as he knows—we did not have the written comments on the copy of the Lands and Forests report that we got. When we circulated that plan some months ago it was given draft approval on the basis that it was a satisfactory plan.

Since that time some of the cottagers have become upset about it. The member has been upset about it. We undertook to recirculate the plan and that has been done. There was a meeting as recently as Tuesday of this week between our staff and Lands and Forests and the other agencies who have taken another look at this whole problem.

I would expect that we will be getting back to the developer, to the people who have asked the questions, in due course. The plan was given draft approval. Normally draft approval is pretty final in a situation such as this. While there is a great deal of local apprehension, I think in my examination of the file—and I undertook to examine the file—there was no reason in the world, on the basis of the comments that came to us from other agencies and our own comments, why draft approval should not have been given when it was given.

Some people in the meantime perhaps have had second thoughts, which is their perogative, and we are re-examining the file of the plan in that light. I would hope in perhaps the next two or three weeks we would have something more final to say about it.

It being 6 o'clock p.m. the House took recess.

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No. 133



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Thursday, October 22, 1970

Evening Session

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 22, 1970

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF MUNICIPAL AFFAIRS
(concluded)

On vote 1403:

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Chairman, just before we rose, we were talking a little bit about mobile homes and I indicated that there was a study, just beginning. I thought I might put on record the extent of the study, which I think will be of interest to the members and through the members to the wider group which we call the people of Ontario.

This study is probably going to take about eight or 10 months. It will be done in part by staff of various departments, ourselves, Treasury, Trade and Development and probably with some outside help as well.

We will be making a survey of mobile homes in Ontario—the number of mobile homes: by location in the province; by location in the community; by the size of the group; by the size, type and so forth of the home itself.

We will be doing a survey of the number of parks. Again by location; type of ownership, private or municipal; size and facilities, the number of spaces, the density, the recreation space and equipment; by rates; by taxation.

The second part will include a study of financing of mobile homes. The costs; data from the industry; sources of funds for purchase. For example, NHA loans, FHA loans in the United States, credit from the companies which build these homes. We will include interest rates, the amortization period, the ratio of loan to value and so on.

We will be looking at the mobile home park financing, examples in new towns, the cost of development, the sources of funds which are available.

We will be looking at the implications for municipalities in terms of services, cost of services, schools; access. The revenue: Direct revenue such as taxation, the indirect such as business support.

We will be looking at the market: The present use, who is using them now; the future use, reports of the Economic Councils of Canada and Ontario. The overall share which they might expect to achieve in the total housing market by geographical location, by income, by family, by the degree of mobility.

We will be looking at the present regulations: Death, safety, planning, maintenance and occupancy, licensing. We will be looking at proposed regulations.

We will be looking at planning factors; Such things as social factors, physical factors, economic factors, community facilities, access and circulation, services and utilities, other planning factors.

We will be looking at design factors: Both within the municipality and the design of the home itself.

We will be looking at present policies, recommended policies, both for the federal government, the provincial government and ourselves.

I put that on the record and I will give this copy—it is somewhat longer than I have read but perhaps *Hansard* will print the whole thing and will indicate to the House the scope of the study we are doing. (See appendix).

Mr. Chairman: The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Is the department doing anything at all to try to reflect their thinking on many of the rural townships in Ontario who absolutely refuse, under any circumstances, to grant any kind of zoning or permit to the location of mobile home parks? Most of this fear is brought about, of course, by the fact that the education cost will reflect unfavorably on the community, and by the use of the roads in the area and the other facilities of the township, which will be strained by the siting of the mobile home parks in the area.

Hon. Mr. McKeough: I do not think it is just financing. This is one of the things we will try and find out; it is not just finances.

For instance—the member for Algoma-Manitoulin (Mr. Farquhar) is here—I was impressed with the mobile home park in Elliot Lake.

I think the reeve and the deputy reeve and others that I met with when I was in Elliot Lake the summer before last really indicated that they felt that with the $20 and the taxes, and I think a school payment of some sort or another, that really the mobile home was paying more than its fair share in relation to a permanent home in Elliot Lake. As I recall, the average home in Elliot Lake was paying something like $350 or $360 and the $20, plus the business taxes, and the property taxes and a few other things—were working out to about the same amount, $350. I think it would be fair to say that if they were assessable, the average mobile home in that park would be less than the average house and lot.

It was more than just the dollars and cents which concerned Elliot Lake, and I think which concerns other communities. It is no secret that a mobile home, a prefabricated home of that sort, can, and usually does, deteriorate more quickly than a brick residence or even a frame residence. They are well built but naturally they are on the small side and there is a great propensity to add some sort of a lean-to. Sometimes the lean-to is well done; sometimes it tends to become a little bit shacky, if I can put it that way.

Many of the people who use them are mobile people in our communities and in our society. Their roots are not as deep; they may not have roots at all in a community. Their pride of ownership therefore, and their standards of maintenance, are not as high perhaps as someone who owns a single-family home. Probably they are not. So it is not just the dollars and cents. It is something more than that.

Also, of course, I think one thing we have to remember in this jurisdiction, as opposed to comparing it with the United States, is that we do have generally a much more severe winter. If weather has a debilitating effect on a home or a mobile home, it is more so in Ontario than it is in Kentucky, or New York, or most of the states in the United States. But certainly all of us, I think, or most of us, have seen some of the mobile home parks in Florida, for example, which are gorgeous, well-maintained, and a credit to any community. What we hope is to be able to find ways and means of accommodating those people who want to live in a mobile home, recognizing the mobility of our population, and at the same time try to ensure that the result is more like Florida than some of the things that we have all seen, if I can put it that way. It was not just money.

Mr. Chairman: Vote 1403? The member for—

Mr. Good: No, on the subject we were talking about.

Mr. Chairman: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Chairman—

Mr. Chairman: Well, I guess—

Mr. Deans: Are we on the same subject, mobile homes? I would be prepared to get the mobile homes out of the way. Since we are mobile we might as well.

Mr. Chairman: Very good. The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Chairman. I did not hear in the minister's announcement of the detailed study if he included the tie-up between the mobile park owner and the sale of mobile homes to the individual who is going to move into the area. Because apparently now you can get accommodations in some mobile parks, but only if you buy the mobile home from the owner of the park. And I think that may not be a good type of practice and I would assume that the minister's study should include such tie-in features.

I want to thank the minister for finally coming to the point of looking into the mobile home situation because, if I am not mistaken, it is four years now since I brought this to the attention of the government as being a partial answer to the housing situation. Seeing how our neighbours to the south of us have taken advantage of this, I am glad now to see that the Ontario government is going to look into this and have that detailed study on it.

Mr. Chairman: Anything more on mobile homes?

Hon. Mr. McKeough: I guess I should answer the question of the member for Waterloo North. I did not answer it; I went in another direction.

No, as a department we have not suggested to any municipality, let alone suggested forcefully, that they should accept some of this kind of accommodation. I do not think

we do that with any kind of accommodation, and we would not have in this case because we do not know enough about it. And this is what we hope to find out.

Mr. Chairman: The member for Wentworth.

Mr. Deans: Mr. Chairman, I want to talk to the minister for just five more minutes about planning. The thing that struck me as very odd over the last two years has been the attitude or the lack of co-ordination, it appears, between certain departments, I raised it earlier but I want specifically to refer to a development that is under way by the Ontario Housing Corporation.

On Saltfleet Mountain, Ontario Housing went out and purchased a great tract of land—a couple of thousand acres, perhaps even more—and they then set out to plan it. They did not talk to anyone about it really; they just set out and planned how this development would take place. And they refer it to the municipality, at one point, when they have it all ready, so that the municipality can change its official plan.

I wonder if the minister could explain to me what role his department plays in this kind of an effort? What kind of a role does The Department of Municipal Affairs play in the planning branch in the attempts by the Ontario Housing Corporation to locate and develop what they have called in the past satellite developments?

How do they co-ordinate those efforts into the overall planning function and planning pattern of the municipality and the surrounding municipalities, which are definitely affected by the location of some 10,000 or 15,000 homes, a school or two and two or three shopping plazas, particularly when surrounding municipalities also have Ontario Housing land within their jurisdiction, and they are also trying to plan for its development to take care of the population growth?

One other matter, if his department is involved—and if it is not, then I want to know why it is not. What consideration is given to the disturbance of the industrial-residential ratio of assessment when the Ontario Housing Corporation walk in with a master plan for some 10,000 residences? How do we co-ordinate the efforts of these two departments?

Hon. Mr. McKeough: There is a co-ordination between Ontario Housing Corporation and the department. There are two or three vehicles. There is a rather informal committee on OHC sites for land banks and similar purposes. More recently, a year ago, the Minister of Trade and Development (Mr. Randall) established, with my full concurrence after a series of meetings, an advisory committee on housing which includes our department, his own department, and I think several other departments and then a number of representatives from the housing industry. I think there are about 20 altogether. They meet, I would suspect, about monthly in terms of broad co-ordination.

Our position in this is a department is a little bit difficult, if I can put it this way. We provide OHC with assistance whenever they ask for it. I am reminded that we do a financial analysis of the effect of a large development on a particular community whenever it is requested, and they are requested quite regularly.

When I say our position is a little bit difficult, this is not only true of Saltfleet, it would be true, for example, of Malvern, and it would be true of the Harbour City project. Ultimately although the Crown is not bound in any way, shape or form, the Crown, through OHC, has taken the position that it will subscribe to all local procedures and all provincial procedures.

Therefore, the Ontario Housing Corporation, in Saltfleet, for example, will ultimately convince the municipality, or otherwise of the efficacy of its plan. There will ultimately come to me an official plan amendment, and perhaps ultimately a plan of subdivision, perhaps a zoning bylaw, which would go to the board, but we would be asked to comment on it. I am a little bit loath to get too involved in the initial stages when we ultimately end up—if not in fact, in practice—as the final judge.

We hope we act as a department in the Ontario government. We also feel we have built up over the years a rather good relationship with a number of municipalities. I would have to tell you that I think we quite often find ourselves shaping, or being on the side of—that is a rather poor way of putting it—of a municipality in terms of their discussions with another government department. I think this happens rather regularly. I hope as a department, both the minister and the staff, the greatest part of our job—and I think in part we live up to it—is to try to see things from the municipal point of view. We try to interpret that point of view, or assist in the interpretation of that point of view, to a number of other departments, most of which have equally good relationships with municipalities in their particular spheres—in fact, probably better relationships

than The Department of Municipal Affairs does in a particular sphere.

We try to look at the broad scope of what government policies mean—not in isolation, but in total—on the well-being of municipal government in the province. We do not always succeed—I would be the first to admit that. But I could see us becoming much more involved and therefore much more enthusiastic than we might appear to be—or perhaps unenthusiastic, as the case may be—about Saltfleet, about Harbour City, about any number of a dozen other things which OHC and, for that matter, some other departments are involved in. And to a certain extent we do try to hold back, because we know that ultimately we are going to be in the same position as we are with every other developer in the province, normally private, in this case the public developer.

OHC, of course, are in the position to tell the Minister of Municipal Affairs that they are not bound to listen to him. In so many words they can tell him to go to blazes, or further; they do not. So our position is a little dicey.

Mr. V. M. Singer (Downsview): The whole government position on this question is a little dicey.

Hon. Mr. McKeough: We were having such a nice discussion before you arrived.

Mr. Singer: I know, but you are getting yourself really in trouble.

Hon. Mr. McKeough: You might explain how you would do it.

Mr. Singer: I will. I will be glad to.

Hon. A. Grossman (Minister of Correctional Services): Explain how you would get yourself into trouble.

Hon. W. A. Stewart (Minister of Agriculture and Food): In North York.

Interjections by hon. members.

Hon. Mr. McKeough: My friend from Windsor says he is sympathetic to my problem, and I must say that it is something which is of some concern to us; we try to play a little bit of a middle line. Whether we succeed or not, I suppose, remains to be seen.

Of course, in something as large as Saltfleet or Malvern yes, Harbour City as well and some of these larger scale projects, as opposed to some of the smaller ones—those things very definitely come under the scrutiny of the advisory committee, which I think you will understand is composed of 10 deputy ministers of the relevant departments, the development departments, who in turn report to the cabinet policy committee. So if something of that size and nature would be screened by the advisory committee on regional development, it would ultimately go to the cabinet committee if it was necessary for resolution. I do not think I can add to that. I am not in any way trying to suggest for the sake of the record that we do not support what Ontario Housing does, but I think it is important that we do not appear to be on their side as opposed to being either neutral or on the side of the municipality.

Mr. Deans: I think it would be fair to say that while you do not want it to appear you do not support them, they put you in a position where you could hardly do anything else. But after they have gone ahead and bought the land and drawn the plans and sold some municipality on it, and after they have gone ahead and changed the official plan and brought it to the Ontario Municipal Board and then they bring it to you, what else can you do?

Mr. Singer: You hold their hands.

Mr. Deans: After we have spent hundreds of thousands of dollars. It seems to be the problem, and I do not honestly know how you will resolve it. I will be frank with you about it; I do not know how you are going to resolve it now. The problem is, though, that everything seems to be done in reverse order. Sure the decision-making at the outset, the purchasing of land is fine, the assembling of land banks is a great policy, and we agree, we endorse that, the reason being that until such time as some steps are taken to develop it, the land is still worth what you paid for it. You can still, eventually, dispose of it if you have to, and it will be useful in whatever other way it can be put to use. But the minute—

Hon. Mr. McKeough: Might I just interject?

Mr. Deans: Yes, sure.

Hon. Mr. McKeough: I do not know that in the past—well, the advisory committee did not exist until—

Mr. Deans: A year ago.

Hon. Mr. McKeough: A year or so ago. A large scale land bank now would be referred to the advisory committee before an option

was taken. In fact, I will even put it the other way around—I think the advisory committee will at some point start suggesting to OHC where land banking should take place.

Mr. Deans: Now we are coming to what should have been done in the first place. Surely—and this is what I was really coming to—this is the policy that has to be followed? If you establish a plan for the orderly development of the province then, of course, whoever is responsible for the administration of that plan in its broadest aspects, surely has to have at least an equal say with the purchasing agent in terms of what is bought and where it is purchased and what is paid for it in regard to the development that takes place?

This has really always bothered me, you know, even the advisory committee and the way it is set up—I question whether all of the research that should be done into the effect on the assessment, into the effect on the community in regard to its ability to pay and provide for the services necessary—particularly it applies to Saltfleet, but it also applies equally in other areas—I seriously question whether those research undertakings are done in time to affect in any way whether or not the land is purchased or the plans proceeded with. I have a suspicion—and I think it would probably be borne out—that really the minister in the end is okaying after the crime is committed. He has very little choice. He may have a couple of options, but those options are pretty well either to try and delay it a little while and hope that something changes, or to go ahead with it and say it is okay with reservations.

I do not think you are involved nearly enough in the planning aspects of it. I think this is just another example of why you have got to draw these things all under one minister.

Hon. Mr. McKeough: I cannot give you specifics but I can only tell you that the advisory committee, which is composed mainly of deputy ministers—I think all deputy ministers—with some other advisers and with the resources of the regional development branch, but aside from Treasury and Economics, aside from the advisers themselves, and with respect to the composition, they are very hard in those groups. They shot down a couple of my great ideas, I might say, without ever even letting them go to the policy committee. They deflated them right there. They are very hard-nosed.

Interjections by hon. members.

Mr. Chairman: The hon. member for Algoma-Manitoulin.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, if I can, I would like to direct the minister's attention back to some efforts that have been taking place, and ask him a question finally, when I am finished. It has to do with another kind of administration, another kind of municipal development and work that has been carried on in the unorganized townships in my riding.

Over the period of this summer, some six or seven meetings have been convened. The department has sent people up to help me, even to the point of producing a budget forecast that lays out in pretty graphic terms comparisons between present tax costs in an unorganized situation, as opposed to tax costs and advantages and potential under an improvement district type of situation.

Finally last Monday night, in a meeting that was more or less organized to end all meetings on the subject, the five unorganized townships that represent all of the unorganized townships in Algoma-Manitoulin and which represented a good cross-section, came through with a resolution to the effect that there was an application to OMB for permission to consider the establishment of an improvement district type of government there.

My question is, and my concern is, that petition—we will call it a petition—that is coming down here over the signature of something like 75 to 1 against, is a pretty good consensus of what the people want; they have demonstrated their desires, and I have felt it my responsibility to make sure that they knew what they were talking about before they did it.

There has been a lot of consultation and my concern is that the Ontario Municipal Board, when they receive this, certainly will be in touch with The Department of Municipal Affairs with respect to their opinion on this matter. I simply want the minister and his people to make sure that recognition is given so that if they get this, at least it is what they want and have said so with their signatures.

I understand also that they have had various kinds of objections from the department to an improvement district and I certainly understand it is not the ultimate in municipal administration. I lived through one of those improvement district operations; I know that they are short-lived and I hope they are short-lived, but in practical terms it

is the only thing that, in my opinion, that can be sold in that area. It is practical, it will work and at least will establish a regular grant structure in those areas so that their members of Parliament can do something in their interests and they can have a voice in their own destiny at least.

I want the minister to comment specifically, and hopefully, that the department will not take the position with respect to the disadvantages of strip development. And strictly, it is a disadvantage. It will be a strip development, but on the other hand, that is not the only reason for forming a municipal government of any kind or a municipal administration of any kind.

Hon. Mr. McKeough: Mr. Chairman, the member for Algoma-Manitoulin is always too modest. I am not one particularly given to flattery but I suppose this does represent—and it should be on the record—one of the better examples of where a member of the Legislature is not just a representative; he also provides the leadership.

And I am glad to put it on the record that the member for that area and for those five townships has been working on this, to my knowledge, for two or three years. And, if that improvement district, or township, or whatever it turns out to be comes into being, then it is the member for Algoma-Manitoulin who should go to bed a very happy person, with a great sense of well-being and satisfaction for the leadership which he has given to his people.

Now I read about what happened on Monday night in yesterday's—

Mr. Singer: You have just written his election pamphlet.

Hon. Mr. McKeough: I have to tell you that there are some over there—the member for Downsview is not necessarily in that category—whom we would like to have back.

Mr. Singer: I thought you would do the same for me.

Hon. Mr. McKeough: There are some we would like to have back.

Hon. Mr. Grossman: Not too many.

Mr. Singer: There will be a lot more.

Hon. Mr. McKeough: Well, when the member for Downsview starts to provide the kind of leadership that the member for Algoma-Manitoulin has, then I might say the same thing about him.

Mr. Singer: You were doing so well up to that point; stay there.

Hon. Mr. McKeough: Now I have not had a report from the staff yet as to just where this stands. I guess my staff are a little behind; I read about all this in the Soo paper of Tuesday, which clipping arrived on my desk today.

Let me just say that I would hope so. Certainly what you have said is true, this is what they want. And so far as the minister is concerned, subject to you being shot down at some later point by my staff, yes we will support the application. Let us give it a try. I think the population is a little thin—and for the benefit of the members of the House we should explain the purpose of this is not simply government for government's sake. There are some enormous planning difficulties. There are some economic difficulties in terms of this area, which is next door to Blind River and south of Elliot Lake. There are planning, economic, and social difficulties.

Certainly local government can be part of an effective way of coming to grips with all three of those problems and, without having seen the facts and figures, I would say let us give it a whirl. So I think that the member can count on the support of the department when it goes to the Ontario Municipal Board, which will make the ultimate decision.

Mr. Farquhar: Just one more word, Mr. Chairman. I did suggest to you that I do not minimize—and any of us who have anything to do with municipal government do not minimize—the problems that are ahead. This has already been mentioned to me by people in your department. I do not minimize them at all. I would like to think that this one could be made to work.

There are many unorganized townships and areas in northern Ontario that could treat it as a pilot project. They might just get an experience in that that might solve a lot of the unorganized confusion that exists in northern Ontario.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, I wanted to pick up the point opened up by the hon. member for Wentworth, and the beginning of a reply from the minister.

Mr. Chairman, I just cannot picture the minister as the knight in bright shining armour, defending the poor municipalities against the rapacious actions of his colleague, the Treasurer (Mr. MacNaughton), or the

over-exuberance of his colleague, the Minister of Trade and Development, or even the hundreds of millions of dollars that the Minister of Highways (Mr. Gomme) is so anxious to spend. It seems to me—and he mentioned two of the instances and I am going to mention the third one—that had there been anyone standing up for the municipalities insofar as Malvern is concerned, that somewhere in those front benches, and perhaps most hopefully from the Minister of Municipal Affairs, a scheme would have been worked out sometime since 1954. This is 1970, and I guess, according to the latest bulletin we will get from the Minister of Trade and Development, we can begin to look for houses about 1971 or 1972. We get this announcement regularly, when we get close to election time, but there are still no houses in Malvern.

One would have thought that if it was the philosophy of an eager Minister of Municipal Affairs, somewhere, somehow, in some manner, the champion of Ontario's municipalities would have been able to work out some method whereby the borough of Scarborough had enough money to begin to service the lands. Now that is what happened, Mr. Chairman, and you know and I know that the reason that there is this housing shortage, the reason that the 1,700 acres lay fallow in Scarborough, for 16 or 18 years of government ownership, was that there was no ability in the local municipality to provide the services.

Where were the champions of municipal rights? The minister's voice has been a pretty silent one, even in the years he has been here, to rally to the support of the citizens of Metropolitan Toronto or the citizens of Scarborough who wanted that land developed, so that there were to be more housing available.

And then the Harbour City scheme! I would like to hear the minister expand on his role, insofar as Harbour City is concerned. Another magnificent effort of Stan the man! Several plans, some about to start momentarily, he said.

His first statement was fascinating. Within six months people were going to start digging holes, and people, twelve months later, people were going to start living in the new Harbour City.

When he got caught up in that, and when he had to admit publicly that unfortunately he had neglected even to discuss it with the Metropolitan Toronto civil servants, their planners and engineers and so on, he withdrew. Then he had his second run at it, and he said, "Here is a plan. We hope they will like it. If they do not like it, that is the end of it."

But where, Mr. Chairman, was the voice of the defender of the municipalities, the Minister of Municipal Affairs? We did not hear it. Where is all this co-ordinating that was being done? Where are the joint efforts of the Minister of Municipal Affairs, together with his colleague the Treasurer, and the Minister of Trade and Development, and the Minister of Highways, and the whole host of them who were going to make it possible for this great development to come to the city of Toronto, the municipality of Metropolitan Toronto?

It was a very, very still voice, Mr. Chairman, and the so-called champion just lost his suit of armour that day, or those days, that his colleague from Don Mills was making his speeches. The platitudes that he gives us tonight, Mr. Chairman, are no answer at all.

His latest effort is the creation of the new municipality of York—the area between Highway 7 or the new Highway 407, wherever it is going to be, and that is a secret that we have not yet been made privy too. On Steeles Avenue some 50 square miles of land still hangs in the balance. Is it going to go to Metro or is it going to go to the new municipality? If it goes to Metro, who is going to pay for the services and how are the services going to be able to be used? When, if ever, is Metropolitan Toronto going to be able to use that land to provide the new housing that is necessary?

Fifty square miles, Mr. Chairman, is one and a half times the area of the city of Toronto, and one could easily imagine—if the champion of the municipalities had his wits about him—that something would have been done to help solve the housing programme in the municipality of Metropolitan Toronto.

On that 50 square miles of territory a half million people could surely be housed with ease, if the champion of municipalities had put his mind to it as he announced these new regional governments. By the same token, Mr. Chairman, if that 50 square miles of land is going to be taken away from York county, as it appears that it will, what arrangements are going to be made for York county to have an ability to finance with that great loss of assessment? No explanation there.

One would have thought, Mr. Chairman, that the champion of the municipalities, as he goes around the country announcing

new regional governments, would have been able in the interests of those municipalities that he is fighting for so hard, to announce the new financial arrangements that are going to allow them to continue to exist. Unfortunately, Mr. Chairman, the champion has forgotten who he is championing.

The difficulty, Mr. Chairman, is this, the minister has become very adept in recent months at delivering the great platitudinal speeches, such as the one he made tonight, and if anyone really believes that he has a role in government of championing municipalities as against other actions of his colleagues, I say you cannot believe it for a minute.

I say, Mr. Chairman, that the minister can make the grand speech and utter the magnificent platitude, but insofar as providing solution, and insofar as helping municipalities solve their very serious problems, for provision of housing, for financing and so on, there is nothing I have heard from the minister since he has taken office, or from the new committees or from the new plans that come from a variety of cabinet members, as to how these things are going to work out.

I wish the minister, instead of making these grandiose speeches, would begin to indicate to us what is going to be done by the province to help solve the housing problem in Metropolitan Toronto. What is going to be done to enable these new regional governments to properly finance themselves? York is the best immediate example. York has lost the heart of its good assessment, and the minister has provided nothing except a few paltry alternatives.

Mr. Chairman, I know these estimates are dragging a bit and there is a desire to finish them tonight, but I wish sometime that we could hear from this minister something more than the thought that he is "Sir Darcy" on the white charger.

Mr. Chairman: Would the hon. minister care to reply?

An hon. member: That is a compliment. He can keep moving ahead.

Mr. Chairman: Does the hon. minister have comments? The hon. member for Waterloo North.

Mr. Good: Mr. Chairman, one more item I would like to bring up under the planning session, and that has to do with policy of the department, if there be any, relating to the subdivision in vacation lands. This is directly related to Walker Lake, plus other areas.

The two studies that were done—the one in Bruce county and the other joint study by The Department of Municipal Affairs, I believe, and OWRC, Lands and Forests, Energy and Resources Management—as to what the future prospects will be on subdivisions in vacation lands. Surely there is going to have to be developed, if there is not already, some type of formula as to how much development of cottages each lake can maintain? Now wall-to-wall cottages along our Great Lakes, on 50-foot lots, have developed over the past 50 years, and perhaps these lakes can support cottages that closely. But when we get into our inland lakes—and I think Muskoka has proven that they can support only so much development before they become polluted—then we have eventually to decide what type of development will be allowed on each lake. The burden for this rests entirely on the community planning branch, and specifically the subdivision section of the community planning branch of The Department of Municipal Affairs.

Now the Bruce county study showed, I think, Tobermory and, was it Inverhuron, were the two places where the pollution was at its greatest. Consequently the planning in those areas will be directly affected. The other study which was done jointly with the other departments caused quite a flurry among developers of vacation land when it was suggested that there would have to be minimum-sized lots for cottage development of something of an acre and one-half, or larger.

These questions are, of course, of vital concern, Mr. Chairman, not only to developers but to people who buy lots from developers wondering, as they well will, as to whether or not they will be able to get a building permit. I think this perhaps is what caused the problem on Walker Lake. No one really stopped to figure out how much development a lake with an average depth of 15 feet can support.

This is what has to be decided all along. We have the same problems along the Trent River, and in other areas in all the vacation lands. If you have Lake Ontario or Lake Erie, sure you are going to have cottages side by side and they can probably support the development. The soil content in Bruce county below Hepworth was considered to be such that it can support all kinds of cottage development. North of that, where you are on the Precambrian Shield and the overburden is very minimal, it is another matter.

The development of vacation land in Ontario has been something which has prob-

ably progressed faster in the last five years than at any time previously.

Even up until last June, in many parts of the province before subdivision control came in, a person could buy a strip of land that was surveyed, put in the stakes, go to the registry office and have his lots all registered ready to sell, regardless of how that development would affect the environment in the area and the quality of the water in the lake.

So I would invite the minister to tell us exactly what procedures are being taken by the community planning branch to draw up some guidelines or some formula, if you will, as to how many cottages each lake in the province, or the type of lake, can support, because I think this is most vital.

Hon. Mr. McKeough: A proposal for a subdivision on a lake is handled, I suppose, in exactly the same way as any other proposal for a subdivision. When it is received, first of all it is checked for conformity with the official plan, if there is an official plan. Of course, many of our resort areas do not have an official plan, which we encourage them to do. Some of them are moving in that direction rather slowly, sometimes rather painfully, but they are moving in that direction. The external agencies and the internal agencies would subject them to the same kind of rigorous examination which any plan of subdivision gets, and more so, since there is not an official plan. These cottage subdivisions all go to the Ontario Water Resources Commission, and of course The Department of Lands and Forests, which by the way, I might also say, send to us and put their own subdivisions through the same sort of testing, whether it is an organized territory or unorganized territory, it gets the same kind of scrutiny that any private developer would get. It is looked at by the boards of education, the local medical officer of health, The Department of Lands and Forests, in terms of possible public ownership, access for the public and that sort of thing, and possible interest by the Crown for purchase of part or all of the property.

Within, I suppose, the last three or four years, this is exactly what happened to Walker Lake. Despite the fact that the member saw a piece of paper that somebody had written on, the comments on the draft approval of Walker Lake were unanimously favourable. That is why draft approval was given. Because the member and others raised some concerns, we have recirculated the plan.

I think I can tell the member—I checked this over the dinner hour—that there are some modifications being suggested, but nothing very substantial in the recirculation.

The point that the member for Waterloo North raises is a very good one, in general. What you were talking about we have referred to as lake capacity. Lake capacity is something which I would be frank to admit we do not know enough about. Lake capacity is not only the capacity to receive effluent. Effluent used to be just human effluent; now we have cottage areas that have more dishwashers and more clothes washers than the average group of residential houses in the city will have. People who used to go up and used to be quite happy to use a rather primitive bathroom, now have two and three bathrooms with hot and cold running water, dishwashers, clothes washers, and so on. Not all.

Mr. Good: That is not Bruce Peninsula; that is Muskoka.

Hon. Mr. McKeough: No, this is all over. You would be quite amazed.

Mr. W. G. Pitman (Peterborough): You move in pretty high circles.

Hon. Mr. McKeough: The difference in the idea of roughing it is not quite what it used to be. I can only say that I look on this development with a great deal of interest and approval since we sell plumbing and heating supplies, but it is a good thing. There is that kind of capacity of a lake to receive effluent; there is the capacity now which we never even thought of, in terms of outboard motors.

The member from Haliburton yesterday at a meeting gave some statistics about a particular lake in Haliburton. I think there are some 400 cottages on it, and the one marina sold something like 9,000 gallons—I may have these figures wrong—of outboard motor oil. In motor oil in an outboard motor you consume, I think, about 47 per cent, or you consume about 51 or 52 per cent of it and 47 per cent of it really returns to the water. Now if somebody dumped a 45-gallon drum of oil into the middle of any one of our lakes, it would be a disaster something like we have never seen. Here we have—I am not sure whether it was 900 or 9,000 gallons—say it was 900 gallons going into this lake in the course of two months or two and one-half months. It is really quite fantastic. There are people who are enormously concerned, not about boats themselves, but about water skis, about the sheer noise of boats.

What is the capacity of a lake to take that kind of noise, that kind of intrusion?

There are, of course, the people who are terribly, terribly concerned about the fishing, about the wildlife facilities, all these things. I would be the first to admit we do not have the knowledge which we should have.

Mr. Good: But your department has to control that.

Hon. Mr. McKeough: Mr. Taylor, who is sitting in front of me, points out to me that nobody in North America does. It is an area which has not been researched. We have simply sold off lots and built on lakes and I think you know that about three years ago in co-operation with the township of Ryde, ourselves, Lands and Forests and Water Resources, we put in a very little bit of money. I think it was a $4,000 or $5,000 study, as I recall, and looked at a particular lake in Muskoka, Riley Lake, in Ryde township. That study indicated—by very crude measurements—that there was room on that lake for possibly 50 cottages. There were already something like 90 there and there was an approved plan of subdivision for another 45 and there was still all kinds of shoreline to build on.

The bells started to ring a little bit with that report and I think the member would be interested to know—I suppose we should be making a statement about this, but we will get around to doing that—that we reached agreement today among the three departments, OWRC, ourselves and Lands and Forests and, I think, Health is involved as well, to do a preliminary study at a cost of some $30,000, using the University of Toronto, to move a step further on deciding what kind of lake capacity studies we should have.

The horrible thing about this is that no two lakes in Ontario—and we have 200,000 or so—are the same. You obviously cannot afford to spend a great amount of money on each lake. We hope, after study, and it is going to take a couple of years to develop some criteria on a number of lakes, which then would be applicable to average lakes, whatever that may be, and to develop out of that some guidelines, both for the Crown and for the private developer, and of course for the approving authority's information most of all.

The point that the member makes in terms of our lack of knowledge and our great need for research in this area could not be more to the point and more apt. I can only tell him that we have been unable to discover any definitive work on this in North America and we have been moving ahead rather slowly, hoping we would find somebody who had done work on this. We have not, so we are moving ahead ourselves as a joint effort of three departments, perhaps four.

Mr. Chairman: Vote 1403. The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to ask of the minister if he has undertaken any studies concerning the Doxiadis report on the megalopolis concept—the concept that would have one big city stretching from Minneapolis on the west right through to Montreal on the east—and as a result of that study has he in his planning department, considered the establishment of green belts around municipalities so that municipal development might be restricted in its outward development and be required to go up rather than out, in that way facilitating transportation and other ancillary services rather than having a sort of wall-to-wall city from Minneapolis all the way through to Montreal?

Hon. Mr McKeough: We have received the reports and, I think, given them more than passing interest because the minister comes from that part of Ontario; but no, we have not initiated any studies. I think the prime reaction to Doxiadis would be from Treasury and Economics through the regional development branch.

To use the jargon, it is very much macro-planning rather than micro-planning. It has enormous implications in terms of the regional development plan, in particular for the Lake St. Clair region, and I think I was told that the regional development branch is examining it quite critically from the point of view of the ultimate regional development plan which we are developing for that area.

I do not think that we have particularly been involved although I am just told now by one of my staff what we are suggesting is a series of meetings between ourselves, Treasury and other departments on the Ontario side and Doxiadis to discuss the implications and the findings for the municipality, so apparently I am a little bit behind. I guess my staff feel we should be involved as well as Treasury.

Vote 1403 agreed to.

On vote 1404.

Mr. Chairman: Vote 1404 is divided into specific programmes which I think should

probably be taken separately, if this is agreeable to the committee. The first programme, of course, is municipal systems development. Any discussion on that programme? Does that programme carry? Carried. Municipal accounting?

Mr. Deans: Just one question before you do that.

Mr. Chairman: On the municipal systems?

Mr. Deans: Yes, I want to ask the minister if we might discuss regional government under effective local government? In which of these votes do you want to talk about it?

Mr. Chairman: We have municipal research, which would be the—

Mr. Deans: For regional government? Under municipal research?

Mr. Chairman: Anything under municipal accounting? Carried. Anything under municipal finance? Carried.

Mr. Deans: Municipal finance, Mr. Chairman—

Mr. Chairman: I think the hon. member is just a little slow on both of those votes.

Mr. Deans: That may be so.

Mr. Chairman: I called the vote quite clearly.

Mr. Deans: I know and I said "municipal finance" as I was standing up.

Mr. Chairman: After I said "carried." Proceed.

Mr. Deans: Thank you very much.

I want to ask the minister, under municipal finance, whether consideration has been given by his department to the setting up of a fund to provide for municipalities. I know that he has a bill before the House and I would have discussed it under that bill, but it really falls within the jurisdiction of this area. It seems to me to make sense that the Province of Ontario—

Hon. Mr. McKeough: Is this a loan fund?

Mr. Deans: A loan fund, yes. It seems to me to make sense that the Province of Ontario should use its collateral to borrow money for municipalities for the purpose of debenture. I do not agree with the practice that has been followed and I do not agree with what has been proposed by the minister now.

In British Columbia they have suggested such a thing. In fact they have announced plans to inaugurate a municipal financing agency to be run by the local governments in British Columbia and I think that it makes good sense at a time when municipalities are having a lot of difficulty in meeting their bills to do everything that we can within the power of the province to bring down the borrowing rate, the rate of interest, at which they must borrow. This could certainly be done by the establishment of a fund of the type that I am talking about.

There are other advantages to it too. The power that you are about to grant them to permit them to go abroad and to borrow money on foreign markets will be of little value for the majority of them, because they are going to have the cost of seeking out this market, those places where the money is available, and then paying the high rates. The cost of safeguarding themselves against all of the difficulties that are encountered in borrowing abroad are really, I suspect, too much for most of the smaller municipalities to handle.

We saw ourselves last year that the government almost ran into difficulties in borrowing in Germany. We just sort of came out of that one in time and if it had been a small municipality it could well have affected them to the extent that it could have been really destructive to their entire financial base.

I think that the province—we suspect that the province — probably could reduce the interest rate by three-quarters to one-and-one-half per cent on debenture borrowing for most municipalities if you entered into the field of securing the money with the collateral of the province. I would like to ask the minister before I go on whether you have given consideration to doing this?

Hon. Mr. McKeough: Some — well, not some; quite a bit. And it has been suggested, of course, by a couple of the municipalities, or by the associations, I believe, from time to time.

The problem is not as acute as it might appear to be, but I think actually our municipalities and school boards today borrow on the public market a relatively small portion of their total requirements. I think in 1969 the municipalities and school boards borrowed, as I recall it, something like 80 per cent or 82 per cent or 83 per cent of their funds from either Canada or Ontario, most of it being Ontario. The remainder came from the public. Of course, the biggest chunk of that is from Ontario Education Capital Aid Corporation, and the municipalities do not

have such an easy time of it, although they borrow from the Ontario Water Resources Commission and from Central Mortgage and several other agencies.

Now in spite of that, a year ago the municipalities were having some particular difficulty in raising what they were required to raise in the market. We have done a number of things.

First of all, very deliberately the Ontario government has attempted to stay out of the market, which we felt would help to free funds for the municipalities.

Second, the Treasurer broadened the scope of the OMIC fund so that any municipality under 20,000 can now borrow for any purpose from Ontario if they wish to do so.

Third, as the member has pointed out, we have attempted to modernize the borrowing provisions of The Municipal Act, which bill is before the House, for those municipalities over 20,000 to try to provide a variety of borrowing instruments for the municipalities. Hopefully the variety will make money from the public perhaps a little cheaper—at any rate more accessible.

Beyond that, I will preclude the possibility of setting up—probably not setting up, simply expanding on it would be the thing to do—

Mr. Deans: Making it available to larger municipalities?

Hon. Mr. McKeough: It is in effect, still a borrower of last resort for any size municipality. That is not a generally advertised fact. They are not looking for business from the larger municipalities but they are not precluded from lending money to the larger municipalities. The rate of interest is such, though, that the larger and certainly the good credits could all borrow more cheaply from the public than they can from OMIC.

We do not preclude going further. The great fear that I have about this—and I have forgotten the figure of what our municipalities now do borrow from the public a year, but it runs through my mind that it was $128 million last year, of which $20 million, I suppose, is going to come from OMIC. So our municipalities go to the public for something in the neighbourhood of $100 million.

I guess that would not strain the credit of the province all that much to do this, and we do not preclude doing it if it becomes necessary; the Treasurer said so. The thing I worry about, though, is that I hope to find a way of doing it if it becomes necessary without attaching controls to it. It would be no secret to you that the approvals by The Department of Education and the lending policies of the Ontario Education Capital Aid Corporation are tied closely together—and so they should be. But we are trying to let our municipalities do their own thing, if I can put it that way, and by leaving the market to them, if they want to build a swimming pool, they build a swimming pool.

What I would be afraid of is that we would allocate $100 million for our municipalities, or $50 million, or some proportion of it; then we would arbitrarily decide, as we sensibly should, I think, that money would be divided up in one of two ways: either first come, first served—but that catches up to you after the second or third year—or on the basis of some sort of priorities which would be probably set by the province. And the priorities at this point in time, of course, would be water and sewer; and way down on the list, I guess, would be libraries and that swimming pool.

Mr. Deans: That is what they face now.

Hon. Mr. McKeough: No, because they have borrowed from the public and they continue to borrow from the public. But if they were going to borrow from us, that would be one more provincial priority-setting mechanism and I would hope that we could avoid that.

Mr. Deans: It is fine to say that, and I would hope that we could avoid things too, but first of all I do not see anything wrong with setting up funds or using the collateral of the province to establish a fund for priority items. I do not see anything particularly wrong in that. I do not see anything wrong with saying that we have money that we can make available to you at a lesser rate of interest than you can get it on your own.

Mr. Good: That is what you should be doing.

Hon. Mr. McKeough: Well, they do.

Mr. Deans: Yes, to do such things as install sewage facilities or do other necessary things in the municipality. We already have built-in safeguards. The municipality has to come to the Ontario Municipal Board for approval on debenture issuing anyway.

Hon. Mr. McKeough: But not for priority-setting. They come to the Ontario Municipal Board in terms of their total debt capacity and their ability to repay. That is a point which the board makes and which from time to time I have made to the board. It is not up to the board to decide between a swim-

ming pool and a sewage disposal plant, the municipality does its own thing.

Mr. Deans: It is interesting, though, that you say it is not up to the board to decide, because in Hamilton the board just did decide.

Hon. Mr. McKeough: No.

Mr. Deans: In Hamilton the board said you cannot build a football stadium unless you have a plebiscite.

Hon. Mr. McKeough: Right!

Mr. Deans: Therefore they are saying that to distinguish between a priority and a luxury, if you like, we put it back to the people who have to foot the bill. They still have that avenue open to deal with the problem; so it can be dealt with by the board quite adequately.

From what I can see my guess is that the Province of Ontario would be able to make this money available at a reduced interest rate, an interest rate at least somewhat reduced from that they are able to get on the money market at the present time. I think that should be our primary consideration. I think that in a responsible way we have an obligation to make available whatever money we can at the lowest possible rate of interest and that we are not undertaking anything, that we are not overlooking or overstepping any of the defensive mechanisms that are already there. All we are saying to you is that you should make use of what is obviously a greater collateral and make the money available for certain things.

Mr. Good: Mr. Chairman, on this point, I think we have said here on numerous occasions that actually the financial condition of the municipality should not be the determining factor as to whether or not that municipality can have sewer and water services. We have felt here that OWRC should finance those things on the credit of the province and not on the credit of the municipality; they are definitely needed services to the community, and not the credit of the municipality but the credit of the province should be at stake.

Now in the long-term capital forecast, the five-year capital forecast of the municipalities, what strings are attached so far as the province is concerned? Do they just do that on their own; and when they come to the OMB and say this is what we need this year are these forecasts reviewed by your department at any time for each municipality?

Hon. Mr. McKeough: No, they might come to the department indirectly, but we do not review them. I guess they would come to us; they might come to us. Actually the material flows the other way—or can. If the board is concerned about a municipality or have some worry about them, then they ask us and we have quite an extensive operation of providing financial analysis for the Ontario Municipal Board. We do the analysis for the board.

Mr. Good: Would you expect to require a capital forecast from each municipality?

Hon. Mr. McKeough: No, that is a requirement of the board rather than ours. I am not so sure that at some point or another those forecasts have to be integrated into the provincial forecasts in some way or another; that is not being done now. If you ask me what the municipalities anticipated spending next year in terms of capital, I could not tell you. I am not even sure whether the chairman could; he might be able to. He would know what has been approved. He would not necessarily know what the total of those forecasts are.

I think that this is probably an area of a financial report, in terms of the province, in terms of the country, which probably needs to be updated and brought into the mainstream; in other words, into the total economic outlook of the province. I do not think it is being done sufficiently.

Mr. Chairman: Anything further on municipal finance?

Mr. G. W. Innes (Oxford): I would like to ask a question of the minister with respect to the purchase of some land that the city of Woodstock made back a few years ago. The council had bought some land in the neighbourhood of the city of Woodstock in anticipation that it could be used for lowering the lot cost to the people in the area, and subsequently they decided to lay aside one mill a year to finance the purchase of this property.

Since that particular time there has been some controversy, as the minister so well knows—

Hon. Mr. McKeough: No, I do not.

Mr. Innes: You do not?

Hon. Mr. McKeough: Nor, do I think, do you.

Mr. Innes: At the moment they are wondering where they stand and what action

they should take. Now, they did it in good faith, and The Department of Municipal Affairs has indicated that they did not pass the proper bylaw to accommodate themselves in this particular purchase. As I say, they have done it in good faith and at the moment would like some direction as to how they can clarify the situation. Maybe the minister can give the House some advice on this particular problem.

Hon. Mr. McKeough: Well, I think the municipality has received some advice from us, and lately has received some advice from their solicitor, who I believe has advised them that they should proceed by way of a private bill to try to rectify their past errors. I have not seen the bill advertised yet and I think it probably has not come to us as yet, but no doubt it will be coming forward in due course. I have not a position on it at this moment, but I think that is the only advice we could give them. And they received that advice from their solicitor that they would have to try and rectify it by a private bill.

Mr. Innes: Maybe the minister could clarify the situation for other municipalities that foresee a saving to their taxpayers in acquiring land that could be developed by the city, as the circumstances there at the moment are such that developers have acquired most of the land surrounding the city and it seems rather difficult for people who would anticipate buying lots they cannot develop because the cost is too high.

How do you go about this? There must be some steps that the department should be taking to help them.

Hon. Mr. McKeough: I think the member will be fair enough to admit that they got themselves into this nicely on their own. Perhaps if they had come to us in the first place, we could have advised them of a number of things: One, that they might have made an application to annex or amalgamate or to acquire that territory, which would have been within their jurisdiction. Two, I suppose they might have asked Ontario Housing Corporation to buy the land for them.

But we are giving it some thought in terms of land banking. We do not think many of the municipalities are going to be that enthused about banking land because they have not got capital resources, much as I think they would like to do this. Probably this is a responsibility that seems to have fallen on the province through OHC. Nevertheless, there may be municipalities that feel they should be doing some of this separate and apart from OHC, and we are giving some consideration to looking at this. As you know, municipalities can purchase parks in an adjacent municipality with the approval of the municipal board. If they can do that, why should they not be able to purchase either industrial land or residential land?

Mr. Innes: Well, Mr. Minister, my recollection was that this was purchased as park area and was to be rezoned, if I am not mistaken.

Hon. Mr. McKeough: Well, there is no problem.

Mr. Innes: Might I ask if there are other municipalities that have acquired land for this particular purpose? There must be others that are doing it.

Hon. Mr. McKeough: Not to my knowledge. Mostly it would be done now through the conservation authorities. They would acquire land in another municipality but through a conservation authority.

Mr. Chairman: Anything further under municipal finance?

Carried.

Municipal subsidies. The member for Waterloo North.

Mr. Good: Mr. Chairman, is this just the cost of administering such things as the unconditional grants and that sort of thing?

Hon. Mr. McKeough: Yes.

Mr. Good: The ones that are referred to in section 1406?

Hon. Mr. McKeough: Yes.

Mr. Good: In other words, we talked about the subsidies under the other section.

Hon. Mr. McKeough: Yes.

Mr. Good: Thank you.

Mr. Chairman: Anything further under municipal subsidies?

Carried.

Municipal organizations and administration?

Carried?

The member for Waterloo North.

Mr. Good: Does the minister see any prospects of amalgamation of any of those municipal organizations?

Hon. Mr. McKeough: I would hope so. I would hope so. Interestingly enough we discussed this at dinner tonight. If we are to have the kind of partnership that the Prime Minister (Mr. Robarts) and the municipal leaders and myself and others talked about at the provincial-municipal conference in April—let me put it this way—it would be very difficult to have the kind of partnership which we are all talking about unless we have one organization, or one main organization. The liaison committee as presently constituted does not have the authority to speak for the association, and we are very hopeful that they will find a way in their own good time to come together and speak on behalf of all the municipalities and sit down and work with us in a partnership approach.

How soon this will happen, I do not know.

Mr. Chairman: Anything further on municipal organizations and administration?

Carried.

Municipal research?

Mr. B. Newman: Mr. Chairman. Earlier in the year I had brought to the attention of the minister the cancellation of a business licence by the town of Amherstburg; that was the licence to operate a pizzeria and a poolroom. I wrote the minister concerning that. The whole problem arises from section 247 of The Municipal Act, which gives the municipal councils power to revoke licences without giving any reasons for doing so, without that being open to question or review by any court except where bad faith, malice or fraud on the part of the council is shown.

Since that time the problem has resolved itself. However, that section 247 of the Act still remains and the minister, in his reply to me earlier in the year, made mention that this was going to be researched and studied by his staff. I am just wondering now if the minister has completed that research and if he intends to introduce amendments to The Municipal Act to overcome the problem so that McRuer's comments concerning this would be taken care of.

Hon. Mr. McKeough: We are still giving thought to—and it is reflected from time to time in our legislation—the report of Mr. McRuer, and while we do not give it the kind of attention that we should, we are nudged from time to time by the Attorney General and Minister of Justice (Mr. Wishart) and his department. They have not nudged us as yet on this. We have been talking about it. There was an editorial in the Windsor *Star* about this subject. Perhaps you might allow me to read some comments which the general municipal counsel sent to me at that time:

> Substantially the statements made in the editorial are correct. There is however, one qualification, and that is that while the section provides that the council is not bound to give any reason for refusing or revoking a licence, and its action is not open to question or review by any courts, the cases do hold that if a council is imprudent enough for any reason to give reasons and it then appears that they have refused or revoked a licence upon an improper ground, then the court will intervene. It is difficult to determine whether the council in this case did give reasons, even though they did apparently hear a report from the police chief.
>
> I should point out to you that these provisions are subject to subsection 9 of section 247, which does provide for an appeal to the judge of the supreme court from the decision of a board of commissioners of police in refusing or revoking a licence.
>
> I am not too clear just why an appeal was given in respect of boards of commissioners of police and not in respect of a decision of council. I suspect—and this is only a suspicion—that since the boards of commissioners of police existed only in cities when these provisions were drawn, it was thought that these municipalities were more sophisticated and that perhaps an appeal was justified, but that in the smaller municipalities they wanted to leave the control of licensing to the absolute discretion of the council.
>
> These provisions have been the subject of considerable question prior to this time and while the sections have been reviewed, no amendment as yet has been made—I think that the powers have been exercised reasonably and have not caused too much dissatisfaction. However, these powers came under the scrutiny of the Royal commission inquiring into civil rights and chapter 75, at page 1093 of volume 3 of the report, deals with the whole subject, not only so far as municipalities are concerned, but other provincial licences.

I will not read the recommendations—

Mr. Singer: Whose memorandum is that?

Hon. Mr. McKeough: From Mr. Yates to me. He continued:

> As you will see, the implications of this are very far-reaching, as all the licensing sections of The Municipal Act will have to be reviewed, as in some the absolute power might be retained and in others the standards might have to be considered, so that all in all it is a fairly large question.

And one that can be deferred as not being of immediate importance.

That was some time ago, and since that time we have talked about it and I think my colleague is nudging us a bit.

Mr. B. Newman: Could the minister provide me with a copy of that please?

Mr. Chairman: Vote 1404.

Mr. Singer: Mr. Chairman, I just want to comment very briefly on Mr. Yates' memorandum. He says there—and I think the minister was leaning very heavily on it—if a licence is refused for improper reasons, I think those were his words. Well, improper reasons—Mr. Yates may or may not have elaborated—mean only a denial of natural justice in that context. That is all they can mean, and a denial of natural justice means that there has been no notice of the hearing, that the person who is being dealt with has not been given an opportunity to appear, to be represented by counsel, to cross-examine witnesses and that sort of thing. But, at least in my opinion, should a municipal council under the existing legislation, after having given notice of a hearing and having allowed representation and cross-examination and so on, should they decide that they are going to cancel a licence because they do not like the colour of somebody's hair, they have that power under the present provisions of The Municipal Act. And the word "improper"—and I am sure Mr. Yates would agree with me, if he has not in parts of the opinion that the minister did not read—that kind of exercise of power surely today must go, and in addition to being nudged by the Minister of Justice, I hope the Minister of Municipal Affairs will accept the fact that he is being not only nudged but hopefully pushed by the members of the Legislature.

Mr. Chairman: Shall vote 1404 carry?

Mr. Good: When can I make a few comments on regional government?

Mr. Chairman: That is the one we have been talking about.

Mr. Good: Municipal research; that includes regional government, Mr. Chairman?

Mr. Chairman: Yes.

Mr. Good: I would like to say a few words on regional government, and one hardly knows where to start when for three years we have been in the midst of study and procrastination and more effort on both the part of the department and the municipalities in my area. I think that up to the present time there has been a great response by people in my area, along with the present municipal government, in commenting on the Fyfe report which up until now is the only semi-official opinion we have had on the type of change that may be best suited for our area.

Of course everyone is waiting very patiently to hear what the government proposal will be for the area, and I think that each of us realizes deep down that the Fyfe report does not mean all that much in the light of the fact that whatever the government proposal will be, by past experiences, eventually will end up to be the legislation. I think past performances have shown conclusively that the government's proposal for an area is changed very little from the time it first comes out until it passes into the form of legislation and after that goes through this House and finally becomes the reality with which the people must live.

It was heartening to hear last week that the minister has once again promised to go along with additional public dialogue in the area. There is much difference of opinion in my area, as there has been in other areas, as to what is best for the people of the community. Perhaps our situation is somewhat different from any others in that we have other problems as well as political jurisdiction. We have problems in the area related to services such as water supply and sewage disposal. Whatever the outcome is, let me assure the minister, Mr. Chairman, that the people in the area right now are very ripe for some word to be said indicating what this government's intention is going to be.

There are a great many people who feel that, regardless of what the briefs say, regardless of what Dr. Fyfe's report has said, that nothing is going to matter or be of any consequence except the decree that comes from the government as the government proposal for the area. And if that proposal, in the minds of the people, reflects—of course, it is going to be difficult to reflect the consensus of opinion—but if it is made after

proper consultation and after everyone has had a chance to have their say and if it is given with enough conviction and enough research and enough reasoning for each item in it, the people will accept it. This, I think, has been one of the weaknesses in proposals for other areas. There has been no financial commitment along with the proposal except for the financial commitment to the Muskoka district, which I feel was quite adequate and quite generous in that area—but exclusive of that it was not a regional government. Of course, we do not know if we are going to be taken in as a regional government or what is going to happen.

Let me just impress this one point: Whatever the government proposes, for goodness' sake back it up with enough reasoning that you can help to convince the people and show that in your minds this will best suit their needs, both as to political boundaries which in the final analysis are not the most important thing, but the relationship between the province and the municipality, so that the municipality can meet its demands at the present time and meet its demands for the future, which are going to be very great—and there are other departments of this government putting pressures on Waterloo county with their demands. We had Hydro trying to ask us to make a decision as to whether or not they should enlarge their intake at Nanticoke. We have OHC lands assembled there that are putting pressures on the area.

In the final analysis, it is this department that is going to have to come up with a proposal which it is prepared to spell to the people of Waterloo county. Once again, may I just ask the minister that when he does come up with his proposal to be prepared to back it up with the facts and the research and the necessary things which he feels will sell it to the people so that it can be implemented. Everyone is fed up right up to the neck with studies and promises and proposals and briefs. What they want now is to see where we go from here. I think we have had enough of this and they are waiting very patiently now to hear from the government.

Mr. Chairman: Vote 1404. The hon. member for Peel.

Hon. Mr. McKeough: Just one minute. In terms of Waterloo, the same thing is true of Sudbury, both of which deadlines were at the same time. I am in no position to indicate what our thinking is because we are still reading the briefs, trying to make a brief summary of them. Our decision in Waterloo, where we had a number—I think we have had about 70 replies to Fyfe, more than that now apparently. Many of them are excellent briefs, I think; I have had a chance to read a good number of them. The job has not been made any easier because Fyfe gave two alternatives. I still think it was a healthy thing to do because it promoted a debate within the area and focused attention on two different ideas, but ultimately it has ended up in our lap, which has made it a little bit more difficult. But I appreciate what the member has said and I suspect that the time has come for action to be taken pretty soon.

Mr. Chairman: The member for York North.

Mr. W. Hodgson (York North): Mr. Chairman, I would just like to say that this is the first opportunity I have had to express appreciation on behalf of the people of the new region of York to the minister and his officials for the co-operation they extended to York county in leadership and untiring efforts. I am sure without the efforts of our minister, day after day, night after night, and his employees in the department, York would not be getting off to the successful start we are having. The inaugural meeting a week ago was well attended. I am sure the minister is appreciated by everyone. By all accounts, and with the feeling that existed at that inaugural meeting, I am sure, come January 1 of next year, the region of York is going to lead the way in the province in regional government.

The member for Kitchener (Mr. Breithaupt) is asking that the minister take the lead from now on. In York county, it was just the opposite.

Interjections by hon. members.

Mr. W. Hodgson: Against a lot of opposition from these benches here, when we were trying to get it through, the leadership came from the people within York county. I am sure if the people in the area represented by the hon. member for Kitchener would show some of that leadership, why you could get on with the job and the minister along with his department will assist you.

Mr. Chairman: The hon. member for Wentworth.

Interjections by hon. members.

Mr. Deans: Mr. Chairman, on this vote, I want to pursue with the minister—we started it on Tuesday evening—the problem

that he is encountering over somehow coming to a decision about the Hamilton-Wentworth-Burlington region. I know this is boring to the member for Nickel Belt (Mr. Demers), because his concern is not that of the people of the province. I know that the minister is interested.

Interjections by hon. members.

Mr. Chairman: On vote 1404. Order!

Mr. Deans: I want to find out from the minister, first of all, what has been happening since May? He has said he is meeting, or at least trying to rationalize, the positions that have been taken by Burlington, Hamilton and the surrounding areas. Just who is doing the meeting, and what kind of discussions are taking place and how often are they taking place?

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Deans: The people of the areas, the municipalities involved, Saltfleet, Stoney Creek, Hamilton, Brantford, Ancaster—Dundas too I believe—have all asked that you make a decision. They are not particularly concerned, I suppose, about the implementation, although it is important, but they have asked the minister to make a decision. Now if they are asking him to make a decision, obviously they are not involved in the discussions. If they are not involved in the discussions, then who is? I mean how does the minister tell me when he is sitting there that he is actively pursuing and hoping to come to a conclusion—

Hon. Mr. McKeough: No, no. What I said the other night was there were discussions going on of which we were not part, although we were invited, but we have been letting them go ahead, really, without our involvement and I think for good reasons. In Peel-Halton, the climate has not been right in my judgement.

Mr. Pitman: This minister sounds like the Minister of Labour (Mr. Bales). That is what he keeps saying, about the climate not being right.

Hon. Mr. McKeough: I do not know what his particular problems are—

Interjection by an hon. member.

Hon. Mr. Grossman: That is the difference between evolution and revolution.

Mr. Pitman: Do not get into that revolution stuff.

Hon. Mr. McKeough: Perhaps the deputy leader once removed of the New Democratic Party would take it on himself with his charm and his savoir faire and diplomacy to try to bring together in some sort of reasonable approach to each other—

Mr. Singer: Such people as the Minister of Education (Mr. Davis) and others.

Hon. Mr. McKeough: No. Two of the municipalities in the Hamilton-Burlington-Wentworth review. If those two would sit down and try to dialogue—in my judgement, they are not ready to do so. I take the responsibility. So there is no dialogue going on initiated by us because in my view the time is not right.

Mr. Deans: Fine, what are the two municipalities that will not sit down and talk? Is the minister talking about Hamilton and Burlington? Are those the two the minister mentioned?

Only one of them will not sit down, you know. There is only one municipality which does not want to talk and not all in that municipality feel that way; maybe a sizable portion, it is hard to tell. But every other municipality in the area is prepared to abide by the decision of the Steele commission.

Even although they are not entirely satisfied with everything, even though all their objectives have not been met, they are prepared to go along with what Steele recommended. Are we going to hold it up forever because Burlington is going to be dog in the manger? Are we going to hold it up forever because this minister's colleague, the Minister of Energy and Resources Management (Mr. Kerr) is somehow afraid of political consequences?

Mr. G. Demers (Nickel Belt): That is cheap; that is really cheap. In fact it is typical of the member.

Hon. Mr. Grossman: Apologize!

Mr. Deans: That is a horrible—and I said it so nicely, too.

Interjection by an hon. member.

Mr. Deans: I know why the member for Nickel Belt does that; he wants to prove he was here today, and it shows in *Hansard.*

Mr. Pitman: He will not get to be a minister that way.

Mr. Deans: Surely you cannot possibly wait until they come to some conclusion in Burlington. They do not want to be a part of any region. They want to be left alone; they do not want to be in any region at all. When the occasion arose to decide whether Grimsby would be in Hamilton, Wentworth and Burlington, or whether it would go with Niagara Falls; in Grimsby and the areas down there, there was no problem at all. You just decided to put them in there; you made a decision and in they went. Why is it subject to a decision being made on this when we all know—

Interjections by hon. members.

Mr. Chairman: Order!

Mr. Deans: Having once been put in the Niagara region, I would be prepared to bet they will never come back out again.

Either the minister is going to decide now or he is going to let the municipalities remain the way they are. For goodness' sake, let us not delay this thing any longer. There cannot be any softening of the attitude. The attitude is going to be fanned again by the election of this coming December. There are going to be people running both on the pro and the con ticket in regard to regional government. You are just creating a worse situation than the situation you had before. If you had made a decision in the spring the people in the area might not have liked it particularly, but they would have lived with it and they would have adjusted to it.

Mr. R. Haggerty (Welland South): What about your San Diego speech?

Mr. Deans: Every single one of the criteria that were set down by the minister, bar one small portion of one, is being met. Now let me go over them with you so that we understand them. From your own words—

Mr. Haggerty: Every speech the minister makes the more confusion he raises.

Mr. Deans: The criteria for establishment of regional government are:

1. "A region should exhibit a sense of community identity based on sociological characteristics, economics, geography and history." Now surely to heavens Burlington and Hamilton meet that particular one?

Hon. Mr. McKeough: Excepting either Burlington or Grimsby though, they do.

Mr. Deans: Burlington and Hamilton meet that, okay? I am not talking about Grimsby at the moment; that was Burlington.

Hon. Mr. McKeough: Do not talk about Grimsby.

Mr. Deans: All right, fine then. I am prepared to admit that Grimsby may well fit better into the Niagara region.

Hon. Mr. McKeough: Saltfleet does not.

Mr. Deans: That is fine. It seemed to us in the viewing of it that Grimsby fitted with Saltfleet, but in actual fact, when you take a look at the overall picture, there is probably as much of a community of interest in the other direction as there is with Hamilton and with Burlington. Okay? There is as much community of interest with Grimsby and with St. Catharines as there is with Grimsby and Hamilton or Burlington. Naturally, there will always be a certain community of interest right at the boundary line in either direction.

So there is no argument.

2. "Regions should have a balance of interest so that no one group or interest can completely dominate the region." We have got to have Burlington, so that Hamilton does not completely dominate the region. We have got to have it. Otherwise, all you are really doing is establishing a much larger city of Hamilton.

Hon. Mr. McKeough: Of course, I have to point out that with or without Burlington, Hamilton is dominant.

Mr. Deans: Ah, but not nearly so much as if Burlington is in there. Burlington is a very sizeable community capable of exercising—

Hon. Mr. McKeough: As long as it is 51 per cent, that is dominant.

Mr. Deans: That is up to you to decide.

Hon. Mr. McKeough: It seems to me I have been reading something about 51 per cent in some other connection as being a very important percentage.

Mr. Deans: That is simply in a matter of voting power.

3. "There must be a financial base set to carry out the original programme." I think we would agree that that is not there. I said to you the other day that if you are going to implement it, before the implementation, for goodness' sake change the tax structure.

4. "The region should be large enough."

Well, it is large enough, so that it can be formed efficiently.

5. "The boundary should facilitate maximum inter-regional co-operation."

Interjections by hon. members.

Mr. Deans: Six—and this is the only area where there is really any doubt.

6. "There must be a community participation and, where possible, community acceptability."

Now you have completely overridden all of the other criteria to make a priority item out of the one that is considered to be secondary in your initial presentation—"where possible". The others are mandatory, but in this instance you are going to do it "wherever possible" and yet you have made that the one criteria upon which this entire region will either stand or fall.

Surely, that does not make sense. There is a seventh—that "the boundary should be usable by other institutions." I think that the boundaries are usable by other institutions, if you want to talk to your friend, the Minister of Education.

8. "Where there are two tiers within the region, both tiers should be designed with the same criteria." And that is simply a matter of adjustment.

It makes no sense, your position—your statements when you were speaking in—was it Los Angeles where you were speaking or San Francisco? Wherever—one of the two.

Mr. Demers: San Diego.

Mr. Deans: San Diego? And you point out that you are the man that has the responsibility for municipal government. Well for goodness' sake exercise it. Show some leadership. You will never take over from John when he retires unless you show leadership.

Mr. W. Hodgson: That is something you do not have to worry about.

Mr. Deans: And here is your big chance. You would make a damn good opposition leader if you just would show some leadership.

Interjections by hon. members.

Mr. Deans: So give it a try.

Hon. Mr. McKeough: Well, Mr. Chairman, I—

Mr. Chairman: Vote 1404?

Hon. Mr. McKeough: —would just say this. In my top right-hand desk drawer I have kept from time to time, and have been able to use from time to time, some choice and selected quotes of the member for Downsview, and—

Mr. Singer: Oh, please do-

Hon. Mr. McKeough: —indeed, also from the Leader of the Opposition (Mr. Nixon). All under the heading of "Act now, Be Decisive," sort-of-thing.

Mr. Haggerty: What are you doing now?

Mr. Singer: Oh, come on!

Hon. Mr. McKeough: I will not do those again; I will not do those over again. But I am delighted to know that the next piece of regional government legislation that we bring into the House, if it follows the pattern that the last did, the member for Niagara will be against it. When he has made his speech, I will be able to—and I have done this about three times now—quote back to him the words of his leader and the member for Downsview. Now I can couple with that—and this is an unholy matrimony if ever there was—the words of the member for Wentworth.

Mr. Pitman: I would say so.

Mr. Chairman: Vote 1404. The hon. member for Waterloo North.

Mr. Deans: That is awfully kind of you. Do not couple it with anything; just do it.

Mr. Singer: The minister gets carried away.

Mr. Chairman: Waterloo North.

Mr. Good: Mr. Chairman, just one word along this line, then one other thing, and then this is it. When the minister is out of the country, he is very brave. The minister said that—this is from his speech in San Diego, California:

> The ultimate responsibilities for effective change and meaningful reform rest with the provincial government. The province recognizes its constitutional responsibility to ensure an effective structure of local government.

Hon. Mr. McKeough: That was very brief.

Mr. Good: The people in Muskoka who were opposed to the regional government there were not told that this was the basis on which it was being implemented. They would like very much to have had you use

the other half, as in Halton and Peel, and the Burlington and Hamilton area, where you say you must have a greater degree of community acceptability.

Now I grant you there is a problem trying to reconcile what you said in San Diego with community acceptability. There is a problem there and you have let yourself get hung up on the fence. There is just one thing that I would like to ask, in the light of this. At one meeting I attended in the Muskoka area the people said, when the hon. Minister of Municipal Affairs has implemented regional government in his own area and then is re-elected we will be glad to accept it up here. This is what they said.

Mr. R. F. Ruston (Essex-Kent): How is that, eh?

Mr. Good: So now my understanding is that in the annexation that the city of Sarnia is trying to get in the Lambton area, which is very close to your area, I understand there was an application for a study on regional government for that area sent to you. Now whatever happened to that application that you have never implemented a study in your own area?

An hon. member: He went to California.

Hon. Mr. McKeough: Very briefly, two years ago, there was an application by the city of Sarnia for a study. There was no interest at that time by the county of Lambton and we were not prepared, in any case, to take on any new studies, but Lambton did not support that application.

As late ago as January, the warden of Lambton—a member of your political faith, I might say—made one of the most damaging statements which have come my way in a long time about the evils of regional government.

An hon. member: Typically damaging!

Hon. Mr. McKeough: Following that, shortly thereafter Sarnia applied for an annexation, and the same warden—a great friend of mine, Warden Perritt—came in to see us and wanted a regional government study. Sarnia does not want a regional government study and would not agree to it and, quite frankly—and Lambton ultimately admitted this—the only reason they were interested in thinking about a regional government study was to avoid an annexation. Those two things do not add up to a healthy atmosphere to proceed with the local government study and it was denied.

Mr. Chairman: Vote 1404. Carried?

Hon. Mr. McKeough: We get along with everybody there; no annexations.

Mr. Ruston: Running really smooth now.

An hon. member: Do not need any.

Mr. H. Peacock (Windsor West): Does that include Sandwich West?

Mr. Chairman: Does vote 1404 carry?

Mr. C. G. Pilkey (Oshawa): I just wanted to ask a couple of questions.

What effect will the Toronto-centred region plan have on other regional plans adjacent to it? That is number one. And number two, what is the minister's position in a regional government setup, in terms of representation by population? What is the minister's position in that regard, as well?

Hon. Mr. McKeough: I do not know just what you mean by, what is the effect of the Toronto-centred plan on a neighbouring plan. Certainly in the conceptional stage they should match. In the final stage, when they become a statement of policy, they must fit one with the other. You might want to pursue that with the Treasurer a little bit further.

Representation by population? We subscribe to it but we are not so pure in heart that it has to be followed to the last letter of the law. I think we have a rather good parallel with this Legislature where we recognize, or the Legislature recognizes, in the reapportionment that it is completely impossible for the member for Kenora (Mr. Bernier) to represent the same number of people as the member for Chatham-Kent (Mr. McKeough), let alone the member for St. Andrew-St. Patrick (Mr. Grossman). We recognize it, as does the federal House of Commons.

In other words, this country as a whole does not subscribe to the principle of one man, one vote.

I think we try and approach it, and we do in regional governments. We have stretched that principle a little bit. We do not like stretching the dominant theory, I will say that. In the case of an area where there is a dominant municipality, then we think that they should probably have the dominant number of votes. Of course not as many as they are entitled to but probably a dominant role.

Let me put it this way—for the smaller municipalities we round off high; for the

larger municipalities, we round off low, and this works out not too badly.

Mr. Pilkey: I make that observation because I understand in the Niagara-centred region—and a good friend of mine is a member of that regional council and tells me—that in a committee, as an illustration, you might find one representative from St. Catharines, which would in terms of total population have more than the other four representatives put together, and yet you have them making the determination. My point was, in a council, as they do in regional councils, you strike off various committees and, you find, as he points out he finds himself, on a committee with four others—and his community of St. Catharines has a greater population than the other four put together and can be badly outvoted as a result of that.

Mr. Haggerty: That is only a committee though.

Mr. Pilkey: I know, but that reflects on the community as well.

Hon. Mr. McKeough: In the total I do not know what the composition in our committees is. The person that I am talking about, he is a lot like you and he would make himself heard. I have no doubt that he would be overwhelmed in any committee that he sat on, if it is the person I am thinking of. In total, St. Catharines has, I think, seven representatives out of 28. Six out of 28, is it? I have forgotten now. Six out of 28, which is something less than 25 per cent and they have, I think, 30 per cent of the population.

The population varies there from, at the very bottom end of the totem pole, Wainfleet which has one representative for 5,700 people. St. Catharines have one for about every, I think, 16,000 or 17,000; Niagara Falls one for every 15,000; Welland one for every 14,000; Port Colborne one for 12,000; Fort Erie one for 11,000; Thorold—and I think that was changed, Thorold have two now do they not?—two for about 8,000.

Grimsby I think was changed. At any rate, the smaller ones have one for 8,000, one for 7,000 and one for 10,000, but there is not a great variety there. St. Catharines I think would have about 22 or 23 per cent of the total number of representatives and have, I think, 30 per cent of the population.

Mr. Chairman: Vote 1404.

Mr. Pilkey: Is it still the minister's position on the formation of regional government that we amalgamate various communities within the framework of the regional government? Is that still the policy of the government?

Hon. Mr. McKeough: Consolidation, yes.

Mr. Pilkey: Right.

Mr. Chairman: Vote 1404. The hon. member for Niagara Falls.

Mr. G. Bukator (Niagara Falls): The purpose of regional government was to give better service to all municipalities affected, as I understand it. How do you do that, Mr. Minister? How do you give equal service when it comes to rural municipalities that had none at all—services such as garbage collection, sewers, water—and municipalities that have had all these services? There is only one way to do that and that is hire more people, and when you hire more people the costs naturally increase. The county of Welland, the Niagara region, the metropolitan Niagara council have done a lot of work.

The chairman was here a week or so ago and he was telling the people that we had been in effect now working since October 6 a year ago, and we have a good thing going for us. It is excellent and it is working out fine.

Well it is not hard to do it that way. That particular council hired a group of people to make a survey on the engineering it required to give all of the people equal service for their taxes. So they hired Ray Jorgenson and Associates of Canada Limited and they recommended that the Niagara region hire 40 more engineers. Now they reluctantly settled for 12 more. And the 12 they are going to hire, are one senior engineer, three surveyors, two draftsmen, three technologists, two technicians and an inspector. Now where does this money come from?

Mr. E. Sargent (Grey-Bruce): Parkinson's Law in full flight. It is the Tory government Parkinson's Law.

Mr. Bukator: The chairman of the regional government can very well say that we have had a good year, but all of the things that he has purchased for the people of that area have been bought now and you pay later sort of thing. The taxes that they will have to pay for these added services will come in the next years.

They have so many people working they

are under each other's feet and they do not know where they are going.

I did not make this up. It is in the paper. These are facts that are unravelling themselves. So I suggest that this minister had better take a good look at any particular area before he implements any more of this. I sound like I did a year ago, because the people ought to know what it is going to cost them before you implement it.

You did not do it in those areas but you had these guinea pigs who are paying well for the added services that they may be getting. These are all tax dollars that have to be borne by someone, the people of Niagara, especially Niagara, who in many cases were doing an exceptionally good job.

I would like to hear the member for York North boast about this very thing. You just wait until your people have to start picking up increases in taxes and double water rates—which is what we have suffered in Niagara Falls—before you start talking that way for your people. I can assure you that when another year has rolled around you will not get as many popular votes as you did in the last election, because the people want to know what it is going to cost. It is going to cost added dollars. There is no way out, and this is proving itself.

Hon. Mr. McKeough: I just ask this question. Who hired these 12 people?

Mr. Bukator: Well, naturally, the regional council.

Hon. Mr. McKeough: Well, exactly.

Mr. Sargent: Who set up the framework for it?

Mr. Bukator: What I am trying to say is that you, my friend, brought this about. You forced it down their throats and then you washed your hands of the whole matter. You said, "Work out your problems because you are intelligent men."

You did not have the courage of your convictions to set their wages. I said at that time when these men have to set their wages at the first meeting of council you will have a turmoil like you have never had before in municipal government. I can assure you, you had just that. They decided, "I want a new hat, I want a new suit too, and I want $5,000 for the job that I was doing for some $1,500 in previous years."

Mr. Haggerty: Less than that.

Mr. Bukator: Yes, in many cases less than that. I just could not let this particular opportunity go by without saying something about it. I can assure you that you have got a tiger by the tail, and this is not going to work in your favour when you go to the people in the next election.

Hon. Mr. McKeough: I just have to say this, and I do not want to be argumentative. I am always interested to know whether the member for Niagara really expresses Liberal philosophy or what he does express.

Mr. Bukator: I am talking about common sense and good business.

Hon. Mr. McKeough: The philosophy of this government is to try to return some power to local government, power which has been eroded away, to try to make local government stronger. In the face of that five minute dissertation, the member from Niagara suggested that the provincial government should set wages; secondly, that it should have some control over the amount of staff that is hired; and thirdly, it should decide on what services are going to be offered and where. If that is your conception in the Liberal Party of local government, then you go to the people on that and go to the municipal associations and say that is the kind of municipal government we want.

We are going to set wages, he said, we are going to set wages, we are going to limit the number of staff they hire. I do not know whether they need 12 engineers, 112 engineers or no engineers. That is the kind of decision that will be made by local government as long as I am Minister of Municipal Affairs.

Interjections by hon. members.

Hon. Mr. McKeough: The Liberal Party will decide on your services! Well if that is your idea of local government, do not try and peddle it in Ontario; because it will not fit, George, it just will not fit.

Interjections by hon. members.

Mr. Bukator: I have a right to reply to that supposedly intelligent argument of this dictatorial minister. He brought the bill in, not the people of Niagara. He said "These are the rules that you are going to live by." And all I said to him at that time and what I say now, Mr. Chairman, is that he should have spelled out the rules of the game before he implemented them.

Hon. Mr. McKeough: Set the wages; limit the staff and decide on the services!

Mr. Bukator: I would say before you did it you should have kept your bazoo shut.

Hon. Mr. McKeough: The great party, the great reform party of local government.

Mr. Bukator: Regional government is costing the people of Niagara many thousands of dollars that they did not expect.

Hon. Mr. McKeough: Nonsense!

Hon. J. A. C. Auld (Minister of Tourism and Information): Only if they want it to.

Mr. Bukator: The facts are these, gentlemen, if you can—

Mr. B. Newman: And look at all of these extra employees!

Interjections by hon. members.

Mr. P. J. Yakabuski (Renfrew South): Is your party against regional government? No, really, are they? Tell us the truth.

Mr. Bukator: You know that man is properly named. They call him Yakabuski, if they called him "Yakky"!

Mr. Chairman: Order!

Mr. Bukator: Let us get back to the minister and regional government.

Mr. Yakabuski: You do not disturb me. You do not rile me up at all. What does your party stand for?

Mr. Bukator: I can tell you that I said a year ago—

Mr. Chairman: Order! order!

Interjections by hon. members.

Mr. Bukator: I am going to stand here until I have an opportunity to finish what I have to say.

Mr. Ruston: What is that noise in the back row? Here is some common sense—just listen.

Mr. Bukator: The minister has said my words were that I would set the wages. I said absolutely nothing. In that particular respect I did not take the dictatorial attitude of the minister himself. I would not say to these people that that is the way it had to be done. What I said to you and the people of the province at that time—

Mr. Yakabuski: You cannot—

Mr. Bukator: I wish that man would keep his mouth shut. If he was—

Interjections by hon. members.

Mr. Chairman: The hon. member has the floor.

Mr. Bukator: Mr. Chairman, I want to put the record straight. What I said to this minister at that time and I say to him now—and I say it now with more authority because the facts are down—he had no business implementing this particular regional government without telling the people what it was going to cost them. I said it would cost them many dollars and I said that if he was going to bring about that kind of bill, yes, he should have spelled out what these people had to do and the rules that they had to live by.

He did not do it. He put it into their hands and then he washed his hands of the whole matter and that is where he made his biggest political mistake.

Now he talks about the Halton—no, not Halton—Burlington-Hamilton-Peel and he says "community acceptability". "When we get community acceptability then we will have regional government there." Why did he not use that particular approach a year ago?

Mr. P. D. Lawlor (Lakeshore): Why? Because he got burned.

Mr. Bukator: Sure he got burned. That settles it.

Mr. Chairman: The hon. member for Welland South.

Hon. Mr. McKeough: Could I have the opportunity to reply briefly?

Mr. Pitman: You said that last time.

Hon. Mr. McKeough: I want to read briefly from a document that has come to my attention recently.

> Liberals believe that the essence of democracy is that the elected leaders of a community have the power to carry out their decisions. Decisions made by duly elected leaders, using local knowledge, the experience of other communities and expert advice, will be those which stand the community in the best stead.

Now I do not want to read—

Mr. Sargent: That is right.

Mr. Pilkey: Would you send a copy of that over to them?

Hon. Mr. MacKenzie: The citizens of the community through their elected representatives should have the right to run their own affairs, to make their own local commitments. I would assume in those things, we would be talking about such things as the salary which they would pay themselves or not pay themselves; whether they would hire 12 engineers, or 20 or none at all, or whether they would provide certain services or not provide certain services. I would think those things would fit into those categories. Those rather high-sounding words made by the Leader of the Opposition on April 22, seemingly are repudiated completely by the member from Niagara.

Mr. Bukator: I agree with every word that my leader said. He also said when the people who are affected in those areas have had an opportunity to sit down and talk these problems over and agreed on these issues, then and only then, would they implement regional government. That makes sense to us. That is the only difference. We did not use and we would not use a dictatorial attitude such as you have used to force this on the people and then you wash your hands of the whole matter.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Mr. Chairman, I would like to ask the minister about the recent report dealing with the regional setup of Hydro in the Niagara region; the report from the Ontario Municipal Electrical Association.. Does he agree with this report, this recommendation?

Hon. Mr. McKeough: I have written, and I think I sent a copy of this letter to the member—if I did not we will; it is a very brief letter to the clerks of the 12 municipalities and to the secretary of the Hydro commission and of the PUCs, to say that I would be recommending in the Legislature a further extension of the term of the present commissions. I do not think between now and December 1—we received the OMEA brief last; two weeks ago today I think it was; two weeks ago yesterday—we have had some reaction to it already. Ontario Hydro has some views. We, as a department have some views. There is simply not an opportunity to sort out those views, really, like yesterday, or to implement them in legislation in time for an election—when? On December 6, I suppose. So we will be extending the term.

In answer to your question. I agree with some of the OMEA brief. I do not agree with it all.

Mr. Haggerty: Which ones do you not agree with?

Hon. Mr. Grossman: The ones he does not like.

Mr. Haggerty: The one that I am concerned about is a part of the Ontario Hydro which provides exceptionally good service in two of the municipalities—I think in one concession of Bertie township—it suggested that this should be turned over or given to an American company, the Canadian Niagara Power Company Limited. As a rural representative in this municipality I say that we get good service from Ontario Hydro and I hate to lose this service.

Another reason, perhaps, that I raise the question, is that if I can recall I said here last year—last spring—on the matter that if the regional government was to take over the portion now handled or taken care of by the Ontario Hydro, it would cost the region some $21 million. Again, if the region would take it over, it would be an extra tax load on the community and municipalities in that area. This again would feather the nest of the Ontario Hydro, because I believe, and many of my constituents do, that they have paid for this service and those lines that go through the rural municipalities.

To top it all off, in the report I believe it said that the township of Wainfleet would be left under rural Hydro. In other words what they have suggested in this report is that the urban centres would take the cream of the crop and leave the poorer municipalities with very little service. I do not think this should be disrupted or handled in this manner. They should remain in the hands of the Ontario Hydro. Let them maintain it. They are doing it now at no extra cost. Because I am sure that for parts of the rural areas that form Humberstone township if city Hydro would take over their utilities, the cost would be borne by those ratepayers in that municipality, and it would put the rates up. Good Lord knows now that the rates of Ontario Hydro are getting too high.

Mr. Chairman: Is vote 1404 carried?

Hon. Mr. McKeough: The member has the same concern which I have, that is why we simply cannot resolve it in the next few days.

Mr. Pilkey: Mr. Chairman, let me say first of all that I, too, join issue with the minister on this question of setting any wages. Surely it should be done through collective

bargaining as far as employees are concerned, at the municipal level. And matter of fact, I want to be somewhat critical with the minister in this regard, because I sense that in the last four regional bills the employees affected by the legislation were not consulted. I feel that it is incumbent upon this government to discuss with the employees affected their rights under any legislation that may be implemented as far as this province is concerned. It is equally important to discuss their welfare as it is for municipalities to make their position clear through briefs and what have you. I feel that in the implementation of any other regions it should be discussed with the employee.

In addition to that, I do not think that it is democratic for the government to select the chairmen of these various regions' councils. I feel that the more democratic process would be for them to be elected either by the region as a whole, and if not, at least by the elected people from the various constituencies and municipalities that make up the region. It seems so undemocratic that there has been accusation made by people—and heaven forbid, I would not make it—that the Tory faithfuls are the ones that get promoted to be chairmen of these regional boards. I want to make it very clear, I would not make that charge but I have heard it, you know.

An hon. member: I have heard it, too.

Interjections by hon. members.

An hon. member: Come to think of it, I have heard that too.

Mr. Pilkey: I think that—I say to the government to avoid, you know, those wild charges that might be made by individuals, we ought to elect the chairman. It seems to me that, one, we have a more democratic procedure that is compatible with the democratic institutions that we believe in; and in addition to that, it carries—nice to see you back Paul; nice to see you back.

Mr. Demers: If they lose, we make them regional directors or something?

Mr. Pilkey: Nice to see you back.

Interjections by hon. members.

Mr. Pilkey: Nice to see the member for Nickel Belt here, too.

Interjections by hon. members.

Mr. Chairman: The hon. member for Oshawa has the floor.

Interjections by hon. members.

Mr. Pilkey: Would you quieten down those mavericks over there?

Mr. Chairman: A little order, please!

Interjections by hon. members.

Mr. Pilkey: Right.

Mr. Chairman: A little order, please! The hon. member for Oshawa has the floor.

Mr. Pilkey: Thank you, sir.

Mr. Yakabuski: That is all he has got.

Mr. Pilkey: I am not suggesting he go out and get another drink. No, I will not.

Interjections by hon. members.

Mr. Pitman: Darcy, you are going to have get him under control, otherwise he is asking for trouble!

Mr. Pilkey: The other point that I would like to make, Mr. Chairman, is—

Mr. Yakabuski: You watch it, young fellow.

Mr. Pilkey: Nice to see you back, Paul.

Mr. Yakabuski: Your wounds are not all healed yet.

Mr. Pitman: I am bleeding all over the floor.

Mr. Yakabuski: I know, but we can wipe that up.

Interjections by hon. members.

Mr. Pilkey: Your union card will be lifted. They will take your union card away from you.

Mr. Chairman: Would you mind addressing the Chair, please?

An hon. member: You learned a little bit anyway, did you not? You learned a little bit that your party is the party of the radicals.

Interjections by hon. members.

Mr. Chairman: Shall vote 1404 carry?

Interjections by hon. members.

Mr. Pilkey: Will you slow this fellow down? Okay. Also, Mr. Chairman—

Interjections by hon. members.

Mr. Demers: He has never crucified GM.

Mr. Chairman: The hon. member for Oshawa will disregard the interjections which are out of order.

Mr. Pilkey: Are they?

Mr. Deans: Also irrelevant.

Mr. Pilkey: I also believe, Mr. Chairman, that in any region, obviously, there should be a minimum standard of services to every municipality. To provide that standard of service is a newly formed region, obviously it is going to cost additional money. I sensed from the four regions that have been set up since this government first initiated the Ottawa-Carleton region, that they have provided little resources to provide a minimum standard of services throughout the region.

I think that it is incumbent upon this government to provide those resources, as opposed to the municipalities that are jumbled in the framework of the region, who have a very good standard of services, they are in effect subsidizing those other municipalities, and as I said, I see very little money that the government has provided for the various regions in providing this standard of service.

In addition to that, I feel that the government has to do two other things; one, recognizing that the Minister of Municipal Affairs brought in a bill recently providing—if my memory serves me correctly—$25 for each pupil attending a university, and I told him at that time it was wholly inadequate, and if my memory serves me correctly, I believe he agreed with me that it was—well, maybe he did not say that it was totally inadequate, he just said it was inadequate, and I guess there is a difference.

In any event, it seems to me as we go into these various regional governments, this would be one area where we could provide additional resources for those communities that have universities, and we now have a number of centres with community colleges. In addition to that, it seems to me that the government should now be providing full assessment and taxes on all provincial buildings and land, and—

Mr. Chairman: Regional government?

Mr. Pilkey: The provincial government, provincial buildings.

Mr. Chairman: Regional government?

Mr. Pilkey: Right, on regional government. I am suggesting that these would be some of the ways to provide additional resources for regional government.

Mr. Chairman: We have finished assessment. Is that what the hon. member is talking about?

Mr. Pilkey: No, no, he knows what I am talking about. He knows. To assist regional government.

Mr. Pitman: A very in-depth analysis.

Mr. Ruston: Turn the record over and you get the same thing on the other side.

Hon. Mr. Grossman: It just sounds like something else.

Mr. Pilkey: That is right. I just feel that there has not been adequate financial assistance to the municipalities that formed the regions in the past, and I just happen to think it is incumbent on this government to provide the resources and, Mr. Chairman, I just used a couple of illustrations that could provide additional funds for the regions that may be formed in the future.

Mr. Chairman: Vote 1404, the hon. member for Grey-Bruce.

Mr. Sargent: Mr. Chairman, as regards the regional government programme of the government, we have been watching this thing develop and the minister feels in his own mind that he is doing a great job. He has been covering the province putting millions of words in newsprint on the good of regional government, but for my part, I think at the outset the government said that regional government would be implemented at the option of the areas that wanted to be regional governments, and I hope that that policy will remain. But from where we sit we can see that every time the government imposes this on a region it is nailing its coffin.

I think we should have some projection from the minister at this point of what regional government is going to cost in the next three or four years. We should know those figures. I would like to know the extent of your assessment programme under regional government, whether you are going to have an equalization programme every year, or whether you are doing one equalization at this point for the province of Ontario? I would like the minister to tell me, if he can, Mr. Chairman, are we going to have under this new setup a yearly equalization across the province?

Hon. Mr. McKeough: Yes.

Mr. Sargent: In every area, a yearly equalization? All right, I am glad to hear that. But what I would like to ask you is in view of the many problems facing governments—your government and all governments—what is the overall tab for this programme of regional government and regional reassessment?

Hon. Mr. McKeough: You mean, what it is costing the province per year?

Mr. Sargent: I mean the whole province, the whole programme—what is it going to cost?

Hon. Mr. McKeough: I could not answer that off the top of my head.

Mr. Sargent: I understand, Mr. Minister, that in areas we have had increases of 600 per cent in assessments and where you have been giving them help and, say, you can spread this over five years among this programme, it must be in the hundreds of millions of dollars that this programme is costing the people of Ontario. I say this kindly: it takes a gutsy guy to take this job on. I think he has done a remarkably fine job to have retained his sanity, and to have my respect for the job he has done.

Hon. Mr. McKeough: And no ulcers!

Mr. Sargent: But I think it was a foolhardy thing to do, because all you had to do was implement the manual we had in effect at the time, but you did not do it. So you did what could have been a very poor PR programme; you kind of glossed it over. But I would say to you in effect that when your government goes to the polls the next time, if you are defeated, it will be regional government that will have done the job for you, mainly because you have made scars across the province that will never be healed insofar as the electorate is concerned. But I would like to say to you finally that this caper—

Mr. Deans: That is what I said first.

Hon. Mr. McKeough: The member is going to have to take a stand, you know; the moment of truth is arriving for him, because the county of Grey and the city of Owen Sound have been saying they would like to have a local government study.

Mr. Sargent: No, that is not right.

Mr. E. A. Winkler (Grey South): That is right.

Mr. Sargent: There may be a few guys who want this but—

Hon. Mr. McKeough: Where is the member going to stand on this?

Mr. Sargent: Well, I can tell you that we do not want regional government in Grey and Bruce counties; you know the reception you and the Treasurer got when you came to Walkerton. You came in there and you felt a hostility and you folded your tent and went quietly away and said, "Fellows, we will never bother you. If you want it, we will give it to you." But you came in there and you were nice and sweet and all this business. I was there watching too.

I can tell you that we do not want regional government; we want to run our own affairs. And when you get this bigness of government, you take the government away from the people. It is costly and the people do not get service. I say it is a suicidal course you are on; go ahead, we love sitting back here watching you. I would like to say, Mr. Minister, that somewhere along the line you should have a projection of the moneys that we are committed to through this programme, and which at no time in history could we afford less than we can today. And somewhere along the line you should tell us what it is going to cost us.

Mr. Chairman: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, with regard to York and the new region there which the member for York North had a lot of very fine things to say about, I wish I could share all the views he had.

I was concerned last spring, and I am concerned now, that the people in York did not have an opportunity in the development of a new structure of government that was very much needed to really determine what was going to be the cost of providing the type of government to fill the anticipated needs. The intermunicipal committee that the minister appointed had only two meetings before he brought in his report; there was no opportunity to bring the people along and inform them and get their views as it went along. Although our party is in favour of reorganization of local government it is only in favour in certain places where the development of a new form of government is conducted hand-in-glove, carefully, with the people.

What has been done in the OPAD study in Oshawa is a very fine example of what can

be done, but of course at about 10 times the cost that would have been necessary if the minister would be content to utilize local knowhow and knowledge to a much greater degree. The difficulty is that the minister seems to feel the only purpose of an inter-municipal co-operative committee is to white-wash and rubber-stamp whatever decisions are made by his own department. I am very much concerned about what is going to happen in York unless many of the prime requirements of developing areas such as York are met by other means than were set out in this bill which was approved.

I urge the minister that in any scheme of reorganization of local government he adopt the procedure of working closely over a period of months with the local municipalities, giving them much more of an opportunity—in fact, the full opportunity—of determining what form of government they shall have instead of imposing it upon them from above, with just a few of the club included in his decision.

Mr. Chairman: Shall vote 1404 carry?

Vote 1404 agreed to.

On vote 1406:

Mr. Good: Mr. Chairman, I would ask of the minister what grants are included under 1406, regarding The Assessment Act.

Hon. Mr. McKeough: Mining revenue payments.

Vote 1406 agreed to.

Vote 1407 agreed to.

Mr. Chairman: This completes the estimates of The Department of Municipal Affairs.

Hon. Mr. Grossman moves the committee of supply rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, tomorrow we will proceed with the budget debate.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.

APPENDIX

Preliminary Draft No. 24(c)
For Review and Comment
April 6, 1970.

Research Study

THE IMPACT OF MOBILE HOMES ON ONTARIO COMMUNITIES

Implications for Community Planning and Development

BIBLIOGRAPHY

1. *Survey of Mobile Homes in Ontario*
   (a) Number of mobile homes
   By location in province (i.e. municipality)
   By location in community
   e.g. in mobile park or not
   By size of group, if any
   By size, type, etc. of mobile home
   (determine significant factors for descriptive analysis)
   Etc.
   (b) Number of mobile parks
   By location in province (i.e. municipality)
   By type of ownership
   e.g. private, municipal, etc.
   By size and facilities
   e.g. no of spaces
   density
   facilities (laundry, etc.)
   recreation space and equipment
   By rates
   By taxation

2. *Housing Finance for Mobile Homes*
   (a) Costs of mobile homes
   Data from industry by size, facilities, etc.
   Depreciation rates
   (b) Sources of funds for purchase
   e.g. N.H.A. loans in Canada
   F.H.A. loans in U.S.A.
   Credit from mobile home sales agency, etc.
   Include interest rates, amortization period, ratio of loan to value, etc.

3. *Mobile Home Park Financing*
   (a) Costs of development
   Ontario examples in new towns, etc
   (b) Sources of funds
   Government assistance for developers in U.S.A., Canada
   Rentals to occupants
   Other income e.g. sale of mobile homes, maintenance of lots, surcharge on power, etc.

4. *Implications for Municipalities*
   (a) Costs of mobile homes to the municipality
   e.g. services, schools, access, etc.
   (b) Municipal Revenues from Mobile Homes
   direct—taxation of mobile home parks, licences for mobile homes, charges for education, etc.
   indirect—business support, etc.

5. *Market for Mobile Homes*

(a) Present Use

Survey of Occupants

e.g. family size, no. of children, ages of children, family income, length of residence in a mobile home, length of residence in present location, intentions re future housing type (is mobile home a temporary measure?), factors affecting choice, etc.

(b) Future Use

Labor market mobility, Total housing market } See reports of Economic Council, etc.

Market for mobile homes:

—share of total housing market

—specific segments of population

e.g. by type of work (temporary construction projects)
by geographic location (in isolated communities)
by income (what level?)
by family composition (?)
by degree of mobility (?)

6. *Regulations Affecting Mobile Homes*

(a) Present regulations

Public health
Safety (fire)
Official Plan
Zoning
Building by-law
Maintenance & Occupancy By-law
Licensing
Etc.

(b) Proposed regulations

7. *Planning Factors*

(a) Social factors

Should mobile homes be grouped or scattered in the community?
What are the implications for living? for design? for cost?

(b) Physical factors

Factors affecting site selection
e.g. topography, drainage, trees, orientation, etc.

(c) Economic factors

To what standards should mobile home sites be developed?
Consider differences in different environments in Ontario,
e.g. mining town, large city, resort area, etc.

(e) Access and circulation

e.g. Streets, roads, parking, etc.

(f) Services and utilities

e.g. sewer, water, power, telephone, etc.

(g) Other planning factors.

8. *Design Factors*

N.B. Consider *needs for living*. Limitations imposed by regulations should not be taken into account in this section of research study. See Section 6.

(a) Selection of best design features of mobile home development in Ontario and elsewhere

(b) Adaptation to mobile homes, where appropriate, of best design approach to other types of residential accommodation. e.g. apartments, town houses, etc.

(c) Siting the individual mobile home. e.g. in relation to topography, tree cover, climate, orientation of site, adjacent land use, noise, etc.

(d) Development and maintenance considerations

(e) Other design factors
e.g. architectural, engineering, landscaping and other considerations.

9. *Policies*

(a) Present policies

Federal—e.g. re financing
Provincial—e.g. re health and safety
Municipal—e.g. re location and taxation

(b) Recommended policies

Federal
—financing mobile homes
—financing mobile home parks,
—etc.

Provincial
—health
—safety
—location
—density
—etc.

Municipal
—location
—taxation
—etc.

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Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Friday, October 23, 1970

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, OCTOBER 23, 1970

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: This morning in the east gallery we have as guests students from Homeland Public School in Clarkson; and later this morning in the west gallery we will have students from the John Diefenbaker High School in Hanover.

Statements by the ministry.

Hon. R. S. Welch (Provincial Secretary): May I take this opportunity to draw to the attention of the hon. members the fact that tomorrow marks the 25th anniversary of the founding of the United Nations.

A quarter of a century may not seem very impressive in terms of human history, but it does represent a considerable time span in the world in which we live today, and it is a convenient point to pause and reflect on the trials, failures and indeed, the successes of the United Nations Organization, created as it was to save succeeding generations from the scourge of another war.

In the words of the Secretary-General U Thant, the United Nations in 1970—

> —will need to take a very serious look at itself, its past record, its present position and its task ahead.

He went on to say:

> This silver jubilee, this anniversary, should, in my view, be a solemn occasion for reflection and stocktaking in the middle of our long pilgrimage for consolidation of the progress already made by our organization and, finally, for renewed dedication to the achievement of the ideals which we set out to attain on October 24, 25 years ago at San Francisco.

With the theme, "Peace, Justice and Progress," the anniversary is meant to be more than a series of ceremonies. Certainly it is my hope that the hon. members will join in their various constituencies in the observance of this anniversary, which will afford member states an opportunity to reaffirm their faith in and to rededicate themselves to the principles which are enshrined in this historic world organization.

Mr. Speaker: Oral questions.

PROVISION OF WATER SUPPLY FOR GRAND RIVER VALLEY

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would like to ask the Premier if he still acts as chairman of what might be called the Design for Development committee of the cabinet?

Hon. J. P. Robarts (Prime Minister): I suppose I could answer that in the affirmative, yes.

Mr. Nixon: If that is the case, I wonder if he might tell us, Mr. Speaker, how the responsibility for decisions on the provision of water supply for the communities of the Grand River valley—this would be from Nanticoke through Brantford to Galt, to Kitchener and so on—would be arrived at, since it does involve OWRC, the Treasurer's (Mr. MacNaughton) planning functions and, certainly, community planning as well? Is the Premier, in his capacity as chairman of this top cabinet committee, aware of the conflicts among the departments in the establishment, or at least the proposals, associated with such a water supply serving the whole central part of Ontario?

Hon. Mr. Robarts: I am aware; I do not know that I would refer to it as a conflict, but I am aware. That is why we have interdepartmental committees where there are different functions of various aspects of the government. Some of them can be departmentalized and some of them involve boards and commissions that are involved in the ultimate decision. That is why we have these types of organizations in order that we can put together and, if necessary, reconcile these various points of view. So I am aware of this. It is an ever-present difficulty. In government, generally, we are organized, I suppose, one might say vertically, and many of our problems are horizontal. Therefore we use a variety of committees in which we involve people from the various vertical organizations in order to resolve the horizontal problems.

Mr. Nixon: Is he aware of the horizontal problem associated with the OWRC indicating to the councils of the cities concerned a few months ago that they must pay for the oversizing of the water intake at Nanticoke, amounting to a $1.7 million additional expenditure, and then being reversed by the Treasurer who decided, I am sure with your knowledge and concurrence that the provincial government itself would pay for this oversizing? My point is this: These cities were subjected to what I would consider unnatural pressures—a bluff perhaps from the OWRC—saying that unless these decisions were made within 90 days, then the pipeline concept would have to be abandoned. What I am looking for is the kind of direction, I suppose on a horizontal basis, that is a responsibility of the Premier, which would not allow these situations to occur.

Hon. Mr. Robarts: I think, Mr. Speaker, that we have decided, as a government, that perhaps the government itself should finance that proportion of the cost involved in oversizing, the oversizing being put into the whole operation in order to look after some as yet non-existent consumer, and that the government would finance that and, eventually, it would be repaid by the consumer when that consumer came on the scene to use the facility.

Now the OWRC, I suppose in the original instance, made its decision according to the facts as they then were and, perhaps, according to the policy as it then was. But the Treasurer's approach really amounts to a change in the government policy, which would then be carried out by the OWRC. It is not done with the idea of coercing the municipalities of anything of that nature. It is simply a matter of finding a solution to a very practical problem.

RESPONSIBILITY FOR USE OF WAR MEASURES ACT

Mr. Nixon: Mr. Speaker, I would like to ask another question of the Premier.

What is his view, upon reading the regulations put out under The War Measures Act, that the Attorney General (Mr. Wishart) has the responsibility for administering these regulations, just as he does under the Criminal Code, when he reflects upon the Attorney General's statement yesterday that he considers the RCMP to have the carriage of the administration of justice in the province under these measures?

Hon. Mr. Robarts: Mr. Speaker, I think that the hon. member misinterprets what the Attorney General said. He referred to it several times—and I was aware he was trying to make it clear, but now you are taking a different approach—he used the word "co-operation" with the RCMP. I do not consider that he is in any way abandoning his responsibility to the people.

With powers of this sort, which apply all across Canada but really were introduced to deal with a particular situation in a particular part of a province, I do not think that it is at all out of the way that the Attorney General would take the position that he takes and that he would co-operate to the fullest with the national police force of Canada in order to ensure that these powers are used properly, as we think they should, and perhaps not used until a real necessity for them becomes apparent.

Mr. Nixon: A supplementary question: Taking for granted, then, that there will be the usual co-operation, perhaps even more sensitive under these special circumstances, we can assume in the House that the Attorney General has essentially the carriage of the administration of justice not only under the Criminal Code but under these special measures?

Hon. Mr. Robarts: Certainly, and it could never be any other way.

Mr. D. C. MacDonald (York South): A supplementary question, Mr. Speaker: Is it not normally the procedure that the Attorney General would take the initiative—not just co-operate with the federal government or the national police force—in implementing the Criminal Code or any national law? Is it not the obligation of the Attorney General to take the initiative?

Hon. Mr. Robarts: Yes. Well, Mr. Speaker, I just simply say this, that the Attorney General will take the initiative in anything of this nature that occurs within the province of Ontario. But what he is in fact saying is that, as the hon. member perhaps aptly put it, this is a sensitive area and perhaps there is going to be a higher degree of co-operation than normal. But ultimately, fundamentally and basically, the Attorney General is responsible for the administration of justice in this province, and he is not in any way trying to avoid that responsibility, he is not in any way trying to slide it off on to someone else, and I have no hesitation in answering for him in this regard because I know what his approach is.

NEGOTIATIONS BETWEEN ONR AND EMPLOYEES

Mr. Nixon: Mr. Speaker, a question of the Minister of Mines and Northern Affairs:

Can the minister report to the House on negotiations involving the management of the Ontario Northland Railway and their employees, particularly those, I think, in the policemen's union?

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Mr. Speaker, it is my understanding that the chairman of the Ontario Northland Transportation Commission did report to the House last week in answer to a question directed to the ministry last week. I have had no further discussions with the chairman from that time, but I will make sure that there is a further report early next week given to the House.

Mr. Speaker: The member for Peterborough.

PLAN TO REMOVE TEACHERS IN BC WHO ACCEPT SEPARATISM

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I would like to direct a question to the Prime Minister:

I wonder if he would indicate his intentions, in view of the lead taken by the government in British Columbia in putting through decrees which would make it possible virtually to deprive any person in the public school system—

Hon. Mr. Robarts: I am sorry, I cannot hear you.

Mr. Pitman: I am sorry. I wonder if he would indicate his intentions, in view of the lead taken by the government of British Columbia in putting through decrees which would make it virtually possible to remove any person from the public schools of British Columbia who teaches that Quebec might be separated from the rest of Canada as an approach to our constitutional process? I wonder if he would indicate whether these are the intentions of the government of Ontario as well?

Hon. Mr. Robarts: Mr. Speaker, this whole question is carried in a news report and frankly we have not given it any consideration as a possible policy here.

Mr. Pitman: As a supplementary: Does the Prime Minister see any possibility that it would be necessary in the province of Ontario to put through such broad regulations as have been suggested by the government of British Columbia?

Mr. Speaker: The hon. member has become very hypothetical and such questions are usually not in order.

Mr. Pitman: It is a very important hypothesis, Mr. Speaker.

Mr. Speaker: Has the member for Peterborough any further questions?

Mr. Pitman: No, I have no more, Mr. Speaker.

Mr. Speaker: The member for Windsor-Walkerville.

CONTROL OF USE OF SALT ON ROADS

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Highways.

In light of the report by Mr. Collins that the application of road salt by municipal works departments and The Department of Highways should be regulated, is the minister planning on any regulations controlling the use of road salt?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I spoke to my officials this morning and asked them for a report on the soil test as to the amount of salt that was in the soil along the highways. When I have the results of this we will be able to give a better answer to the member and I will be pleased to send him the results of the soil tests where we are making them.

Mr. Speaker: Member for High Park.

USE OF DELINEATORS ON HIGHWAYS

Mr. M. Shulman (High Park): A question of the Minister of Highways, Mr. Speaker, in three parts:

Is the minister aware that the use of these delineators on highways have been proved to lower car accidents? Why has his department refused to use delineators in Ontario? Is the minister aware that the Ontario company making these has been able to sell them in practically every jurisdiction in North America except Ontario?

Hon. Mr. Gomme: Mr. Speaker, I am not aware of all those things but I will get an answer for the hon. member.

I have an answer to his question in regard to 245T that I would like to give this morning.

Mr. Speaker: By all means. We will consider that the original question was taken as notice.

SPRAYING OF ROADSIDES WITH CHEMICALS

Hon. Mr. Gomme: Although he did not refer to the highway number, I think it is Highway 35, Dorset to Minden and Highway 530 and the operation of spraying was carried out by a licensed operator using a spray machine with the proper parts per thousand gallons. The chemical 245T is used in combination with 24D on a 50-50 basis for the eradication of brush required in the maintenance highway roadside areas.

In the application of the 245T the department was completely aware of the Canada Department of Agriculture memorandum of May 11, 1970, and subsequent memorandum of June 12, 1970, which outlines the revised registration status of 245T prohibiting use around homes, or cottages, recreational areas or food crops. On further inquiry, the department was advised that the prohibition did not usually apply to highway rights of way or highway ditches. This was subsequently confirmed by the federal government memorandum dated August 24, 1970.

In the meantime, on June 2, 1970, the department, in keeping with the federal regulations issued instructions to the operations branch field personnel to prohibit spray applications in various areas such as:

1. No spraying in the immediate vicinity of builtup areas, single dwellings and recreational areas such as parks;

2. No spraying near lakes, rivers, streams or ditches with free-running water where the chemical could actually contact the water.

The few crews spraying on the highways in question were operating under these instructions, and the department is continuously engaged in research for improved application methods: the most recent work has been done in collaboration with the University of Guelph in drift control agents.

Mr. Shulman: A supplementary question, if I may, Mr. Speaker: Inasmuch as the regulation says that the spray must not go near streams or aquatic areas, why did the department spray Highway 35 where there is a stream running beside it which was completely polluted and which has now polluted Mountain Lake?

Hon. Mr. Gomme: Mr. Speaker, I answered that. The field crews spraying on the highways in question were operating under the instructions which we gave out, and that is the information I received.

Mr. Shulman: Does the minister have any explanation as to how the stream and the lake became polluted?

Mr. MacDonald: The answer, of course, is that he has no explanation.

Mr. Speaker: The member for York Centre.

SETTING OF WATER RATES

Mr. D. M. Deacon (York Centre): A question to the Premier.

Would the Premier clarify his answer given my leader a short time ago about government policy with regard to the Lake Erie pipeline intake? Does this involve a deferment of the costs of a single project, namely the Grand River pipeline, by those utilizing it or those who will utilize it in the future? Or does it really involve a new approach whereby the Ontario Water Resources Commission will operate in a manner similar to Ontario Hydro and set regional rates which are not constricted by repayment requirements for a separate project such as occurred in the London-St. Thomas rate dispute?

Hon. Mr. Robarts: That is a pretty complicated question and I would have to ask a few questions about the particular situation that the member mentioned. In a more general way, I could say that at the present time we are not contemplating establishing any rate system in the OWRC similar to Hydro. On the other hand, we are faced with this problem of oversizing and it was in that regard that I answered the Leader of the Opposition's question.

Water costs vary from area to area, from source to source; some areas are served by wells and other areas have to be served by pipeline. So the situation really is not similar between supplying water and supplying hydro. But we have had to face this problem of oversizing and a consequent increase in cost to a consumer who might in fact be deemed to be paying for some facility that is

really built into the system to provide water to, as I said, some as-yet non-existent consumer. That is the problem we have.

As for the particular water system to which the member is referring, I am afraid that I am not in a position to give answers on those particulars but I can, of course, quite easily find out.

Mr. Deacon: A supplementary: What I am trying to clarify is whether the policy is one of recognizing that where there is a great differential between areas that are close by it can greatly affect the course of development. Is the government policy therefore, one that will recognize that if the water rate at St. Thomas is three times the water rate in London, even though they have separate supply systems, the government policy would be one of merging overall area rates to eliminate this differential which distorts development?

Mr. Speaker: The hon. member is completely out of order. Government policy is not to form part of the questions in the oral question period. We allow a great deal of laxity in that regard, but the rules are plain. If the Prime Minister wishes to answer it he may, but, in my opinion, the question is out of order.

Hon. Mr. Robarts: Mr. Speaker, I do not encourage out-of-order questions but the matter has been raised. It would be a very difficult thing indeed for the province to attempt to establish a standard water rate across this province to meet conditions that the hon. member mentions.

As I pointed out, I do not wish to get into a long discussion about it. You would then have to try to equate one municipality, for instance, which might be getting its water from artesian wells that have supplied it with water for many, many years, and it is cheap water, and so on. You would have to start to equate that with another municipality some place which might be getting its water from a very expensive pipeline. It would not be a question of bringing all rates down to the lowest level. It would be a question of bringing some low rates up to the highest level and this poses enormous practical difficulties.

The mere fact that I am able to stand up here and give this explanation indicates that the government is aware of the problem.

Mr. Speaker: The member for Peterborough.

REPORT BY POLLUTION PROBE ABOUT COBOURG SEWAGE

Mr. Pitman: I would like to ask the Minister of Energy and Resources Management what action he intends to take in view of the information which has been presented to him by Pollution Probe, that the effluent from the sewage system of Cobourg is 1,250 times above the acceptable level?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I do not recall getting that specific information from Pollution Probe. However, as far as Cobourg is concerned, the hon. member probably knows plans are under way for the construction of an enlarged sewage treatment plant.

Mr. Pitman: I wonder, when he receives this information would he take a look into the fact that the trickle filter boom, which was supposed to be repaired on the advice of the OWRC, has not even been dismantled as yet by that municipality?

Hon. Mr. Kerr: Yes, I will look into that, Mr. Speaker.

Mr. Speaker: The Leader of the Opposition.

STARTUP OF PICKERING NUCLEAR POWER PLANT

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Can he give the House the date upon which the Pickering reactor will go critical? It is planned to go into operation this fall and it should be approaching that point now.

Hon. Mr. Kerr: Yes, there have been some delays, Mr. Speaker, mainly from the point of view of equipment delivery. The latest date I have, or the latest time I had, was that it would be early in 1971.

Mr. Shulman: A supplementary question, Mr. Speaker: When the Pickering plant goes into operation, what plans has the minister made for getting rid of the radio-active waste?

Hon. Mr. Kerr: Radio-active waste will be handled somewhat similarly as at Douglas Point, Mr. Speaker. It will be stored within the plant in a safe way according to AECL regulations.

Mr. Shulman: A further supplementary, if I may: Is it not correct that the minister has made plans to truck it from Pickering to Douglas Point? If so, how is he going to do that in a safe way?

Hon. Mr. Kerr: Mr. Speaker, my information is that it will be stored at Pickering at least temporarily; at least until their facilities there are used up, in the same way as at Douglas Point. I do not know of any specific reason that it should be trucked to Douglas Point, unless the capacity at Pickering is being used up.

Mr. Speaker: The hon. member for Yorkview.

DUST FROM FERMAR CEMENT PLANT IN ETOBICOKE

Mr. F. Young (Yorkview): Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management.

I wonder if he has the answer to the question which I asked a couple of weeks ago, in respect to the emissions of dust from the Fermar plant in western Metro?

Hon. Mr. Kerr: Mr. Speaker, I am still waiting for that information from my branch.

Mr. Speaker: The Minister of Lands and Forests has a reply to a question asked by the member for High Park the other day.

TRAPPING OF TURTLES AT LONG POINT PARK

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, I believe it was on Tuesday that the member for High Park asked me a question: Why has a licence been granted to a gentleman to trap turtles at Long Point?

Mr. Speaker, there are no regulations pertaining to the taking of turtles in Ontario. I have no knowledge of the issue of any exclusive licence for the taking of turtles at Long Point Park or elsewhere in the province. Commercial fishing licences for hoop nets and seine nets have been issued for Long Point Bay for many years, and some snapping turtles, which are not uncommon in southern Ontario, have been taken and marketed from these operations.

Snapping turtles are predators, and do take small ducks, but this is not considered a significant factor in this area. I should add that we are looking into over-exploitation of this species and if our studies prove that there is over-exploitation, steps will be taken to control the capture of turtles.

Mr. Speaker: The hon. member for Scarborough East.

INCREASE IN RATES AT HOME FOR ELDERLY

Mr. T. Reid (Scarborough East): I have a question of the Premier, Mr. Speaker.

This question is in reference to the Central Park Lodge at 10 William Morgan Drive in Thorncliffe, Ontario; it is a home for elderly people with some nursing care. The question is: What recourse of appeal do the elderly people in this home have when told that the amount they must pay per week will increase as much as 38 per cent—for example, from $14.50 to $20 per day? Is there any way they can appeal this to the government?

Hon. Mr. Robarts: Mr. Speaker, there is just no way that I could have an answer to that question this morning. I will take it as notice.

Mr. Speaker: The member for High Park.

EFFECT OF PLAN CONSOLIDATION ASSISTANCE ON CHEESE INDUSTRY

Mr. Shulman: A question of the Minister of Agriculture and Food, Mr. Speaker.

What is the minister doing about the complaints from producers of Canadian Cheddar cheese in southwestern Ontario, that his programme of plant consolidation assistance is ruining their industry?

Hon. Mr. Stewart: Mr. Speaker. I did not hear the question; would the member repeat it?

Mr. Shulman: Sorry. What is the minister doing about the complaints from the manufacturers of Canadian Cheddar cheese in southwestern Ontario, that his consolidation assistance programme is ruining their industry?

Hon. W. A. Stewart (Minister of Agriculture and Food): I have not heard that report from anybody in southwestern Ontario nor from any other source in any part of Ontario, Mr. Speaker.

Mr. Shulman: As a supplementary, if I may, Mr. Speaker: Has the minister not received a letter from the producers repre-

sented by the Crested Cheese Storage Company of Woodstock?

Hon. Mr. Stewart: No, I have not, Mr. Speaker.

Mr. Speaker: The member for Essex-Kent.

REFUND OF FARM TAXES

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question that I direct to the Minister of Agriculture and Food, although the Minister of Municipal Affairs (Mr. McKeough) may be interested.

Did the department consider in the regulations for the refund of farm tax, that the farm should also have a gross income of at least $2,000 regardless of the amount of acres of land? Had the department given that any consideration?

Hon. Mr. Stewart: No, Mr. Speaker, we had not. Farms of less than 11 acres were to be classed as a farm if there was a gross income of $2,000 from farming on that 11 acres.

Mr. Ruston: A supplementary: In other words the department had not considered some farms that someone would be living on, with a large home and 50 acres of land. They only have an income of $1,000 and yet they will receive the 25 per cent rebate.

Hon. Mr. Stewart: Yes, that is the procedure we have adopted. I think it would be very difficult to sort out those instances where such a case as the hon. member describes might occur, Mr. Speaker. I think it would probably cost more to find out than it would to pay the 25 per cent.

Mr. Speaker: The member for York South.

BICYCLE RACKS AT QUEEN'S PARK

Mr. MacDonald: I have a question of major importance of the Prime Minister. Has the government given any consideration to the building of bicycle racks at Queen's Park to meet the growing needs of people like the Minister of Mines and former party leaders?

Hon. Mr. Robarts: Mr. Speaker, I think the importance of that question rests only in the mind of him who asked it and I will take it as notice.

Hon. A. F. Lawrence: There used to be some around the back.

Mr. Nixon: Has that car broken down already?

Mr. MacDonald: A supplementary question: In view of the record of extreme sensitivity to public meetings that the Minister of Public Works (Mr. Simonett) has manifested in the past, would he pass this issue on to the Minister of Public Works for active consideration?

Mr. T. P. Reid (Rainy River): Emergency debate!

Mr. Speaker: The member for Scarborough Centre.

PROBLEM OF SOLID WASTE

Mrs. M. Renwick (Scarborough Centre): Mr. Speaker, I have a question of the Minister of Energy and Resources Management. Would the minister indicate what action he has taken, or will be taking, with the Ontario Medical Association's recommendation to its council that man and his sewage shall remain separate and the dilution of solid waste is no longer the answer to the problem; and its call for legislation from the Province of Ontario to deal with solid waste, particularly because of the high population density around the Great Lakes?

Hon. Mr. Kerr: Mr. Speaker, as the hon. member knows, we have recently passed legislation dealing with this specific matter, and I hope this will improve the various municipal and private disposal facilities in the province. I agree with the Ontario Medical Association; the problem of solid waste is getting to be a greater one day by day. I think there should be more research, really, into recycling and reprocessing methods, reusing some of the things that we now throw away. However, I think, with our new legislation and my department or my branch's attempts to encourage much more research, that we may even satisfy the Ontario Medical Association.

Hon. Mr. Grossman: Women's lib are going to get after you.

Mrs. M. Renwick: I did not hear that, I am sorry.

Hon. Mr. Grossman: The women's lib are going to get after you. They will ask "Why not 'Woman and Her Sewage'?"

Mrs. M. Renwick: May I ask, Mr. Speaker, is there any research being done at the present time?

Hon. Mr. Kerr: Yes, Mr. Speaker, quite a bit. The Ontario Research Foundation is involved in this particular matter and has a

project dealing with this particular matter. There are a number of universities that are continuously looking into the whole problem of reuse, reprocessing and recycling and, of course, industry itself is involved both in the United States and Canada.

Mr. Speaker: Member for Rainy—

Mr. T. P. Reid: Thank you, Mr. Speaker.

Mr. T. Reid: Member for Rainy?

VACUUM-TYPE APPARATUS TO COLLECT GARBAGE

Mr. T. P. Reid: A question of the Minister of Energy and Resources Management.

Is the minister aware, or is his department aware, of the Swedish system of having vacuum-type apparatuses used in collecting garbage, which is taken to one central depot where it is destroyed? Furthermore, if so, has the minister mentioned this to his colleague, the Minister of Trade and Development (Mr. Randall), who is responsible for housing, as a possible solution to garbage collection and waste disposal?

Hon. Mr. Kerr: This is one of the particular methods in which to dispose of solid waste, Mr. Speaker. An awful lot of this, as the hon. member knows, depends on the attitude and activities of the local works department in the various municipalities. We hope that many of the newer methods of waste disposal will be adopted. Unfortunately, they are still depending pretty well on the idea of the sanitary land-fill site. They do not want incineration.

They feel some of the newer methods are too costly. We really have to get into this business more from the provincial level to assist them, probably even financially. It may be another situation where we are getting into solid waste disposal in the same way as we are involved in other forms of waste through OWRC. Certainly we are aware of any new or modern methods that research produces and is recommending.

Mr. Speaker: The member for Sandwich-Riverside.

METHOD USED TO CATCH HIT-AND-RUN DRIVERS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Transport.

Mr. Speaker: The Minister of Transport.

Mr. MacDonald: The Minister of Transport. He is being educated.

Mr. Burr: Regarding the system of catching hit-and-run drivers developed by the Windsor police—can the minister hear me?

Hon. I. Haskett (Minister of Transport): Is this for me?

Mr. Shulman: Yes.

Mr. Burr: Mr. Speaker, I have a question of the Minister of Transport regarding the system of catching hit-and-run drivers developed by the Windsor police.

Has the minister evaluated or considered this system of having the police attach a sticker to the windshield of all damaged cars involved in an investigated accident and having body shops, before making repairs, report to the police any other damaged cars?

Hon. Mr. Haskett: Mr. Speaker, I am not aware of the system being followed by the police in Windsor for tracking down hit-and-run drivers. I would like to look into it and see if there is merit in it.

Mr. Burr: Thank you.

Mr. Speaker: The member for York Centre.

FUNDING AGENCY FOR SCHOOL BUS OPERATORS

Mr. Deacon: A question of the Minister of Education:

Has the minister taken any steps to implement a provincial school bus leasing corporation which would enable all school bus operators in the province to acquire their equipment on a competitive basis?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, there have been no steps taken by The Department of Education to set up a funding agency to make the acquisition of capital plants, or facilities, or vehicles by the school bus operators perhaps somewhat easier.

I really question, Mr. Speaker, whether this is an appropriate function for, shall we say, a part of The Department of Education; whether this is the most appropriate use of capital funds; or whether the private sector itself cannot maintain the development of the programme. It really has some validity. I do not mean to get into a lengthy discussion here today, Mr. Speaker, because we could have done this during the estimates.

Mr. Ruston: Just answer the question.

Mr. Nixon: It makes abundant good sense.

Hon. Mr. Davis: Well, I think it does, but I would say this to the hon. member: If the school bus operators would like to meet me, as they have in the past, to discuss their problems and what solutions might be found, I would be delighted to do so.

Mr. Deacon: A supplementary to that? Does the minister not believe that the present system discriminates between the large operators and the small operators, and therefore makes it more difficult for people in the more rural and less densely settled parts of the province to acquire or have school transportation as cheaply as in more densely settled areas?

Hon. Mr. Davis: Mr. Speaker, one must assume from that, of course, that in the less populated areas the operators are smaller than in the larger areas, which is not necessarily the case, in that there are some large operators in some of the less populated areas. So it gets down to the determination as to which ways there are to make it competitive and at the same time create equity, and I do not pretend to have the answers to that particular problem this morning, Mr. Speaker. But as I say, I would be quite prepared to check with the organization and see if there are any ways in which we can be of assistance.

Mr. G. Ben (Humber): Boy, you are just like Teflon, smooth.

Mr. Speaker: The Minister of Social and Family Services has a reply to a question asked by the member for York South.

WARDSHIP OF CHILD FROM RAINY RIVER INDIAN RESERVE

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Speaker, the hon. member was inquiring about the placing under wardship of the daughter of Mr. and Mrs. Joseph Big George on the Sabaskong Indian reserve near the village of Rainy River. The member raised the question of children being brought into the care of a Children's Aid Society prior to court hearings. The hon. member will remember he used the words—"and secondly, before the summons is heard by the family court, the child should be placed in custody—in short prejudging the decision of the court."

Actually that is in accordance with the procedures under The Child Welfare Act, which provides for the apprehension and removal to a place of safety of any child who in the opinion of the children's aid society is in need of protection. The Act further stipulates that the matter must be placed before a court within 10 days of the apprehension of the child.

In the case at hand, the society admitted the child to its care when it felt that the child was in need of protection and the matter was brought before the court four days later.

The father of the child was absent from the area for several weeks immediately prior to the court hearings. However, the date of the hearing had been arranged with him, prior to his departure, and the society was able to present him with a formal notice only upon his return, which took place on October 8, the date of the hearing.

If the hon. member would like, I would be pleased to speak to him in private and give him further details of the case.

Mr. T. P. Reid: On a point of order, Mr. Speaker. Just to clarify the record the Sabaskong reserve is closer to Nestor Falls than to Rainy River.

Mr. Speaker: That, of course, is not a point of order. The member for High Park.

PUBLIC OPINION SAMPLED ON KITCHENER-WATERLOO MERGER

Mr. Shulman: A question of the Minister of Municipal Affairs, Mr. Speaker:

In view of the public opinion poll that was taken in Waterloo and that showed that 84 per cent of the people object to Waterloo and Kitchener being joined, does the minister intend to follow public opinion in this case?

Hon. W. D. McKeough (Minister of Municipal Affairs): The whole matter of the Waterloo area review is under study and government policy will be announced in due course.

Mr. Shulman: Well, I was not asking about policy.

Hon. A. F. Lawrence: He said it was under review.

Mr. Shulman: A supplementary: Does the minister intend to pay attention to the public opinion in the area? That was my question.

Hon. Mr. McKeough: The Minister of Municipal Affairs is noted on all sides for paying a great deal of attention to public opinion.

Hon. Mr. Kerr: The answer is yes.

Mr. Speaker: The Leader of the Opposition.

REQUEST FOR UNIVERSITY IN BRANTFORD

Mr. Nixon: Mr. Speaker, a question of the Minister of University Affairs—we want to get some information out of him while he is here; he is here almost as often as the Minister of Education.

Has he received communications from the city of Brantford or from citizens' groups in that area requesting his consideration and the consideration of the advisory committee on university affairs, concerning the establishment of university facilities in that community? It has been passed over frequently and there is now some further information available and I wonder if the minister has received it?

Hon. Mr. Davis: Mr. Speaker, I do not recall personally having received any material from the city of Brantford or from a citizens' group within the city requesting consideration. It is quite conceivable that such representation may have been made to the post-secondary commission, where, quite frankly, if a request were made to me for this consideration I would refer such information.

Mr. Speaker, I will check with the chairman of that commission to see if such information has been made available. If it has not, I would suggest to the hon. Leader of the Opposition that he might, in discussions with the group from his constituency, recommend that they make their representations to the post-secondary commission.

Mr. Speaker: The member for Timiskaming.

VISIT TO SOUTHERN SALT MINE BY NORTHERN AFFAIRS STAFF

Mr. D. Jackson (Timiskaming): I have a question of the Minister of Mines and Northern Affairs:

In view of the fact that his department is concerned with northern affairs, would he explain to the House why 108 members of his department visited a southern Ontario salt mine? What was the purpose of that visit and how much did it cost out of the public funds?

Mr. Nixon: He was thinking of making it into a concentration camp.

Hon. A. F. Lawrence: I will take that as notice.

Mr. Speaker: The member for York Centre.

LOWER LICENCE FEES FOR SCHOOL BUSES

Mr. Deacon: A question of the Minister of Transport: Will the minister reduce licence fees for school buses used exclusively for school transportation purposes to $2 from their present average level of approximately $150, to eliminate the additional cost burden that the school boards now must bear if they choose to have individual operators?

Mr. Speaker: The hon. member's question is quite proper up to the point where he asked if the minister would reduce the licence fee. The minister may now reply.

Hon. Mr. Haskett: Mr. Speaker, I appreciate the point the hon. member is making in distinguishing between school-board-owned vehicles and those that are leased from private operators. This matter is under consideration. Of course, that specific proposal would involve a change in revenue and the determination of that does not rest entirely with The Department of Transport.

Mr. Deacon: A supplementary: Would the minister undertake to have this matter dealt with before the new calendar year begins?

Hon. Mr. Haskett: Mr. Speaker, I simply leave it that the matter of school bus operations is under consideration.

Mr. Speaker: The member for Sandwich-Riverside.

CLEAN-AIR CAR RACE

Mr. Burr: A question of the Minister of Energy and Resources Management:

What conclusions has the minister reached concerning the results of the great clean-air car race which took place about a month ago across this continent?

Hon. Mr. Kerr: Mr. Speaker, the only thing I could say right now is that I am not going to rush out and buy a battery-propelled car today or tomorrow. However, I am very encouraged with the results of this race. We had heard a lot of statements to the effect that these automobiles will go only 25 or 50

miles and then will need some sort of refuelling or mechanical attention, that they go too slowly, and that generally 90 per cent of the people who start this race will not finish.

Well, of course we know results were much different than that, and I am encouraged with the information that I have heard since this race, that all the major automobile manufacturers in the world have similar types of cars —such as battery propelled, natural gas, propane and so on—at their plants experimenting with them and attempting to perfect them, in the event that the internal combustion engine is not cleaned up according to our deadline.

Mr. Speaker: The member for High Park.

ROUTE OF PROPOSED LONDON FREEWAY

Mr. Shulman: A question of the Minister of Highways, Mr. Speaker:

What does the minister intend to do about the London freeway in view of the considerable public unrest, (a) about its route, and (b) about the high tension hydro wires that are intended to be put along it?

Hon. Mr. Gomme: Mr. Speaker, this matter is under active consideration with the council of London and when we have arrived at a decision it will be announced.

Mr. Shulman: A supplementary: If I may ask the minister, is he correctly quoted last June in the London *Free Press*, that "the matter is under active consideration"? If it has been under active consideration all this time why has nothing come of it?

Hon. Mr. Gomme: Mr. Speaker, it is very evident to me the hon. member does not know how long it takes sometimes to get active consideration properly handled.

Mr. Nixon: The Minister of Revenue (Mr. White) cannot make up his mind.

Mr. MacDonald: Particularly with this government.

Hon. Mr. Gomme: What did he ever engineer? Nothing.

Mr. Speaker: Order.

EXTENDING OR INCREASING SEWAGE WORK CONTRACT

Mr. H. Edighoffer (Perth): I have a question of the Minister of Energy and Resources Management:

When a municipality enters into an agreement with the OWRC for a sewage work contract, can the amount of the contract be extended or increased after the work has been completed, only with a request from the Ontario Water Resources Commission to the OMB for its approval for the additional funds?

Hon. Mr. Kerr: Mr. Speaker, this will depend a great deal on each particular sewage work. The situation to which the hon. member is referring is a matter of re-estimation of the final costs of that particular contract. In other words the original estimate was lower than the final estimate, and this was the result of works that were necessary to complete the work properly according to OWRC standards.

Under these circumstances it was possible by going to the Ontario Municipal Board to have a slight adjustment in the rates, which I understand will amount to an average of about $1, $1.50 to $2 a year for individual lot owners or homeowners.

Mr. Speaker: The oral question period has now been completed.

Petitions.

Presenting reports.

Mrs. Pritchard from the standing health committee reported the following resolution:

RESOLVED:

That supply in the following amounts and to defray the expenses of The Department of Health be granted to Her Majesty for the fiscal year ending March 31, 1971:

Department of Health

Departmental administration— general expenditure	$ 19,634,000
Public health— general expenditure	71,440,000
Mental health— general expenditure	151,940,000
Health services insurance— general expenditure	501,678,000
Health insurance registration— general expenditure	14,073,000
Ontario hospital services— general expenditure	108,160,000
Disbursements	28,000,000

Mr. Speaker: I think it might be appropriate if I pointed out at this time in this session, and particularly with respect to this report, that the House may concur in the

estimate that has been presented from the committee at this time, in which case there would be no concurrence debate, resulting in an additional 2½-hour sitting becoming available for the committee of supply.

On the other hand, of course, if the House wishes, as has been a practice to date, the usual order will be left on the order paper for concurrence debate. I merely bring that to the attention of the members. If they wish this report now to be concurred in and disposed of it can be done; if not, the order which now appears on the order paper will be left there and in due course, if time permits, it will be called for the usual one sitting debate.

Mr. Nixon: We would like it left on the order paper.

Mr. Speaker: Right.

Motions.

Mr. Carruthers moves, seconded by Mr. Bernier, that Mr. Winkler be substituted for Mr. Johnston (St. Catharines), Mr. Carruthers be substituted for Mr. Morin, and Mr. Peacock be substituted for Mr. Lewis, on the standing labour committee; also, that Mr. MacDonald be substituted for Mr. Lewis on the standing orders and procedures committee.

Hon. J. H. White (Minister of Revenue): That is quite a comedown, is it not?

Mr. MacDonald: We have to get these rules straight so that even the Minister of Revenue can understand them without getting confused by May.

Motion agreed to.

Mr. MacDonald: I do not know why you should put your foot in your mouth every time you open it.

Mr. Speaker: Introduction of bills.

INCOME TAX ACT, 1961-1962

Hon. Mr. White moves first reading of bill intituled, An Act to amend The Income Tax Act, 1961-1962.

Mr. Shulman: Abolishing it for the election.

Motion agreed to; first reading of the bill.

Mr. P. D. Lawlor (Lakeshore): Is this the new income tax legislation that the government has been promising for so long?

Mr. Shulman: No income tax in 1971?

Mr. MacDonald: Explanation.

Mr. Shulman: Explain.

Some hon. members: Explanation.

Mr. Speaker: Order, Order! The hon. members will understand that there may be an explanation by the person introducing a bill if that person, being a minister or member, so wishes. If the minister wishes to rise, it is quite in order.

Hon. Mr. White: Mr. Speaker, this establishes the rate of Ontario's personal income tax for the fiscal year starting April 1, 1971.

Mr. Shulman: Reducing it.

An hon. member: Why does he not abolish it?

Hon. Mr. White: I did not say reducing it.

Mr. Speaker: Orders of the day.

Clerk of the House: The third order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the chair and that the House resolve itself into committee on ways and means.

ON THE BUDGET

Mr. J. Renwick (Riverdale): Mr. Speaker, it is a week ago this morning that the proclamation was made under The War Measures Act invoking the full weight of that statute upon the people in Canada and it engraved in my mind a number of questions which I want to share with the members of the House today, to decide what the position of the Legislature of Ontario, and indeed of the government of Ontario, should be in the circumstances.

Let me say right at the beginning—and I express only a personal view on the question, that there is no doubt in my mind as a matter of judgement, and in the future I may have occasion to change that judgement—that in a very real sense there was a casual connection between the declaration of the proclamation under The War Measures Act and the death of the hon. Pierre Laporte. It seems to me, Mr. Speaker—and I would have been one of the persons who would have agreed—that the prime obligation of a society such as ours is to protect the life of its citizens. It seems to me—and I express again the comment that it is a personal judgement—that the society failed to do so.

I would have been quite satisfied that the society had fulfilled its obligations had Mr. Laporte been returned to freedom to continue his life's work, even if it had meant the freeing of 23 of the persons who were charged or imprisoned and who were members of the FLQ and who were named in the original note to be released. It would seem to me that had they been deported from the country, and had the Canadian Parliament then moved to deprive them of their Canadian citizenship, that would have been quite a proper price to have paid for the return of Pierre Laporte to freedom.

I make a second point which concerns me very much. That is—is it really true that a democratic society can only respond to a threat by removing the protections of citizens, which have been evolved over the years and which form such a basic part of that whole area referred to as civil liberties? It is that particular aspect of the problem that I want to spend some time speaking about, because I think it is important that we have in this Legislature a proper debate about the constitutional implications of the powers which were exercised by the federal government.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, would the hon. member permit a question before he continues? Just so that we can get it straight—he feels that the men who mutilated and brutally murdered Pierre Laporte had the mentality to, in fact, let him go free and unharmed if those 23 hostages or those 23 prisoners were released?

If he feels that way, I feel that he is essentially wrong. They were mentally twisted people who mutilated that man and there was no thought that they would have released Pierre Laporte alive.

Mr. D. C. MacDonald (York South): Ask the question, do not make a speech.

Mr. J. Renwick: Mr. Speaker, I express my personal judgement on the matter and I will let it rest at that point.

Mr. MacDonald: A speculative question if there ever was one.

Mr. J. Renwick: Let us deal now with The War Measures Act and what has happened under it. First of all let us be perfectly clear. The War Measures Act sat on the statute books of Canada for many years from the time of its original enactment, which I believe, and I can stand to be corrected, was 1914. I think it is also true that there was not a member of the legislative assemblies in Canada, or indeed, of the House of Commons, who anticipated that that Act would have been invoked in this particular situation. To that extent, all of us were caught off guard by the action of the federal government. Therefore, we should look at that Act, and indeed it is being looked at, for the purpose of deciding whether or not it is an appropriate piece of legislation for the purposes for which it was used.

Certainly the Prime Minister of Canada and, indeed, other ministers in the government of Canada have indicated that it was not an appropriate Act to have been used. The Act itself, of course, does a certain number of things. One of them is that it states that the proclamation itself—and I use the exact words—"the issue of the proclamation by Her Majesty or under the authority of the Governor-General-in-Council shall be conclusive evidence that war, invasion or insurrection, real or apprehended, exists."

Therefore, the first question that has to be raised about any reconsideration of the provisions of the Act is whether or not that is the kind of provision which should be in such an Act, because it would appear to me that that is the provision under which the executive branch of the government states that it does not have to provide any evidence upon which it came to the conclusion that there was an apprehended insurrection.

I think it is fair to say that that is the position of the government of Canada. It is true that there have been what appear to be wildly exaggerated statements by the hon. Jean Marchand about the extent of the alleged insurrection in Quebec or the extent of the penetration into Quebec's society of the FLQ. It is also true, on the other hand, that the hon. John Turner, the Minister of Justice, has recently stated that in all likelihood we will never, as citizens of the country, know the extent of the information that was available to the federal government and on which they based their decision.

I say that one of the essential ingredients of any reconsideration of the constitutional problems involved in this question leads me to the conclusion that there should not be in any future statute the kind of statement which would preclude the need for the executive branch of government to come before the House of Commons, the elected representatives of the people of Canada, and give an adequate explanation of the information on the basis of which it invoked such a drastic measure.

I make the second point that it would appear to me that that can be done in such a way that if, in fact, the government of

Canada believes it to be a national security interest that requires protection, then it would be quite possible on the proper occasion and in the proper circumstances for the House of Commons at Ottawa and the Senate of Canada to sit in camera to hear the basis upon which the government took the action which it did take.

I think that is an essential factor that will have to come into play if we are going to revise this kind of legislation. I do not think it is adequate in a situation such as this, that the Prime Minister of Ontario (Mr. Robarts) could only express his confidence in the federal government, not on the basis of consultation or knowledge conveyed to him, but on the basis, as I understand the replies to questions placed to him a week ago, that he was informed.

Therefore, I think that any new statute must, of necessity, contain some answer to that question about whether, and to what extent, the executive government of Canada would be required to give information, setting out the basis on which it decided that there was such an apprehended insurrection.

I am inclined to take the view that, because they considered the Act inappropriate and have so said, and because they propose to introduce an amendment or a change in the basic law related to this whole area, that it may well be that the exercise was an improper exercise of that power. But we will never know because of the provision which states that the mere proclamation is conclusive evidence that the apprehended insurrection exists.

Let me go on to a further problem that is created by The War Measures Act. I am going to talk now only about the regulation which was issued by the Governor-in-Council on the basis of the proclamation, because what, in fact, was done was simply to exercise the criminal power of the federal government, and that is all that was done. It was done under The War Measures Act, but there is no question whatsoever that the regulation, if one reads it, is simply, in the substance of what it is doing, a criminal law enactment.

Because of that, I have come reluctantly to the conclusion that that regulation is legal and constitutional at the present time and under the present state of our constitutional law in Canada. It is certainly not—and again I came reluctantly to this conclusion—an encroachment upon any of the powers conferred upon the Legislature of the Province of Ontario under The British North America Act.

I checked the sections of The British North America Act, particularly sections 92 and 91, and went over each of the individual items from 1 to 16 that are set out in section 92 as being exclusively matters within the legislative jurisdiction of this assembly. It is my view that the action of the federal government does not constitute an encroachment upon any of those powers and, therefore, is not unconstitutional in that sense.

If one then turns to the granting power to the federal government in section 91 of The British North America Act one has, of course, the omnibus clause that:

> It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces.

It then goes on to itemize certain matters which are within the exclusive legislative jurisdiction of the Parliament of Canada, a number going up to 29, and another clause.

I think it is a fundamental rule of constitutional interpretation that what you look at, first of all, to decide the question of whether or not it has been an exercise of constitutional legislative power to decide, is whether or not the matter falls within section 92. If you decide that it falls within section 92, then it falls within the purview of the legislative power of this assembly and, if you find that it does not fall within section 92 it falls within the purview of the legislative competence of the Parliament of Canada.

In this particular instance, I do not think that there is any question that the regulation made under The War Measures Act is a matter within the legislative competence of the Parliament of Canada. But that raises in itself, Mr. Speaker, fundamental questions, because the regulation does three things. It declares certain organizations—one of them it names, and also the successor to that, if there is a successor at some time when this regulation is still in force, and then an omnibus unnamed group of organizations, if they happen to exist in Canada—as unlawful organizations.

The second thing it does is to create certain offences related to memberships in, or support of, or aiding and abetting that unlawful organization, and provides for the penalties under The War Measures Act within the limitations of the penalties prescribed in that Act for the commission of those offences.

Then the third thing that it does is to alter the procedural protections of accused persons, and it alters them in very substantial ways: it allows arrest without warrant; it allows entry without warrant; it prescribes that only the Attorney General of the particular province can admit a person to bail; it permits a person to be held for seven days and then, if the procedures are followed, for a further 21 days without being advised of the charge under which he is held, and then provides that he can be held for 90 days before he is brought before a judge for trial.

Those are matters which strike at the root of the democratic system of government, and I go back to the point I made earlier of the concern which I have: Is this the only kind of response that a democratic society can make in the face of what has been called "an apprehended insurrection"? Is it necessary that it be done in this way?

Now let us not make any mistake about it, in the absence of this regulation it would be my view that any group of people who have a common intent to overthrow the government of Canada, or the government of any of the provinces of Canada, or indeed any of the governmental institutions in Canada, by violence or through the commission of crimes, is guilty now of an offence under the Criminal Code, for both forming the common intent and because the specific objective is prohibited by the Criminal Code.

Second, let us be perfectly clear that under one of the exclusive jurisdictional heads of the government of Canada the responsibility of the government of Canada is for defence, and there has always been the power for the military to come to the aid of the civil power if certain procedures are followed. So it is quite possible in the case of any apprehended insurrection for the military forces of Canada to be dispatched for the purposes of dealing with that apprehended insurrection.

Then of course under the Criminal Code, so long as it remains the way it is, we have protections against arrest without warrant; protections against entry without warrant; protections against denial of bail; protections against detention in places unknown within our own civil community. We have those protections and yet the government felt perforce that they had to eliminate them in this instance.

The problem that poses, of course, is the constitutional problem that I want the government of the Province of Ontario to concern itself about and that is, what is the protection under our constitution for what are called in a general phrase "civil liberties"? We all know now, I think, that there is no constitutional protection available to a citizen of this country in the exercise of his civil liberties, or in the exercise of his liberties related to the procedural protections of accused persons to the extent that those are civil liberties.

In other words, there is no question that the Parliament of Canada, or the Legislature of the Province of Ontario, to the extent that they have competence in this field, can remove the protections of the individual citizen. Therefore, I say that we have got to satisfy ourselves whether or not there should be embedded in the constitution the equivalent of a bill of rights, because we now know, of course, that the Canadian Bill of Rights was specifically excluded in an amendment passed to The War Measures Act in 1960, which I believe was the year when the Canadian Bill of Rights was passed, so that action taken under The War Measures Act does not of itself constitute a violation of any of the freedoms guaranteed to us by the Canadian Bill of Rights.

I think there are about four areas of civil liberties if one wants to classify them. I think there are political liberties in the tradition of freedom of speech, freedom of assembly and association and the other freedoms which we are accustomed to exercise in this country. Then there are these legal liberties, of which I have spoken, which have been denied in the exercise of the powers under The War Measures Act. Then, I think, there are other areas of liberties such as economic liberty, which is a new and developing field of civil liberties. And there are the liberties which are related to equality and non-discrimination, of which the Human Rights Code of this province and some of the labour legislation of this province are exercises by this Legislature of their power to legislate in that field.

If one looks at the studies which have been made in the field of civil liberties in Canada so far as the exercise of political rights is concerned, it is quite clear that no citizen is protected as of right against an encroachment by legislative Act of the Parliament of Canada on those political liberties. I know there were theories expounded on occasion that somehow or other those political liberties were above and beyond the competence either of the legislative assemblies of the provinces, or of the Parliament of Canada, but I think that for practical purposes the correct statement is that public political freedoms are not protected or entrenched in our constitution.

It is also equally clear that the legal liberties, the procedural protections of accused persons, are not protected in the constitution of the country. Therefore it raises, I think, very fundamental questions about a clarification of what these civil liberties mean. What is their ambit? What is the force of their application? To what extent do they fall within the legislative competence either of the federal Parliament or of the legislative assemblies of the provinces? It would seem to me that it is not possible in the context of the events of the last week and the events leading up to them, for this government to consider that this is solely a matter to be dealt with by the federal government.

It seems to me that the full scope of the area of civil liberties, in all its aspects and however you want to classify them, are matters which are of grave concern to this assembly in terms of the constitution of the province, and in terms of the constitution of Canada as set out in The British North America Act.

Therefore, I ask the Prime Minister to do more than simply await the events, and to ask that there be a federal-provincial conference to deal with the constitutional problems and the kind of legislation which will emanate from the government of Canada because of the invocation of The War Measures Act.

It seems to me that we have simply got to take that position in this province or we are going to be in a position where a fundamental constitutional change will have taken place without adequate study. I refer only to, I suppose, the greatest authority in Canada on constitutional law, Mr. Justice Laskin, as he now is, when he states in his study of this question, and he puts a number of questions. He says:

> One question is whether civil liberties are within the exclusive federal or exclusive provincial competence, or within the competence of both or neither. The cases have not yet given a definitive answer to this question. It is still fighting ground whether civil liberties issues are segregable from otherwise valid provincial legislation in which they are involved.

A further question which he raises, which in a sense should precede the other question, is one of determining:

> What is meant by or should be comprehended within the term "civil liberties," or any analogous term? An answer to this question is a necessary basis for evaluating issues of legislative power addressed to freedoms of one sort or another.

In another place, in his comment about these questions, in substance, he states that it is an area which is very cloudy and very unsettled in our law and is one which requires attention because of its growing importance. He gives the references and the comparisons to the Bill of Rights in the United States.

So I say to the government that the government has got to request that this whole question of any further changes, or any new legislation in this field, should be a matter to be dealt with at the federal-provincial conference of the leaders of all of the governments, preceded, presumably, by meetings of the Attorneys General of Canada and of the provinces to do the preparatory work. But it may well be that there are areas in this field which should not simply be left to lawyers, and it may well be that any preliminary work in this whole area should have the benefit of persons who are disciplined in other skills and in other areas than simply in the area of the strict legalities of the problem.

I want to make one further comment on this question, and that is, that in coming to the conclusion that it was within the competence of the government of Canada, I think we must be perfectly clear that the term "administration of justice," so far as the competence of the province is concerned, excludes procedure in criminal matters. That matter—procedure in criminal matters—is exclusively within the jurisdiction of the Parliament of Canada.

My last comment about the constitutional aspects of this problem is that I disagree with any constitutional theory which indicates that in some way or other, under the so-called peace, order and good government clause of the constitution of the country, at any time, be it an emergency or otherwise, there is any constitutional authority for saying that the Parliament of Canada can infringe upon or enter upon the fields which are given exclusively to the provinces under the constitution. There is some learning, which I consider to be specious, that that is possible; that in some way or other, in the event of something called an emergency, a war or otherwise, that gives, for a temporary period of time, jurisdiction to the federal government, which can override the legislative authority of this assembly. I simply dissent from that as a view of the constitution.

Mr. D. M. De Monte (Dovercourt): Is there not legal authority to back that position up, though? Is it not legal authority by the Supreme Court of Canada?

Mr. J. Renwick: There is some authority for that proposition, but it would appear now to be clear that there is a total distribution of legislative power under the constitution, which remains unchanged. It may well be, if one wants to engage in some form of legal semantics, that there are some aspects of some matters which, at times of emergency, are matters which can be brought within federal jurisdiction.

I dissent even from that point of view. I certainly do not think, for example, that the exclusive power of this Legislature to determine the constitution of the Province of Ontario is a matter which in any emergency can be taken away from this assembly constitutionally. Nor do I think it is possible, since we have the power to levy direct taxation in this province, that in any emergency it is possible for the government of Canada to usurp the powers of this Legislature to continue to levy taxes and raise money by direct taxation. It may well be that there are methods, by agreement and consultation and otherwise, of achieving the kind of united effort which is required in wartime. I am talking now about the fundamental constitutional problem of the country, of a federal country such as this, the federal country to which we are all committed.

Therefore I think that the government has got to recognize that there is not any specific area where one can say that, this is for constitutional reform purposes, but has nothing to do with us, and only to do with the federal government. I think we got into that trap in the years which led to the unilateral amendment to The British North America Act by the St. Laurent government which then raised the whole question and led to the endeavour to find an amending process which would prevent that from happening again.

I would again urge the government to take the position now that it is a matter that requires close consultation, precise study, intelligent appreciation of all the problems that are involved in the area of the constitutional issue of civil liberties, which are raised in such a dramatic way by the events of the last few weeks.

I want to turn aside from that particular constitutional matter and refer to another area of concern that we have been concerned about in this assembly and which has been of concern, because of the events of the last few weeks, and that is something called the exercise of the police power. I think that the events of the last few days have shown very clearly that there has to be a much better appreciation, so far as the police operation in the province of Ontario is concerned, of the role of the RCMP and of the role of the Ontario Provincial Police.

I recall asking the Minister of Justice and Attorney General (Mr. Wishart) on two or three occasions over past two or three years, whether or not there was any agreement between the government of the Province of Ontario and the federal government, setting out the respective jurisdictions of the forces, or if there are overlapping jurisdictions or overlapping authorities within the Province of Ontario.

I therefore think that that is also a matter which requires serious consideration, because it is the exercise, basically, of the police power, exercised under laws which are enacted by these assemblies which ultimately are the places at which civil liberties are affected.

If anything has become perfectly clear in the last while, it is the extent and scope of the police power of the Royal Canadian Mounted Police, the extent and the scope of the police power of the Ontario Provincial Police and the extent and scope of the police power of the various municipal police forces. It would seem to me that we have got to give some thought to clarifying the relative places in law enforcement of those various police forces.

In the Province of Ontario there does not seem to be a great deal of difficulty between the Ontario Provincial Police and the municipal police forces, presumably because of the activities of the Ontario Police Commission and the overriding responsibility of the Minister of Justice and Attorney General to this assembly. But there is confusion and a lack of clarity in the relations of the Royal Canadian Mounted Police to the Ontario Provincial Police, or the municipal police forces, and the responsibility for those actions. It would seem to me that the role of the Royal Canadian Mounted Police has got to be carefully looked into. Indeed, I sat on a panel last night at a United Nations association, and I was surprised that one of the persons, perhaps more in sorrow than in anger, advocated that there should be, for the first time in Canada, a political security police. It was impossible for me to comprehend the reason why he put that suggestion forward. I think that the last thing we need in Can-

ada is some equivalent of the Federal Bureau of Investigation.

The extent of the powers of the Royal Canadian Mounted Police requires study, requires analysis, requires some concentrated attention as part, I believe, of constitutional reform, simply because it is a strange thing that you can look, as I did, under the heading of "police" in Laskin's constitutional book and in a number of others and there is just no reference in the constitution to the police power.

It would seem to me that the events of the last few weeks would indicate that in the overall study of civil liberties on the one aspect, one has to look at the exercise of the police power. It seems to me that that is part and parcel of the constitutional problem.

I want to close my remarks on that particular aspect of the topic that I am dealing with by simply going back to my first proposition. Surely in Canada, and surely in the Province of Ontario, if there is a threat to our institutions—and there can and undoubtedly will be threats of varying degrees from time to time internally in the country or from abroad—we have got to devise by wit and wisdom some method of being able to meet that kind of challenge and at the same time not intrude or encroach upon the civil liberties of people.

I think it is fair to say that the governments of Europe, by and large, were not able to deal with that problem. By and large, one could say that the European nations, due to their history, did not successfully meet that problem on many occasions. I think it is possible, however, in Canada, if we think about it; if we devote enough time and attention to it; if we have enough confidence in our institutions and in the vitality of our history and in the vitality of our own society and in our concern to preserve that kind of a democratic society; it is within our power to withstand internal disruption without having to pay the price of a sacrifice of any portion of the area which would be covered in its broad sense by the term "civil liberties".

I put these views forward, Mr. Speaker, in the hope and anticipation that it will promote a debate by others on the kind of questions which appear to need to be raised by the events of the last few weeks. I do not think any one can presume for a moment either to know the answers or to have some instantaneous solutions to the problems but we are certainly interested in the solutions to these kinds of problems. I think by study, by careful preparation, by consultation between the various provincial governments and the federal government, at the level of the Attorneys General and at the level of the Prime Ministers, we can come forward with the solutions which will prevent this country falling into the kind of trap which it was forced into by the events of the last few weeks.

I do not think it is proper and appropriate for a mature society such as this society to have a series of shock treatments given to the society and, in that kind of an atmosphere, to have actions taken by governments. If ever there is a case where folly is likely to persist, it is in that kind of an atmosphere and I implore the Prime Minister and the Minister of Justice and Attorney General to deal with this problem as part of the overall constitutional review in which the Prime Minister and the Attorney General have played such a prominent part over the last four or five years; and not to say that this is simply a matter which is of concern only to the federal government because it is much greater than that.

Mr. Speaker, I want to turn now to three or four other topics which are of concern to me. They are rather miscellaneous ones and they just happen to be a series of items in which I am interested.

I would like to ask the government, particularly the Minister of Trade and Development (Mr. Randall)—maybe there are other branches of government that could be interested in it—to give consideration, for housing purposes or for community purposes of some kind, to the acquisition of the vacant property of the Dunlop plant in the Riverdale riding.

That land is presently up for sale at $1,750,000 including the building which I assume is obsolete. The acreage is 6.6 acres and it would appear to me that in that part of the city of Toronto, that is a very reasonable price to pay for 6.6 acres. I understand that the sort of top price for land in the city of Toronto is in the neighbourhood of $500,000 an acre in the central part of the city. If this government for housing purposes could acquire this land, 6.6 acres, it would seem to me that the housing shortage which faces so many people in the city could be alleviated to some extent by the use of that property for that purpose. I would hope that the Minister of Trade and Development and the officials of the Ontario Housing Corporation would take that into consideration.

Another matter that I want to draw to the attention of the Attorney General, if I may,

is the question of whether or not he will give consideration to recommending to the government that part X of The Bankruptcy Act of Canada be brought into force in the Province of Ontario. Part X of The Bankruptcy Act was passed in 1966 and is headed "The Orderly Payment of Debts". We have, as the Attorney General knows and as we all know, a provision in Ontario that if you have two judgements against you, that is division court judgements up to certain limited amounts, or more, that you can go and get a consolidation order from the division court referee. I certainly want to pay my tribute to the division court referee in the city of Toronto, Mr. David Scott, who I think does a superb job within the limits of the authority which he has, but it is very restricted.

It deals only with judgements and judgement creditors. You can only consolidate judgements and it is limited to $400 or $500, or whatever the jurisdiction of the division court is. The benefit of part X would be twofold. One, it allows consolidation not only of judgements but also of debts which have not become judgement debts up to $1,000 and with the consent of the creditor to greater amounts. You have the added flexibility of covering not only judgement debts but other debts in a consolidation framework up to $1,000 for any individual debt, which provides an ambit for an orderly arrangement which is not available under the present Division Courts Act. The procedures are all set out in part X of The Bankruptcy Act.

I think that there are other distinctions between the procedures under part X and the procedures under The Division Court Act but in substance it would be a more adequate method of dealing with the problem in the Province of Ontario by providing for that Act to come into force, which can be done at the request of this government to the federal government and by a proclamation issued by the federal government.

Hon. A. A. Wishart (Minister of Justice): I wonder if the hon. member would permit me, Mr. Speaker! I am familiar with the Act in a general way. I have not looked at it in detail but I shall now, at his suggestion. What I wonder about is in the case of a bankruptcy, in the bankruptcy itself, all debts he owes will be taken into account; they will be part of his position financially, including division court judgements or any other judgements or outstanding debts, whether judgement or not. So if that is so, and I think it is, would not the disposition of the matter by the bankruptcy court take into account his total debts position and presumably make an equitable decision as to how they would be paid or forgiven?

Mr. J. Renwick: Well if my understanding is correct, this part X, headed, "The Orderly Payment of Debts," is separate and distinct from a person going into bankruptcy as such and all that this does is to allow a person not to be forgiven any debts or not to be allowed to pay off a lesser amount than is owing, but simply brings within the framework of an orderly payment scheme all of his debts, provided they come within these two limitations. Therefore, in that sense it is not as it if were a personal bankruptcy.

I believe the other limitation is that the longest time period, again unless the creditors consent, is that the orderly payment period must be spread over a period not exceeding three years. I have the feeling actually that part X of The Bankruptcy Act relates in some way to The Canada Assistance Act; I think it was part of that same package.

I would ask the Minister of Social and Family Services (Mr. Yaremko) to interest himself in this question as well, because part of the alleviation of the problems that the Canada Assistance Plan is designed to assist in, is this question of people who have debts. And the minister knows that both for housing purposes and for the purposes of his decisions as to the amount of money which will be available to people under family benefits and under general welfare assistance, as I understand it, it is not possible to take into account any scheme for the payment of debt. It would seem to me that it should be looked at not just in terms of the orderly payment of debts but in terms of the overall social and family services programme of this government under the Canada Assistance Plan.

I recommend to the government that they bring it into force. I think in a large area such as the Province of Ontario, and particularly in the area of Metropolitan Toronto, it is a well-needed alleviation of the pressure that debts can exert upon so many people. And it would go some way to cut down what everyone knows is the case, and that is the hounding of persons who are in debt by collection agencies of one kind or another. It would provide a method by which payments could be prorated over a period of time and some relief obtained in a sensible and intelligent way.

The next item that I would like to refer to, Mr. Speaker, arises out of a concern which we have no particular monopoly on, but is a concern that was raised in the referral

back to this House of the Attorney General's estimates—the question of the inadequacies of the procedures of the family court at the present time and the delays which are inherent in it.

I want to put on the record one letter that I received which I think is not an unusual case but is by and large a typical case of hardship under the family courts operation. This is a letter written to me on June 1 of this year—and I will not mention the names of the persons involved—by James P. Felstener, was then the registrar and clerk of the family division of the provincial court of the county of York:

> I would like to acknowledge receipt of your letter of May 21 in which you requested information about the above-named case.
>
> The original order made in this court by His Honour, Judge Terrence M. Moore was on May 27, 1968, at which time he ordered Mr. Blank to pay $12.50 per week for the support of a child born out of wedlock to Mrs. Blank. Payments were to commence on June 7, 1968. On April 14, 1969, Mr. Blank appeared before this court on a show-cause information which alleged that on February 18, 1969, Mr. Blank owed $437.50.
>
> His Honour, Judge Sweeny computed the arrears to be $537 as of April 14 and he ordered Mr. Blank to pay $150 by June 23, 1969, or serve 10 days in jail. His Honour indicated that he was to pay $125 on the order and $25 on the arrears.
>
> At this hearing, Mrs. Blank indicated that she was separated from her husband, was on welfare and was having difficulty making ends meet. Mr. Blank told the court that he had lost his job and that he was involved in a criminal charge which required his frequent appearances in court and made it difficult for him to secure work. Actually this charge had been disposed of a few months before this show-cause hearing. Mr. Blank explained to the court that he found it difficult to maintain the order.
>
> During this time we received word that for several months in the fall of 1968 and to January 15, 1969, the child in question was in care of the Children's Aid Society. For the period of time that the child was with the society, Mrs. Blank would not be entitled to receive the support money.
>
> The $150 to be paid by June 3, 1969 was paid by Mr. Blank on June 20, 1969.
>
> A further show-cause hearing was heard before His Honour Judge Sweeny on November 27, 1969. The information dated September 17, 1969, read that the arrears were $662.50 at that time. Judge Sweeny calculated his arrears as of the court date to be $787.50 and His Honour ordered Mr. Blank to pay $75 by December 24, 1969, or serve 10 days in jail. This amount was paid on December 29, 1969.
>
> On February 4, 1970, we issued a further show-cause summons for Mr. Blank and the information alleged that as at that date he was $837 in arrears. As of the court hearing on April 8, 1970, the arrears were $950. His Honour, Judge Sweeny ordered Mr. Blank to pay $300 on May 6, 1970, or, as an alternative, serve 10 days in jail. Mr. Blank applied on May 14, 1970, for an extension of time to pay. His Honour, Judge Sweeny did not grant his request and our committal warrant went out on May 20, 1970.
>
> As of that date, the full amount of $300 was still owing and this warrant is in the hands of the police.
>
> Mr. Blank is now married, both he and his wife both work and apparently they each drive a car. Mr. Blank has been in to see me on more than one occasion and has attempted to convince me he just cannot afford this order due to the expenses he presently has. When the present show-cause matter is completed, either by Mr. Blank having paid the $300 or having served his time in jail, which will not reduce the amount owing, Mrs. Blank can institute a further show-cause proceeding.
>
> The only other alternative that I am aware of that she might attempt to collect is to see if she can get a judgement executed against Mr. Blank in another appropriate court.
>
> I trust that the above material will provide you with the information you have requested.

I think that is illustrative of the kinds of problems that we discussed here at the time of the referral back of the estimates of The Department of the Minister of Justice and Attorney General. But I would like very much, if I can just find it, to refer to a resolution which we passed at the recent convention of the New Democratic Party on this particular problem.

This was a resolution headed, Estranged Parents and Children's Maintenance Act, and it recited the delays and so on that are inherent in the court processes, both up to the

point where the decision is made and in the period subsequent when show-cause is necessary, and also the delays in the reciprocal enforcement of judgements in other jurisdictions and the problems which are involved in it.

We made the point by using the term Estranged Parents and Children's Maintenance Act to suggest that that is a rather more appropriate title than The Deserted Wives and Children's Maintenance Act, because there are circumstances where it is the husband who is left with the responsibility and in some cases the wife is the person who has funds—who could contribute assistance in the bringing up of the children.

We therefore would recommend that the Act be changed, in consideration of its terms, to The Estranged Parents' and Children's Maintenance Act.

We went on to say that—and I am only going to quote one part of it because I think it tries to outline succinctly the procedure that we think is probably the only effective way of dealing with this kind of problem:

> A speedy procedure be devised that, if the person against whom the order is made fails to respond to the order, the applicant can assign the order to the provincial government for an equivalent payment as part of the administration of justice, so that the payments will be received by the applicant promptly from the government and the government, in turn, will be subrogated to the rights of the applicant to enforce payment against the person required to make the payments.

It seems to me that this is the proper place where government should intervene in this procedure. It has two or three obvious benefits.

First of all, it permits the applicant to receive the payment which, in most cases, the applicant needs for the purpose of supporting the child in the particular case or, if it is a maintenance order, for the support of herself.

There can be, in the assessment of the conditions under which the province in fact makes the payment, an assessment of need, the same way as there is under legal aid and in other ways, to prevent those who do not need the money and they need it regularly in vincial government. By and large most people nee dthe money and they need it regularly in order to live on straitened budgets and in straitened circumstances.

The other side of it is that the provincial government, having been subrogated to the rights, does not necessarily have to be the "Mr. Scrooge." The government can also take into account, in endeavouring to collect the amount, the need of the person who has to make the payment. It may well be that, in many cases, that is not a problem.

The payment should be made and it should be enforced and the government recouped for the money which it has, in turn, paid out. But there may also be situations in which, because of the way the court operates—not in any criticism of the court but because of the difficulty in the adversary system of settling the relative assets and the relative responsibilities as against another—that there is some area in which the government could alleviate the full rigours of the collection procedure if it were warranted in a particular situation.

It seems to me that that kind of procedure, really, has got to be adopted in order to cut the kind of Gordian knot of the problem that the family court runs into because the administration of the courts is really hung up on this question of the show-cause informations and the inability of the show-cause informations to work, and there are repeated appearances by the parties back again in front of the judge over a long period of time. Whereas if it could be settled that way, the way that we suggested in that portion of the resolution of the party which was passed at this convention, I think it would be a very substantial step forward.

I have expressed my concern on another occasion about the police shooting in Toronto on Wilson Avenue and I wait for the Attorney General's tabling in the House or reporting to the House one of these days the decisions which are made, or the recommendations which come through, or the report which is made on that incident which, under The Police Act, ultimately have to come to him. I assume that we must, by now, have it or be very close to having it, because the shooting took place quite some considerable time ago. I forget the exact date, but I believe it was on August 25 and this is now close to the end of October.

I simply want to say on behalf of my colleague, the member for Scarborough Centre (Mrs. M. Renwick), who has already spoken in the budget debate, that we welcome the indication from Ontario Housing that there is going to be a public housing registry. I think the House will recall that in the maiden speech of the member for Scarborough Centre this was one of the principal thrusts that she made at that time. It is heartening to know that, after continuing pressure on Ontario Housing, they are, if the report is correct,

about to introduce a public housing registry. We wait that event with much interest.

There are many other matters that one could cover when speaking in the budget debate, but I really want only to deal with one other matter related to the Charles Street premises of the Ontario Student Housing Corporation. The government no doubt is aware of the concern by the graduate students living at 30 and 35 Charles Street West that they are, in fact, paying a higher rent than is fair and equitable in the circumstances.

They believe this to be caused by two things. They believe it to be caused, firstly, by the fact that the land is not owned by the university and, therefore, is subject to municipal taxes on the one hand. And secondly, because the land owned by the Ontario Student Housing Corporation is a substantial piece of property which is certainly not going to depreciate in value over the next 40 or 50 years, therefore, their position is that the amortization costs of the CMHC mortgage which provided the funds which paid for the major part of the construction of those premises should not include amortization of the $2.8 million which represents the cost of the land.

The position, I believe, is a supportable one and we in this party certainly support what appears to be a reasonable proposition. The indication is that the rentals in those apartments could drop anywhere from $30 to $35 to $40 if that particular land cost was eliminated as part of the revenue requirements of the Ontario Student Housing Corporation.

It is perfectly clear, of course, that that sum of money will have to come from some place and the substance of the request is that the Ontario government should provide the Ontario Student Housing Corporation with the payments over a period of time which represent that portion of the amortization schedule referable to the land cost.

It seems to me that this is a procedure which would readily be followed and we would urge the government to take that particular step. It is true that some people say that graduate students of a university, even though they may be suffering temporary financial stringency, are likely to do well in the future. I do not think that there should be distinctions between whether or not one is a graduate student living in Ontario Student Housing facilities at the University of Toronto, as in the case of the Charles Street premises, or a student living in similar accommodation on other campuses of other universities across the province. The rental structure should be such as to eliminate the cost of the land in those cases where it is necessary for Ontario Student Housing to go into the private market to acquire land on which to build student housing premises.

This has been a matter of great concern to the students in those buildings. Indeed, they engaged in a rent-withholding collective operation until quite recently in order to try to bring this matter to the attention of the government and of the University of Toronto in a forceful way.

It may well be that the original concern which we had in October, 1969, about another aspect of this development and the concern which has been expressed to us by the graduate students at 30 and 35 Charles Street, warrants intervention, and, indeed, the very close attention of the Minister of Trade and Development.

I would commend to the Minister of Trade and Development that he look into the equity of that whole Charles Street operation to determine whether it is not possible for the government of the Province of Ontario to meet by payments to the Ontario Student Housing Corporation the portion of the amortization schedule referable to that $2.8 million which appears to be the original acquisition cost paid by Ontario Student Housing Corporation to Rubin Corporation, or to Revenue Properties Limited, for the land on which the buildings are presently erected.

That, Mr. Speaker, concludes my remarks in the budget debate.

Mr. Speaker: Before the next speaker in the debate I will recognize the hon. Minister of Correctional Services who has a matter to bring before the House.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, I hope the hon. members will forgive me for interrupting just at this moment.

I know that you and they would like me to draw to their attention the presence in the west gallery of a group of students who are studying English at the International Institute of Metropolitan Toronto. I am particularly pleased at this because not only is the institute in my constituency, but I also have the honour of being one of the original members of the board. I am sure the hon. members would like to welcome them here today.

Mr. Speaker: The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Speaker, one has two choices in talking on the budget debate. One is to sort of talk for 10 minutes and make one's position clear, that in one's personal opinion this government is not doing a lot of things it ought to be doing, and yet perhaps throw in the odd footnote that in some areas it is doing a good job.

Or one can say, well, after a year one builds up a lot of things one wants to get off one's chest, particularly when you have some sympathetic people, in the sense of people who believe in this process, on the other side listening. Sometimes you like to try to reach them, and I guess instead of just speaking for 10 minutes I will talk about a number of things for the next 55 minutes.

One of the first things I would like to talk about or make some comments on, Mr. Speaker, is what our society does to old people. Somehow or other it seems we are becoming more and more like the Eskimos. When people get old they leave the labour force; we say, go out and die, walk out in the snow and cold, and just drop dead; get out of our way and move over.

I am becoming much more concerned about how we treat the people who have retired in our society; how we treat the people who are older, who are grandparents and great-grandparents in our society. I think you can judge the quality of a society by the way its treats its old people who are no longer, in the basic economic sense, productive if we use only the criteria of material economic growth.

I think the way in which the society treats its old people or interacts with them is a sign either of decadence creeping into that society, or a sign of a potentially great society. I speak, I suppose, as a younger member of this House, who has parents and who has young children. Perhaps I have only become aware of this type of problem since being placed in that position.

You know, it is almost as though when the children get married, the parents sort of step away and they become grandparents. Then after 10 years or so they become very old grandparents. At some point they become great-grandparents, and then we sort of say, "get out of our hair; I have got my family to look after. I do not want you bugging around in my life, you know; stay away. Visit once or twice a year, but go away, retire and do not bother me and do not bother the rest of society."

I see this, I think, more and more, not just from my personal experience, but in terms of when I visit what we sometimes call homes for elderly people. I see the way in which they have been discarded on the trash heap, if you like, of obsolete people.

I do not know. I think there is a lot this government could do. I think there is a lot the federal government can do, not just in the area of pensions and material resources available for elderly people who have contributed to our society in the Twenties and Thirties very productively, but also in terms of creating functions and roles for them in our society, so they can continue to function.

Margaret Mead wrote an interesting article not too long ago and she said one of the real problems with young children's playgrounds is not the discipline problem as such, but it is just that there are no other people around except, maybe, one authority figure. Why could not our older people, our retired people —perhaps living in these homes for elderly people—why could we not make it possible, as a government—as the Legislature if you like—for them to go out and to sit with young children in playgrounds, and to let young children know there are older people who care about what they do in the playground.

I think delinquency at the playground level would decrease if somehow we got our older people out. They do not have to sit there for eight hours. If there is a proper transportation system arranged they could go—some might be able to go for an hour or so; others might be able to go for half a day, but we must make the effort. We who have command over resources to create and finance such programmes must take the initiative in creating programmes for older retired people, particularly those who are shut away, either individually—and they are called shut-ins—or in a home, which might make a mockery of the term home. They are shut away in some institution and told to die and to get out of our society's hair; they have nothing to contribute.

Now if we took the initiative, or this province took the initiative, and really came out with programmes for older people—who are in a sense disfunctional in terms of contributing to the mythical thing we call provincial product, or gross national product—if we created functions for them, I think they would end their twilight years with a much greater sense of happiness and of making a more worthwhile contribution.

I mentioned to the Minister of Education (Mr. Davis) that I felt he had a particular responsibility in providing a particular type of programme. I referred in the debates only briefly to this because there seems too often to be a preoccupation here with money as opposed to people.

One very simple programme is this. In this city alone, in this Metropolitan area, there are many what I call poverty children under the age of six. My estimate is there are between 12,000 and 15,000 poverty children, many of whom are from Anglo-Saxon families, but many of whom are immigrant families whose language in the home is not English. There are many older people—what is old? Over the age of 65? Anyhow there are retired people and there are people in their seventies, who might not have university degrees and so forth; some do. But many of them are nevertheless extremely well-read people. They are people who have brought up their families with loving care; who see their grandchildren perhaps only once a month. They are very skilled people and I think their skills should be used in our society. One programme I mentioned to the Minister of Education—I just wish he would get off his butt on some of these things—is a home tutorial programme for poverty children of the ages of two and three.

There is absolutely no reason if there are 12,000—and I think there are between 12,000 and 15,000 of these children in this city—there are at least 12,000 to 15,000 retired people, older people, people living in elderly people's homes or senior citizens' housing, who if they knew that someone cared about what contribution they could still make to their society, and if someone only provided the opportunities for them to participate in an effective way, they would do so. Many thousands would do so.

I challenge the Minister of Education, and I ask the Minister of Education because I am concerned with the so-called culturally deprived children of two, three and four, before they go into the school system; he could do an awful lot in this province to provide—and it is not a high cost programme because you probably do not have to pay these people—we could do an awful lot to get these elderly people, who are skilled in reading to people, reading to young children; going into the homes of the poor, on invitation of course, and sitting down for an hour a day regularly with the same two-year-old for 12 months. They would read books, play learning games, get the mother involved in playing with her infant, so that when that child hit the junior kindergarten system in this city, the child would not be behind the other children in that junior kindergarten.

I do not have to remind the members of this House of the statements I have made over the past three years concerning the terrific disadvantages that a four-year-old or a five-year-old child from Regent Park has when that child hits our school system. That child is licked, really, before he starts the formal education system. But by getting our elderly people, this wonderful resource we have, into the homes of the poor on invitation, of course, by the parents, to work with two and three-year-old children in learning how to speak and talk and use the language that is used in the schools, to be able really to learn at the age of two and three how to converse and communicate in the language of the school. When that child hits the school system, that would bring about a social—I will not use the word revolution any more, Mr. Chairman, it is a bad word—a fundamental social change in who benefits from the public education system.

So I see the need of it, if you like, for young infants in poverty in this city and in Ontario, who need this type of home tutorial programme because their parents are not capable often of providing or passing on this type of skill, the skill of reading, the skill of using the language of the school and so forth.

On the other hand, I see many elderly people, many in their seventies, and in their eighties who, if they had an opportunity to talk with and play with in a very skilled way the children in poverty, that those children in poverty would be out of poverty within 15 years. I centre on that issue because it brings two things together. I have been thinking about this for a long time and I think it is a proper role of this government to become involved in. We want a human government. We just do not want a government that talks about dollars and cents. That is one issue.

Here is an example. I put the question to the Premier earlier today Mr. Speaker, of how our old people are exploited in our society. I refer to Central Park Lodge at 10 William Morgan Drive in Thorncliffe. It is a home for elderly people with semi-nursing care available. The rents there went up, Mr. Speaker, by 38 per cent for a lot of those older people—just like that. They went up from $14.50 to $20. It is a 38 per cent increase. These are old people. They do not have resources to fight back. If they fight back they might get kicked out. So I am talking about the horrible way in which in our society, whether it is the landlords or the legislators who do not seem to care too much, somehow or other the old people are being kicked out of our society. I do not like that. They are being exploited.

There is another issue I have been wanting to say something about in this House for a long time Mr. Speaker, and I suppose it is an appropriate time to say it. I suppose I was

not really ready to say many of these things until I had been in this House for three years, but I am concerned about the attack upon our established democratic political parties in this country, and in this province. I state that it is a fundamental point of conviction that we have a very good system of democratic political parties in Canada and in this province, and that there is an attack upon these institutions in our society, without which, I think, we could have chaos in our politics in this province and in Canada. This is off the seat of my pants if you like, or right from the top of my head, but I have been thinking about it for a number of years. I would like to suggest that the political parties of this province and of Canada must change, must fundamentally change, in a number of respects, otherwise the assult on them is given some justification.

It is funny, Mr. Speaker, because I have this concept, on the one hand, that social change in terms of institutional change is something that takes so much effort and so much time. Reform is basically a lot of work. The established institutions, be they universities, secondary schools, political parties, no matter what the institution is, basically the staying power of established institutions is very strong, and those who operate them are very strong and resist change very effectively. On the one hand, I have this concept that non-violent social change in our society is a very slow process, because institutions are very, very established in our society and are very slow to change.

On the other hand, I have started to think more and more about how fragile our whole democratic structure in this country really is. One can see some of the problems—I feel in what is happening in Quebec today, how fragile our social institutions are, how open they are to blackmail, to intimidation, to assassination, and so forth, and the way in which our institutions cannot respond to this type of tactic because they do not have enough resilience in some sense to respond.

Here I am in this position of a paradox, Mr. Speaker. On the one hand, I feel that perhaps I personally can play some function in reform in this province, in this country, over the next 20 or 30 years. It is going to be slow—you can use a baseball bat but it really does not do much good. On the other hand, I am nervous. I am uneasy about how fragile our institutions might be in this society if subjected to an onslaught. I have put some of these views on record. I have talked about student unrest in this House before.

The point is that if our institutions are not elastic, if our institutions in a democratic society cannot absorb dissent in a constructive way, then those institutions are so rigid that when those who wish to use more than simply reasoned discourse to try to bring about social change—those who wish to use violence to try to bring about that change—there is at the basis of their arguments some justification. So I say that the response to positive dissent in our society by the established institutions, including political parties, must be a positive response.

In other words, if those in control of our political parties do not realize that there is a great deal wrong with all political parties in Canada, Conservative, Liberal or NDP, and perhaps other parties—unless those in control of those parties realize that the parties as constituted in this province and in Canada, have many things wrong with them—they exclude people for numerous reasons—unless they realize that there are things wrong and step forward now to really democratize our democratic political parties, then those who assault the way in which we like to bring about social change and social reform are left with a very basic valid argument.

So Mr. Speaker, I would point out a couple of things about the democratic political parties in Ontario. I am not just talking about my own political party, I am talking about the Conservative Party and the New Democratic Party. I think the attack of the young and the dissent on our three parties, has a lot of justification. In the last year or so, I have realized more and more how justified their attacks are. Our parties are often very undemocratic, but more than that, they give the appearance of being very undemocratic in terms of where they get their financial resources, both during elections and between elections.

You know it is funny—but funny in a horrible sense—that here we have probably the most fundamental institution in our democratic society, the political party, and it is left to be financed by private means, both during elections and between elections. I can think of nothing that is so terrifying to me, that I have to argue, as a member of an established political party with the young and the radicals and the dissenters, about why I am in a political party.

They say to me: "Where do you get your money? Where does your party get the money it needs? And how about the Conservatives? And how about the New Democratic Party? We think that all of the three traditional parties are in the pocket of some

group that has money to finance them." I say this to my friends in the NDP and to my friends in the Conservative Party that the appearance of being in the pocket of someone is doing more to discredit the political parties in this province than any other force I know.

We can go into how parties are financed and so forth. But just let me say this. I think that we must treat our political parties seriously, that we must realize that political parties have a very essential function in our society and that they should be properly financed. Political parties and candidates running in elections must receive their finances from the public purse and not private purses. Political parties between elections ought to have very important functions, and many of us know, as individual members, how we like to represent the people we represent; we know it costs money. But surely everyone of us in this House should be able to have an office in his riding called a "service centre" and that should be financed, with controls of course, from the public purse. People find it so difficult in many instances to find out who their members of Parliament are at the federal and provincial level, and I think we have a right and they have a right to have a service centre in the constituency financed out of public funds.

We can no longer treat our political parties as some sort of ad hoc group that arises during election time. I think the whole basis of a democratic society, unless political parties step in now and fill that vacuum between the people and government, is that members of Parliament should consider their first responsibility not to get into the cabinet but to serve the people in their constituency—that should be the primary responsibility of a member of Parliament.

I am talking, if you like, about deep issues, about changing the role and aspirations of a member of Parliament, because I am convinced that the onslaught on democratic political institutions in this country and in this province is a serious threat, and I am saying we must respond as legislators and we must respond as members of political parties. Political parties must provide that essential link through members and through offices in the ridings. It is not good enough, with due respect to the House leader, the Provincial Secretary (Mr. Welch), to establish these little clinics in a few spots in this province.

So, Mr. Speaker, I say that political parties must be financed from the public purse; they must no longer be financed from private persons. That holds true for elections and that holds true for the functions of political parties between elections. It is too important, much too imporant, to be left up to the ad hoc collection of funds from private people.

I have heard comments in the federal government that they are going to bring about reform of the financing of political parties at the national level. And I have heard discussions that it is going to be wonderful reform; you know, they are going to make private contributions tax deductible. What a stupid, short-sighted way to respond to the needs of a democratic society.

What is needed, for example, is the payment from the public purse, not private purses. One simple way would be on every person's income tax form there would be a line, "Payment to keep democratic political parties alive in this province: 50 cents a year." Why not tell people it costs money to live in a democracy? Why not tell people that without political parties there would be political and social chaos in this country and in this province? Why not tell people that and ask them, "Do you want chaos? Do you want anarchy? Or do you want strong political parties that provide links between the people and government?"

And on their income tax form—if Ottawa will not do it, surely this province can do it—let us put on the income tax form, "Your contribution to non-violent political democracy is 50 cents a year or $1 a year, but no more than that." Why does that not happen? Why do not the political parties respond to this attack upon them? I do not know why; it puzzles me. Well, Mr. Speaker, I could go on; I have a lot of views about this.

Mr. H. Peacock (Windsor West): Take another 35 minutes.

Mr. T. Reid: But you know, there are things to be said about a lot of issues, about the labour bill, for instance—and I am not trying to split up this House or the people who are here. Let us not take that labour bill; let us take a hypothetical labour bill so that we do not get involved in too many needles here. Let us take a labour bill—and here is how it looks to a young person; I will try to disassociate myself from our position on that bill. A young person says, "Now here is a labour bill that is brought in to bring about more stability in the construction industry, and the Conservative Party that brings it in is financed by big business and others, but primarily big business, in the Province of Ontario. And of course it is going to bring in a big-business labour bill." Most of them say, "Well, the Liberals are in the same

thing; they should support a management bill or an owners' bill."

Then the New Democratic Party stands up and fights against the bill, and the young people say, "What do you expect? Just as the Conservatives and Liberals are in the hands of big business, the NDP is the union party."

There is no credibility because of the way in which our parties are financed. I am saying to my friend in the NDP, as well as to colleagues in my party who have heard this privately for a number of years now, and to the Conservative Party, that there is no credibility. We have no credibility because we get our money from private sources.

Mr. F. Young (Yorkview): There will be when the member's party opens its books.

Mr. T. Reid: I am not talking about the NDP. The member knows they have a union guy in as leader; I could let him have it but I will not.

Hon. Mr. Grossman (Minister of Correctional Services): Go ahead, let them have it.

Mr. T. Reid: No, no, this is too important. This is too damned important.

I am saying something very simple: That there is no credibility because young people—and not just young people; older people too—but particularly young people under 25 feel that individual political parties simply speak for the groups that finance them. We have got to bust that. We can say it is largely a myth or almost entirely a myth; we can say: "I am clean; I know where all my money comes from, and it is small donations." We can say that, but we do not have any credibility. This is why I am saying we have to tell the people of this province and the people of Canada that no longer is the basic democratic institution in our country in our province, the democratic political party, going to be financed from vested interest groups and from private sources.

I suggest that if we do that, we would establish credibility with the people of this province, including many young people. I guess I had better leave it at that.

But tax deductibility for political donations is just a farce.

Hon. Mr. Grossman: The hon. member just proved the opposite. Does he appreciate that?

Mr. T. Reid: I am sorry. If the minister does not see it, I am sorry.

Hon. Mr. Grossman: Well, the hon. member just proved that because you are receiving funds from a particular source does not mean you necessarily stand up in this House and defend their position. Because, as admits, he just pointed out that his party, as well as ours no doubt, is getting at least some of its funds from business and maybe some of it probably from big business—both parties. If his theory held out and those people who are brainwashed do feel this way, or feel that way naturally, that this is the case, all he has to do is point out that even though his party—that is, the Liberal Party—gets money from big business, it opposes the labour bill. So he just proved that in fact to get into this House you do what you think is better for the people generally.

Mr. T. Reid: Well, I just have to say that I like the minister, I respect him, but he has no credibility. You make that statement to a group of young people and they will say, "Where does your party get its money?" Right? And you have no recourse. Even if you opened your books you still have not got recourse, because that money comes from specific groups. Sometimes we in this party wish we were tied in with big business, frankly, because we are having money problems!

What I am trying to say is that there is no credibility. And why should the basic democratic institution in our country, in this province, be financed out of private purses. It is too important, much too important, to be left up to that ad hoc way of financing. It must come out of the public purse. And the tax deductibility clause is a farce because it still leaves the credibility element lying underneath.

I suggest that we should take the lead in this province. We should have on our income tax forms, in terms of provincial contribution, stated right there, "Your contribution to maintain non-violent democratic politics in this province is 50 cents a year or $1 a year." And I think that would do more to restore faith in this place and in political parties than almost anything else.

Finally, I would say a lot of poor people—that is about 18 to 20 per cent of the population of this province—just do not believe that there is any political party that speaks for them. I can say this perhaps with a little bit of knowledge and one reason—it comes right back—is that "we have not got any money to contribute to your coffers, so I guess we have not got a right to a say in what your party does or what legislation you bring in."

Rightly or wrongly, that is the way they feel. And I am saying that as long as political parties are tied with the private purse, 20 per cent of the population of this country, of this province, of this city, feel that they have no one to speak for them.

If you want to look at Quebec, the real problem with Quebec is the failure of left-wing politics in the political system in Quebec. That is what has happened. The poor people feel that there is no one to speak for them. You know, Drapeau has been a disaster as far as the poor people of Montreal are concerned, an absolute disaster. He does not listen to them. Has not listened to them. He wants monuments to himself in the future.

You want to know why there is social unrest in Montreal? I did not say violence, I said social unrest. It is that the poor are getting poorer. The kids are dropping more and more, out of school. It is getting worse and more "hard-core". That is the problem of poverty in Montreal; and if you like, it is the lack of a democratic political party in that city, in that province, to adequately represent those that have no voice, because they have not got any money to buy their way in. I am talking very harshly here.

In this city too, I have been to meeting after meeting down at Regent Park. Those people do not believe in anyone who speaks for them and they keep coming back and saying, "We do not contribute to political parties." They are not members of unions in many cases, and so forth. They are not even employed. They say, "No one speaks for us." I feel deeply about that, Mr. Speaker. I do not say that I am right. I just mean that somebody better start talking about this issue.

Let me talk about something that is much more specific. It has to deal with the proposed security forces for public housing. As members know, the Ontario Housing Corporation wants to set up a private pseudo police force. I think they are going to call them community guardians. That is what they are going to be called. There is lot of confusion about this issue. There is a lot of public misapprehension, not only among a lot of people living in public housing you do not see—housing complexes in the city and in Ontario—but also among people such as myself who feel that there is something basically wrong happening here.

There is a great deal of public misapprehension, Mr. Speaker, about the proposed security force for downtown public housing projects which I do not like to see. And there is also a real lack of knowledge about what is exactly proposed. My information is scattered but I put it together in the following way. Apparently, the Central Mortgage and Housing Corporation—which of course, is a federal body and really a part of a federal department of government, or ought to be—has made clear to Ontario Housing Corporation under the Minister of Trade and Development (Mr. Randall) that before the recruiting of the so-called community guardians begins there would have to be consultation with the tenant groups as to what kind of security and counselling services they wanted and expected from the service.

Now, I think it should be true to be able to say that very little should be definite now concerning this private police force of Ontario Housing. But if what happened at Regent Park reflects what has happened at other meetings between the tenants and Mr. Thurston—who will have the contract for the private police force—and the Ontario Housing Corporation and Mr. Lippman of the Central Mortgage and Housing Corporation, then the approach that has already been taken has eliminated the tenants' knowing or being able to choose what sort of service they want.

Let me describe, Mr. Speaker, a meeting that took place at Regent Park on September 10, 1970. Here is a format of the meeting and here is what happened.

The chairman of the meeting, Bud McCormick—he is from Regent Park, a tenant there, representing the various organized groups in Regent Park—called the meeting to order about 8 o'clock in the evening. After a few words, pointing out that he was in favour of improved services of the security type, he passed the meeting to Mr. Thurston. Mr. Thurston gave an outline of the proposal for about 10 minutes, saying very little in fact, using expressions such as "being of assistance to you people," "prevention of crime," "to become part of the community."

This was the type of phrase Mr. Thurston, who has a contract for OHC and in a sense can be considered an OHC official now, used. He thought the recruiting of the guards would come from those of a suitable background in criminology—for example, former policemen, etc.—omitting any reference whatsoever to recruiting anyone with a background in the social area or the social services.

Now when Mr. Thurston was asked later as to the possibility of tenants applying, he said yes, provided they had a suitable background as he had no time to train anyone since he had to start the service on November 15 and it would take him four months to train someone. He said that he had suggested to OHC that there should be an advisory

board to assess the operation of the new security policemen regularly.

When asked if the tenants would be able to be represented on that board he said, "Certainly, provided they have the special abilities necessary." A question period brought out very little about what he meant by that phrase. It is interesting too, Mr. Speaker, that at one point the Central Mortgage and Housing Corporation representative answered a question that was directed at Mr. Thurston and that representative upheld the new security service. The CMHC representative then asked if it was true that the federal minister responsible for CMHC would not sign the agreement with the provincial government—OHC—if the tenants did not agree to it. He said that he was not able to answer that question.

Mr. Thurston was then asked if there would be any other chance of questions and discussions with the tenants in that particular OHC area. He shook his head, but said that he would suggest to OHC that they should consider sending out notices to the tenants, asking them if they wanted the service, yes or no.

So that is the type of meeting that took place, Mr. Speaker. That was the type of consultation that the hon. minister responsible for OHC considers to be just—considers to be the proper type of consultation.

I should add that the cost of providing this new security guard service, or private police force, whatever you want to call it, for the first year has been stated publicly by the Minister of Trade and Development as being about $400,000 a year. I gather he hopes that Ottawa will meet 50 per cent of that. However what the minister has not told the people of this province, or this House, is that OHC has budgeted already in its second year of operation not another $400,000 a year, but $760,000. I gather this is probably the first time that that has been made public.

So we have very serious questions. Why is it only going to be $400,000 for the first year and then almost doubled in the second year? We are awfully concerned about that and I will get on to some of the reasons for that concern.

An interesting financial problem arises, because my information is that Ottawa will only make this a shared-cost programme if that following types of things are done vis-à-vis the tenants: that the grant is only for one year and it is for an experimental project. In other words, this whole system of security guardians is only getting federal money from CMHC for a one-year experimental basis. There is no guarantee that any of that $760,000, the cost of this new security system in the second year, would be met by Ottawa.

Not only that, on a tax basis our budget would have to pay for the whole thing, that is what I am getting at. Furthermore, I think there are grounds for the federal government saying to the minister and to Mr. Goyette (Managing Director, OHC) that they will not get any money at all, even for the first year of operation, because the understanding between the Ottawa office and Mr. Goyette's office has been broken in spirit, if not in an exact, detailed way.

Ottawa has made it quite clear, Mr. Speaker, that they will only pay 50 per cent, first, on a one-year experimental basis and second, only on condition that there be full advance consultation with tenants and tenants' associations. The type of consultation I have described, I would not even call consultation. I would call it a snow job.

Second, my understanding is that CMHC is only going to meet 50 per cent of those costs if the tenants in the Regent Park project are able to determine the extent to which they wish to avail themselves of such a security and counselling service. And, to assist as well, in determining the form and content of a programme of this kind and the priorities they wish to see given to social action, as well as to the security aspects of the operation.

My understanding about what the federal conditions are—I just state that my knowledge is however, limited—and of the way in which OHC are approaching this in Regent Park, makes rather a farce of the conditions of CMHC. I would say that if the Minister of Trade and Development continues with the way in which he is handling the implementation of this private police force—security guardian force—of OHC in public housing areas, that he simply will not get the grant. We will have to fork up another $200,000 this year to cover what the federal government will not go in on, because the minister has broken the agreement with the federal government to get that money.

We will be stuck for sure for the total $760,000 bill for an increased private police force in 1971-72. I would like to draw that to the attention of the members. But there are much more important issues involved than that, Mr. Speaker.

I think that given the definition apparently, of consultation, which is sending out a questionnaire saying "yes; no; I want this type of security force," not only makes a farce of

consultation procedures, but secondly it does not provide the people voting with enough information about what it is they are voting on. In other words, because there has not been a systematic consultation with representative groups in the area, the questionnaire itself is unfair. Probably, and I say this quite clearly, the majority of people replying to that questionnaire will say they want better security around that area, but they will not know the implications of it and they will not know what the other options were.

They are not being given a choice. They are simply saying they are for it or against it; they do not even know what it is they might be for. But there will be a considerable number, particularly, if you like, the people who make themselves aware of these issue in Regent Park, who are against it in its present nature, which I will describe in a bit more detail shortly. There will be a considerable number who are against it and who will be watching for the first sign of any conflict between the so-called security guardians and tenants.

I think if the minister persists in what he is doing, he is actually creating a situation of serious confrontation within the next five or six months. I think, if anything is predictable, unless he shifts his position, there will be a confrontation between a number of tenants in the Regent Park area and his new private police force. That is utterly predictable if he proceeds with the course of action he is embarked upon at this time. When that confrontation comes — and hopefully it will simply be "we do not like these policemen" and the press will cover it and say, "Tenants do not like these new policemen of the Minister of Trade and Development"—hopefully that would be it. But even that is bad, because the opportunities of total co-operation are there if there is a will and the imagination to act upon it.

When there is that type of confrontation four or five months from now, unless the minister changes his tack, the argument that he will have put to him, and that Mr. Goyette will have put to him from the people in charge of that new security force, will be to increase the number of guards. It will be that they should perhaps be armed, at least with batons if not with pistols; that they should have patrol cars and so forth. In other words, I predict that unless the minister shifts and involves the community in that area in their own security in an effective way, we are going to be faced with a request for approval of double the budget in 1971-1972 instead of the $400,000 for the current year.

I believe that the total format of putting this before the public has been very carefully and insidiously thought out. The tenant questionnaire or proposal, yes or no, is an example of this. In no way is the question a yes/no problem. The format of the tenant meeting in Regent Park, which I have described, did lead to bickering between the groups within Regent Park, leaving OHC to make up its own mind as to what the tenants want, without fear of being accused of going against any wishes or suggestions that might have been put forward by any majority group.

They did not even try to get a representative group to meet with them to iron out their own internal differences before putting a united approach to OHC on this matter. Even the act of attendance and obvious approval of Mr. Lippman from CMHC has given extra strength to the provincial proposal, misguided as it was, in the minds of those who see it only as greater security.

Mr. Speaker, the real problem is that we do not want the security guardians to be a police force. The needs of the community are for three types of functions if you like, or can be described in three sorts of ways: (1) There is a terrific need in Ontario Housing projects for community workers for the tenants; (2) For security guards—no one has ever questioned the need for greater security for OHC property; and (3) for peace officers, policemen of Metropolitan Toronto, regular policemen, for law and order purposes.

There are three distinct needs in the area, Mr. Speaker, community workers for tenants, security guards for OHC property and peace officers for law and order, which are necessary in and part of, society. I cannot accept that these three functions can be fulfilled by a single type of individual and I am sorry to report, Mr. Speaker, that my information is that 35 men have been selected and appointed as the security guardians and they are all ex-policemen.

There are only four appointments left to be made. This is a tragedy, if you like, because the need for security guards is only one need. Yet, increasingly, these ex-policemen—who are probably first rate policemen, no question there—are going to be involved in community work, in working with tenants, security guard work on OHC property and pseudo police functions.

I say this is a terrible mistake. All it is going to do is bring about a confrontation within the Ontario Housing Corporation which will discredit both Ontario Housing—which should not be discredited, because they have a vital role to play in our society—and

will discredit tenants who advocate, if you like, non-violent confrontation tactics.

The community workers, Mr. Speaker, should not report to OHC. They should be responsible to the tenants. You should have people of course, who report to OHC, but the problem here is that you should not have people who are responsible to one side of a conflict being told that their responsibility is to the people who are on the other side of the conflict.

The proposal I would like to make—and I hope it will get passed on to the Minister of Trade and Development somehow, is that he retrench his position on this matter, that he realize that simply because some people disagree with him does not mean they are necessarily wrong. The people who disagree with what he is doing or allowing to have done under his name may very well have some valid criticisms.

Above all the two basic points which must be underlined are these: First, there is a need for increased security in these areas. The tenants accept that. Second, the real question is the form it is going to take and the powers and attitudes of the people hired. If you hire people who basically believe their function is one of law and order as opposed to helping people then all you are doing is making things worse in these public projects.

I would end my remarks on this particular issue, Mr. Speaker, by saying that surely there is a wonderful possibility here, particularly in Regent Park which has several quite strong community associations which operate under democratic constitutions and which have, indeed, some community development funds. The leaders in these community groups I have found to be responsible men and women, quite articulate, who are concerned about the quality of their lives, but more important they are concerned with the quality of the lives of their children, in the education system, in the environment and so forth.

They also are against breaking of properties, they are against hassling if you like. These are citizens who want to live in peace and quiet, who want to help participate in making their own community a good place to live. Why not let them into that decision-making process in an effective way?

These people are not in jails, Mr. Speaker. These people are living in public housing and yet too often we assume that somehow they are in some kind of correctional institution. Perhaps it would be better if they were under this minister (Mr. Grossman) as opposed to the other minister (Mr. Randall)! They might get better treatment. I do not think this minister would set up that type of private police force to control people's lives.

I call upon this government and the cabinet colleagues who are here of that minister to say "Look, ease off." You do not have to put this thing in by November 15. Talk to some community people who know how to consult with people so that they feel they have been adequately consulted. Get the leaders in Ontario Housing in Regent Park on your side. Say quite clearly that applications for these jobs from them will be welcome, that they will not be told they cannot apply or they are ineligible to apply because they must have been an ex-lawyer or an ex-policeman.

Tell them that there will be a good training programme for them and that that will be paid for by the government. These people want to get off welfare. They want to get off unemployment insurance. Hire some of the men who were at the meeting I was at last night or the night before, provided they are in good physical condition.

These are mature people who have a concern for their community, who are acknowledged leaders in their community. Why not have them participate in the supervision of security of the property in their own areas where they live? Why not? Surely it is not too much to ask to be let in on the decision that affects one's life.

Mr. Speaker, I have one other topic I would like to move on to. I was wondering if I should at this time?

Mr. Speaker: I would think it would be most appropriate if the hon. member would adjourn the debate at this point and begin his new topic the next time.

Mr. T. Reid moves the adjournment of the debate.

Mr. A. Grossman (Minister of Correctional Services): Mr. Speaker, on Monday we will proceed with the estimates of The Department of Financial and Commercial Affairs, and the committee on estimates will take up the estimates of The Department of Social and Family Services.

On Thursday there will be called the debate on tax reform which shows as order number four on today's order paper.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 o'clock, p.m.

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No. 135

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Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Monday, October 26, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, OCTOBER 26, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Our guests this afternoon in the east gallery are students from Madonna High School in Downsview, and in both galleries from Downsview Secondary School in Downsview. This evening the 27th Agincourt Scout Group in Agincourt will be with us.

Statements by the ministry.

Oral questions.

EXTENSION OF GRANTS TO SEPARATE SCHOOLS

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would ask the Premier if he might clarify the report of the Minister of Education's (Mr. Davis) statement made at Maple Leaf Gardens yesterday, in which he said a statement by the government on the extension of separate school education is to be expected.

Will the Premier indicate to the House whether the policy is under active cabinet consideration and whether any statement will be made if, in fact, the government is not going to change its policy?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, this matter is under consideration right now. Apart from the events of yesterday, I had a group making representations to me in my own office last week and, certainly, the matter is still under consideration. When the government is ready to make a statement in this regard it will.

Mr. Nixon: A supplementary question. Will a statement be made only if the government's policy is changed?

Hon. Mr. Robarts: Mr. Speaker, I do not know if I am in a position to answer that question at this moment but, certainly, until a decision is made I do not know really how we will deal with it.

Mr. D. C. MacDonald (York South): A supplementary question, Mr. Speaker: I wonder if the Prime Minister can indicate when such a meeting is likely to take place and, secondly, whether the government has reached the point where it is willing to consider the "how" of implementation, or is it still wrestling with the basic principle?

Hon. Mr. Robarts: Mr. Speaker, the whole matter and all its ramifications are under consideration—the how and why and ancillary results that might flow from it, socially, politically, economically, financially. It is a very large question. It is a question that has affected this province before and I think we must proceed in such a fashion that it does not do that again.

CASE OF DORIS HENRY AND AGNES LAND

Mr. Nixon: Mr. Speaker, I have a question of the Provincial Secretary. Has the case of Doris Henry and Agnes Land, residents of the White Dog Indian Reserve in the Kenora region, been brought to his attention since they were sentenced to 12 to 18 months for window breaking as a result of drunkenness, allegedly as a result of drunkenness, in the town of Kenora?

Hon. R. S. Welch (Provincial Secretary): No, Mr. Speaker.

Mr. Nixon: Supplementary question: I wonder if the Provincial Secretary would undertake to see that when the Minister of Justice is available, he would ask him about some particulars on this case. I see the Attorney General is just coming to his seat and with your permission, Mr. Speaker, I would like to question him on this matter.

Mr. Speaker: Provided there are no supplementaries to the original question, the Leader of the Opposition has the floor.

Mr. Nixon: A question, then of the Attorney General. Is he aware of the case involving Doris Henry and Agnes Land, residents of the White Dog Indian Reserve in Kenora which led to their conviction and a sentence of from 12 to 18 months? Is he prepared to undertake an investigation into the circumstances of the situation involving their representation before Judge Fregeau?

Hon. A. A Wishart (Minister of Justice): Yes, Mr. Speaker, I am aware to the extent that I just read of it in the newspaper this morning. The case had not been brought to my attention otherwise. I am making further inquiries.

Mr. Nixon: Supplementary question: Would the minister undertake to discuss the matter with his colleague, the Provincial Secretary, who has some special responsibilities for the Indian community, in view of the fact that the judge himself said that he felt he might be doing these ladies a favour in sentencing them to a term in the Vanier Institute which, as the paper pointed out, is 1,200 miles from their own community? Surely, if this is the best thing that could happen to these people, it is a very sorry commentary on the community in which they normally live.

Hon. Mr. Wishart: Answering the question, Mr. Speaker, it was my intention to discuss it with my colleagues, particularly the Provincial Secretary, when I had further facts at my disposal.

Mr. Speaker: Has the member for Scarborough West a supplementary?

Mr. S. Lewis (Scarborough West): Does the minister think the judicial processes are served by a judge who states, "The Indian here is a different breed of cat. It seems like this has been the dumping ground for the worst. I know jail does not seem to do any good, but it takes them out of circulation." What does he think of that in terms of his judicial process?

Hon. Mr. Wishart: Mr. Speaker, I would want to get the actual transcript of what was said.

Mr. Lewis: This is an interview with the press, Mr. Speaker.

Hon. Mr. Wishart: I have my own views about interviews and I want to make sure I have the facts before I express opinions.

Mr. Lewis: On a supplementary—

Mr. Speaker: Supplementary, yes.

Mr. Lewis: Supplementary: Despite the further inquiry, there are some facts which are hard facts. Does the minister think that a first offence of this kind merits 12 months definite and six months indefinite for one, and nine months definite and six months indefinite for the other? Does he think that is appropriate sentencing procedure in Ontario?

Hon. Mr. Wishart: Mr. Speaker, when we have the history of the case, the background of the case, the transcript of the evidence, we will then look at the matter of sentence. As I think the hon. member is well aware, the Attorney General or the Minister of Justice has quite frequently appealed against a sentence where he felt it was wrong. I do not want to express opinions until I have all the facts.

Mr. Speaker: Has the member for Downsview a supplementary?

Mr. V. M. Singer (Downsview): Mr. Speaker, by way of supplementary: Could the Attorney General advise us how long before an appeal must be filed in this particular case?

Hon. Mr. Wishart: I am not certain, offhand. It is either 15 or 30 days, I believe; I am not sure.

Mr. Singer: Would the Attorney General undertake to advise the House as quickly as possible what his decision is insofar as an appeal is concerned?

Mr. Lewis: By way of supplementary, Mr. Speaker, how then is an appeal effected if the case was disposed of on August 30?

Hon. Mr. Wishart: I will have to look at the facts again to let you know what can be done.

Mr. Lewis: It is more than 15 days.

Mr. Speaker: The Leader of the Opposition has the floor.

TV AND RADIO COVERAGE OF LEGISLATIVE ASSEMBLY

Mr. Nixon: Mr. Speaker, a question of the Premier.

Has he given any further consideration to the possibility of permitting television and radio reports from this House? Is he further aware of the widespread feeling among residents in Ontario and Canada that the debates on The War Measures Act in the Parliament of Canada might very well have been broadcast while they were taking place, and that we could very well accommodate our people to direct access through the media from this chamber, and would he give it some consideration?

Hon. Mr. Robarts: That is an omnibus question. I will start with the middle piece first, and say that it has not been drawn to my attention that the people of Canada were asking for the debates in the House of Commons to be broadcast. Consideration has been given to putting television cameras in here, but we have arrived at no conclusion. I have taken the position that it is really not a matter for the government, although we are quite prepared to provide leadership on it. It concerns the whole assembly; it does not concern just the government. Therefore, whatever is decided in this regard should really be decided by all the members because it has very large ramifications.

I believe we were discussing, at one time, the possibility of televising certain debates. We have gone that far in this House already. We have had the budget debate with lead-off speeches. I think as far as I am concerned it would be impractical and I do not think it proper to have cameras in here all the time. On the other hand, if there were certain debates we wanted to have televised, we can make the arrangements very simply. This matter, as far as I am concerned, is still wide open.

But I reiterate that it will eventually have to be a decision of the whole assembly, not the government.

Mr. MacDonald: Supplementary question.

Mr. Nixon: Supplementary question.

Mr. Speaker: The Leader of the Opposition, a supplementary?

Mr. Nixon: I do not know whether I can make this interrogative; I hope I can. Is the Premier aware that on that Friday, when the debate in the Parliament of Canada took place—the emergency debate on The War Measures Act—that reporters, because of the rules of that House, were required to go in and out the door saying, "Now Trudeau is saying this, now Stanfield is saying that"? They brought to the attention of many people that those rules are a bit ridiculous, when everybody in Canada had his attention focussed on the situation and felt that he should be able to hear what the leaders in Parliament were saying. We have not had an occasion like that here, but in principle, would he not agree that the same pressure would apply, and that this place should be opened up to the press—to the other media of the press—and, perhaps when he says he would give leadership to this, that he might go so far as to suggest that a committee be established to give it some consideration?

Hon. Mr. Robarts: That is a very simple way of doing it. I would just say, we have already recognized the principle, by having what we consider to be an important debate telecast. That was in the nature of an experiment and I know we said that no precedent would be established if we did it. I do not think that we here would find too much difficulty in broadcasting a very important debate if we were to have one, if some thought were given to it beforehand and we simply made the arrangements.

But perhaps I will look into the question of a committee to examine this, because I know there are very firmly held positions on this by various members of the House, and I think those opinions must be recognized.

Mr. MacDonald: My supplementary question to the Prime Minister is that last spring, when this question was last raised, he said that it could be considered by the rules committee, once it had dealt with the actual rules. Would the Prime Minister now agree to the rules committee's placing this on its agenda for immediate consideration so that we can have the issue clarified and decided prior to next session?

Hon. Mr. Robarts: I cannot guarantee that it will be clarified and decided prior to next session, but it seems to me it is a proper matter to be dealt with by that committee.

Mr. W. G. Pitman (Peterborough): If I might ask just as a supplementary question, Mr. Speaker, would the Prime Minister clarify his statement in the original answer that "he does not want them in here all the time"? I wonder if the Prime Minister would also answer whether he has had any contact from cable companies to have cameras of a certain kind in here all the time?

Hon. Mr. Robarts: Yes, Mr. Speaker, I can answer that. Perhaps my phraseology was not too good. Personally I am not anxious, for instance, to have one of my speeches edited. I know that editing goes on in the newspapers because they do not report everything you say, but some of us have had somewhat unfortunate experiences.

Mr. Pitman: That would stop them from being edited, if they were not in here all the time?

Hon. Mr. Robarts: No, no.

Mr. Lewis: Your words are edited.

Hon. Mr. Robarts: Yes, of course they are, but television is a different thing. I do not

think you can compare television with the rest of the different media, but I am just pointing up some of the difficulties. When we did allow the television cameras in here they took the whole speech of the Treasurer (Mr. MacNaughton) and the whole speech of the Leader of the Opposition and that of the leader of the New Democrats and they were broadcast in their entirety.

Now, that is one thing. It would be another thing to have cameras in here for the full session with somebody with the right and power to pick out the particular part of any one speech that he wanted to put up against the particular part of a speech made by somebody else.

Mr. Lewis: The newspapers do it all the time.

Interjections by hon. members.

Hon. Mr. Robarts: I am pointing out to the members there is a difference.

Mr. Lewis: It is called the free press. That is what it is called. I cannot see the difference.

Hon. Mr. Robarts: There is a difference. I am pointing out to the member some of the practical difficulties. The other very practical difficulty about television in this House is the sheer discomfort of having television lights in here. I do not know whether any of the rest of the members are aware of this but I would find it very difficult to work here continuously under them.

And who is to decide what is to be broadcast? These are matters that must remain, Mr. Speaker, within the control of the members of the House. I could raise X number of other difficulties but this is not the place to debate them. We will argue them out in the committee and see what the people, what the members of this House, want—and by that I mean all of them.

Mr. Lewis: The instructions to the committee are clear.

Hon. Mr. Robarts: Will the member go down to the committee instead of whispering to me, because I cannot hear him.

Interjections by hon. members.

APPOINTMENT OF ASSISTANT CROWN ATTORNEYS

Mr. Nixon: Mr. Speaker, a question of the Attorney General: Is it common practice for him to check recommendations on the appointment of assistant Crown attorneys with the Progresive Conservative Association in the community concerned?

Hon. Mr. Wishart: Mr. Speaker, in connection with appointments of certain officials I seek the advice of various people in the community.

Mr. T. P. Reid (Rainy River): The minister's colleague is smiling there.

Hon. Mr. Wishart: The representatives in turn, I think, get advice from people that they have called upon.

Mr. Nixon: The answer, Mr. Speaker, I take it is yes? Could the minister indicate whether or not these people apparently have veto power on the recommendations from the Crown attorneys in some of these communities?

Hon. Mr. Wishart: I do not think that there is any such thing as a veto power, Mr. Speaker.

Mr. Nixon: It just appears that way.

Mr. Speaker: Any further questions from the Leader of the Opposition? The member for Scarborough West.

TREATMENT OF INDIANS CHARGED WITH OFFENCES

Mr. Lewis: A question of the Minister of Justice and Attorney General, Mr. Speaker.

In view of the most recent case before Judge Fregeau, will the Minister of Justice now consider a full inquiry into justice and Indians in northern Ontario in the light of the many cases of the last many months?

Hon. Mr. Wishart: That would be a matter for policy, Mr. Speaker, which I would take under consideration.

Mr. Lewis: By way of supplementary, Mr. Speaker, what has happened to the 17 cases of alleged mistreatment at the hands of the OPP which were filed with the Ontario Provincial Police in the latter part of last year?

Hon. Mr. Wishart: I do not know about 17 cases, Mr. Speaker. I know there were a number investigated and many of the allegations which were made as to mistreatment were completely baseless—many of them. We investigated a good number of cases. The hon. member for York South has been made aware of one—

Mr. Lewis: We know that case.

Hon. Mr. Wishart: —which was brought to our attention, complete misinformation on which a great furor was created—completely baseless, or, in large part without foundation.

Mr. MacDonald: In large part?

Hon. Mr. Wishart: In large part.

Mr. Lewis: By way of supplementary: This was conveyed to the Ontario Provincial Police by the Deputy Minister of Labour, as I understand it, representing the Human Rights Commission. Has a report been made to the Human Rights Commission about the 17 cases brought by it to the minister's department?

Hon. Mr. Wishart: Mr. Speaker, I frankly do not know about 17 cases.

Mr. Lewis: It is in the minutes of the commission.

Hon. Mr. Wishart: I am going to have to take that question as notice and try to get an answer for the hon. member.

VANIER CENTRE AND REHABILITATION OF INDIAN WOMEN

Mr. Lewis: A question of the Minister of Correctional Services, is it?

Hon. A. Grossman (Minister of Correctional Services): Does the member not know?

Mr. Lewis: I am not sure of how the titles change. They change with such rapidity.

Hon. Mr. Wishart: Can the member not keep up?

Mr. Lewis: Is the minister satisfied that the Vanier Centre can provide rehabilitation adequate for the two women from the White Dog reserve near Kenora who were sentenced at the end of August?

Hon. Mr. Grossman: Mr. Speaker, if the hon. member is referring to the article which is in today's Toronto *Telegram*, which has just been brought to my attention, I am not quite certain as to their sentence. To begin with—

Mr. Lewis: It is in the article.

Hon. Mr. Grossman: Well, it is not quite clear. For example, if they were sentenced to 12 months definite and six months indefinite to a reformatory, then it is not a proper sentence, because all sentences for women who go to the Vanier Centre are indefinite. I can only presume that if this is correct, it was a "jail" sentence, and that my people have just taken it upon themselves to move these women, quite properly so, from a jail into the Vanier Centre.

As to the question of whether I think that we can rehabilitate them in the Vanier Centre, I would think it would be much better if we were able to have an institution practically up in northwestern Ontario. I am sure the hon. member will appreciate—

Mr. Lewis: That is the question I am asking.

Hon. Mr. Grossman: Well, of course, we could also have—

Mr. Lewis: A 1,200-mile culture shock is hardly appropriate.

Hon. Mr. Grossman: The hon. member asked me a question and I would like to answer it.

It would also be a lot better if we were able to have more training schools in northern Ontario, in northwestern Ontario, and we are moving toward this. The hon. member will appreciate that it would probably be impractical to have a female institution, properly staffed, in northwestern Ontario for that particular area. It is a huge area and no matter where you put it, you would not be able to have a sophisticated programme there in any case.

Mr. Lewis: Really?

Hon. Mr. Grossman: Not in the foreseeable future. This is one of the reasons that the federal government finds it difficult to have proper female institutions across this vast country. If you put them across the country where you would like to have them, you would have one institution with three women in it, another with five, another with 10, at particular times. This is a problem which has concerned us for a great period of time. We have been doing what we can to get Indian social workers to work with us in order to help solve this problem, or at least alleviate it a little bit. I am sure that the women will get as much rehabilitation in Vanier Centre as they could possibly get anyplace else, except that it would be much better for there to be an institution not that far from where they live.

Mr. Lewis: Someone speaks Ojibway in the Vanier Centre?

Hon. Mr. Grossman: Pardon?

Mr. Lewis: Someone speaks the language in the Vanier Centre?

Hon. Mr. Grossman: That was another problem we came up against.

Mr. Lewis: Yes, well it is difficult to—

Hon. Mr. Grossman: If the hon. member knows something about the Indian problem, one just does not speak Indian per se.

Mr. Lewis: No, I appreciate that. You do not move people 1,200 miles—

Hon. Mr. Grossman: There are Ojibway and many other languages. One of the problems we had, as a matter of fact, was when I went up to Kenora some time ago and we attempted to put up some of the signs in Indian language; that is when I was educated to the question of just what sort of Indian do you write on these signs? This was a difficult problem and I do not think the hon. member or anyone in this House should take the view that we are not concerned about what happened in this particular area.

Mr. Lewis: Oh, I know you are, but the whole sentence is absurd and the environment is absurd.

Hon. Mr. Grossman: Whether the sentence is absurd is another matter; we will have to leave that to the judge.

Mr. Lewis: The environment is absurd.

Mr. Pitman: That incident is a shame to this province.

Hon. Mr. Grossman: Well, of course, the environment of any correctional institution is not the best environment. It would be much better if we did not need any correctional institutions and therefore did not have any people in them.

LAYOFF OF 155 WORKERS FROM CGE PLANT IN REXDALE

Mr. Lewis: A question of the Minister of Labour, Mr. Speaker.

What undertakings has the Minister of Labour made in regard to the 155 Canadian General Electric workers who are being laid off permanently from the CGE plant in Rexdale at the end of the year?

Hon. D. A. Bales (Minister of Labour): I have made no undertakings with reference to those employees. I obtained some reports and I am obtaining further reports in reference to that matter. The regulations under The Employment Standards Act have been finalized; there were previous layoffs in reference to that plant and I am pleased to report—not that same plant, the tube plant—

Mr. Lewis: Right.

Hon. Mr. Bales: —and in that case we were pleased, as the member would be, to find that the vast majority of those people obtained alternate work. Some decided they did not want to take up the positions or offers that were available through Manpower, and they did not take them up. We are hoping we can find solutions for the present situation.

Mr. Lewis: By way of supplementary, I take it that in the minister's remarks he indicated the regulations under Bill 96 pertaining to layoffs are still not proclaimed.

Hon. Mr. Bales: They are being finalized.

Mr. Lewis: They are still being finalized? I am sorry I am missing the minister's words.

Mr. Speaker: The member for Downsview has a supplementary?

Mr. Singer: No, I have a new question.

Mr. Speaker: The member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): A supplementary, Mr. Speaker: Could the minister state whether any special programme is being contemplated to assist those over 40, in particular, who will be laid off by the plant closing in Rexdale—the CGE plant, that is—and who will obviously not be in a position to move outside of Toronto, and who may have a great deal of difficulty in securing further employment ?

Hon. Mr. Bales: Mr. Speaker, I think I have covered this situation previously. These arrangements are made through Canada Manpower with the assistance of our industrial department, and we work through Canada Manpower in endeavouring to lend assistance. Canada Manpower finds the job opportunities; we assist in planning training programmes.

Mr. Braithwaite: A supplementary: My question, Mr. Speaker, was that these are people who will obviously not be helped by Manpower; they have not in the past, when Dunlop and other plants were closed. I would like to know if the minister's department has any special plans to assist in the retraining or rehabilitation of the over-40 workers particularly, who are going to be in a great deal of need come December.

Hon. Mr. Bales: Mr. Speaker, the hon. member is taking a pessimistic view of the whole situation.

Mr. Lewis: Pessimistic? What about Dunlop, Frigidaire, International Harvester?

Hon. Mr. Bales: As I said before in reply to the member for Scarborough West, at the other plant—in reference to CGE on Dufferin Street—they have found positions for most of them through the assistance of Canada Manpower and other means. I think the same kind of situation, hopefully, will work out here.

Mr. Speaker: The member for Dovercourt, a supplementary?

Mr. D. M. De Monte (Dovercourt): A supplementary: In view of the fact that the regulations are almost finalized, would the whole of Bill 96 and the amendments that we passed a few months ago apply to the layoffs at the Rexdale plant of the Canadian General Electric?

Mr. Lewis: No, nothing.

Mr. De Monte: No?

Mr. Lewis: No. What about Frigidaire?

Mr. Speaker: Has the member for Wentworth a supplementary?

Mr. I. Deans (Wentworth): Mr. Speaker, a supplementary question: Could the minister indicate what he would propose employees of Reel Pak in Hamilton should do, as a result of the minister not—

Mr. Speaker: This is not a supplementary question.

Mr. Deans: It is supplementary, sir.

Mr. Speaker: It is not supplementary because it has nothing whatsoever to do with the Rexdale plant. I rule it out of order.

Are there any other further supplementaries?

The member for Scarborough West has the floor.

Mr. Lewis: Has the Minister of Labour discussed with his colleague, the Minister of Trade and Development (Mr. Randall), the crude rationalization which General Electric has engaged in in the gradual phasing-out and the expendability of Canadian workers in the last several months?

Hon. Mr. Bales: Mr. Speaker, I do not accept the language the hon. member is using. If he means—

Mr. Lewis: It is the pattern that is developing.

Hon. Mr. Bales: Have the hon. minister, the Minister of Trade and Development, and I, discussed the matter? Yes.

Mr. Lewis: Yes. And what answers have the ministers?

Hon. Mr. Bales: We are endeavouring between us to assist these people in every way we can in co-operation with Canada Manpower.

Mr. Speaker: A supplementary, the member for Dovercourt.

Mr. De Monte: Supplementary, Mr. Speaker: Has the Minister of Labour consulted with the Minister of Trade and Development in connection with the research that is necessary in our country to make sure that our electrical industry develops, and is he attempting to speak to the minister so that we can get some of the patents into Canada and produce these things in Canada?

Hon. Mr. Bales: I think that question is more directly related to my colleague, but we have no trouble speaking. We confer frequently.

Mr. Speaker: Has the member for Scarborough West completed his questions? The member for Rainy River.

REBATE TO FISHERMEN FOR CONTAMINATED FISH

Mr. T. P. Reid: Thank you, Mr. Speaker. I have a question of the Minister of Lands and Forests.

Are the fish processors in the Lake St. Clair areas receiving a rebate or subsidy from the government for fish that is seized and destroyed because of mercury contamination?

Hon. R. Brunelle (Minister of Lands and Forests): The fishermen in the Lake St. Clair area do not come under the fish marketing board. The commercial fishermen in Lake St. Clair—those who have made application—received an initial advancement early during the summer and their second payment is now being processed.

Mr. T. P. Reid: A supplementary, Mr. Speaker: Is the Fish Marketing Board, to the minister's knowledge, paying subsidies for the fish that are seized in the Lake St. Clair area and destroyed? Are the processors receiving a subsidy for that, or a rebate, either from the Ontario or federal governments?

Hon. Mr. Brunelle: The Fish Marketing Board deals with the fish in certain parts of northwestern Ontario, and Lake St. Clair is not included under the Fish Marketing Board's regulations.

Mr. T. P. Reid: By way of supplementary, I am still confused. Are the fish processors or the fishermen in southern Ontario receiving a payment from either level of government for the fish that are destroyed because of mercury contamination?

Hon. Mr. Brunelle: Mr. Speaker, the commercial fishermen in those areas of southern Ontario that I have announced in the House are eligible for loans, and those loans are presently being processed.

Mr. T. P. Reid: One further supplementary: Will this policy be extended to the commercial fishermen in northwestern Ontario?

Hon. Mr. Brunelle: Again, in northwestern Ontario, in those areas that I announced in the House where commercial fishing has been banned, loans are being advanced to those fishermen who make application.

Mr. Speaker: Does the member for Wentworth wish to ask his question now?

Mr. Deans: No, sir.

Mr. Speaker: The member for York South.

EXTENSION OF ONR TO PARRY SOUND

Mr. MacDonald: I have a question of the Minister of Mines and Northern Affairs.

Is there any substance to the report that is surfacing periodically now in the Parry Sound area that either the Ontario Northland Commission or the government is considering the proposition of extending the ONR through to Parry Sound?

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): It is a personal view only and it certainly has not been considered in any depth yet by the government, but I would certainly like to see the ONR services extended.

Mr. MacDonald: A supplementary: But has it not been considered by the government?

Hon. A. F. Lawrence: Not to any great degree of depth or research as yet, but I am working on it.

Mr. Speaker: The Minister of Energy and Resources Management has the answer to a question asked by the member for Yorkview (Mr. Young).

DUST FROM FERMAR CEMENT PLANT IN ETOBICOKE

Hon. G. A. Kerr (Minister of Energy and Resources Management): Yes, Mr. Speaker, the hon. member for Yorkview requested information regarding sources of air pollution at the Fermar cement plant on the Indian Line in Etobicoke. My answer is that a provincial officer has submitted the report and it has been served on the company under section 8 of The Air Pollution Control Act. From the company's attitude, it would appear that they are making every effort to meet the control requirements as outlined in the report. It is expected that control of the dust will be achieved by the end of next month.

Mr. Speaker: The member for Ottawa Centre.

PROTECTION FOR PEDESTRIANS AT CONSTRUCTION SITES

Mr. H. MacKenzie (Ottawa Centre): Mr. Speaker, a question of the Minister of Labour.

Are changes in building construction safety regulations proposed by his department to provide further protection for pedestrians as the result of the death of a pedestrian on October 15, 1970, in Ottawa at the corner of O'Connor and Sparks Street construction site? If so, how soon will these new regulations be drafted and promulgated? And has the minister received a report yet on exactly what happened at the time the pedestrian was killed? Did the report include any recommendations?

Hon. Mr. Bales: Mr. Speaker, this matter has not previously been drawn to my attention, but I will look into it. I would presume that there is probably going to be an inquest with reference to that matter, and if so, that would have to be held before there would be any recommendations.

Mr. Speaker: The member for Downsview.

POSSIBLE CONFLICT OF INTEREST FOR POLICE COMMISSIONER

Mr. Singer: Mr. Speaker, I have a question of the Attorney General:

Does the Attorney General have any concern about the fact that His Honour Judge Moore, who is a member of the Metropolitan Toronto Board of Police Commissioners, was called upon the other day to sit in judgement upon a member of the Metro-

politan Toronto Police force who was charged with stealing $147, particularly in view of the fact that Mr. Justice Charles Stewart of the Supreme Court of Ontario saw fit quite recently to say that Judge Moore was in conflict of interest when he was attempting to act as an arbitrator insofar as other police commissions were concerned when he was a police commissioner?

Hon. Mr. Wishart: Mr. Speaker, the two matters are quite distinctly separate. The case which came before Mr. Justice Stewart was one of a judge who sat on one police commission sitting in a position as arbitrator of another with respect to a matter of wages, working conditions, and so forth. This present case—and I read the editorial in the *Globe and Mail* this morning as I presume my hon. friend did—has to do with the matter of discipline of a member of the force of which Judge Moore is a member.

Those are the regulations and one of the procedures by which members of the force are disciplined, or at least questions of discipline are reviewed. I do not see that the two are at all related. It is one of the duties of the commission, or members of it, to examine matters of the police under their discipline.

Mr. Singer: Mr. Speaker, by way of supplementary: Surely the Attorney General must realize that Judge Moore has a dual capacity? One is to discipline as a member of the police commission and the other is to sit in his capacity as a criminal judge of the county court judges criminal court. And it was in the second capacity that his conflict becomes most obvious.

Mr. Speaker: Was that a question?

Mr. Singer: I said, surely does the Attorney General not realize that?

Hon. Mr. Wishart: I do not see it the same as my hon. friend, Mr. Speaker.

Mr. Speaker: The member for Thunder Bay.

CONDITION OF OVERPASSES QUESTIONED IN FATALITY

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, I have a question of the Minister of Transport.

Is the Minister of Transport aware that a fatality occurred on Highway 17, 13 miles west of Schrieber, as a result of the unsafe condition—the responsibility for which rests with his department and The Department of Highways—the unsafe condition of overpasses which have been left in that unsafe condition for the past six weeks?

Hon. I. Haskett (Minister of Transport): Mr. Speaker, I am not aware of the particular fatality to which the hon. member alludes. If he gives me particulars I would be glad to make inquiries respecting the nature of the collision.

Mr. Stokes: Supplementary: Is The Department of Transport made aware of accidents that have occurred as a result of an unsafe condition on major highways in the province, and does his department take steps to correct them, particularly conditions that have existed for as long as six weeks?

Hon. Mr. Haskett: Mr. Speaker, I am not able to give a clear answer to that question because I just do not understand where our responsibility comes in. If we are to look into every collision—

Mr. Stokes: Highway safety.

Hon. Mr. Haskett: —every collision and ascertain the nature of the condition of the vehicle and the length of time in which the vehicle was in an unsafe condition prior to the collision, I think I am in a difficult position to give an answer that is sensible.

Mr. Stokes: A final supplementary: If I give him the particulars, will he look into this unsafe condition that has resulted in a fatality and the condition which has existed for six weeks?

Hon. Mr. Haskett: Mr. Chairman, I undertook, in answer to the first question, to look into it and see if I can get some information on it.

Mr. Speaker: I may say to the Leader of the Opposition that the Minister of Mines and Northern Affairs advises me that the chairman of the ONR is prepared, if the leader wishes it, to answer a question asked by him the other day. The Leader of the Opposition wishes that answer, I presume?

Mr. Nixon: Yes.

SETTLEMENT REACHED WITH CNR POLICE UNION

Mr. A. Johnston (Parry Sound): Mr. Speaker, I am pleased to advise that the Canadian National Railways and their police union have now reached a settlement as of

Friday this week, and over the weekend we immediately got in touch with our local union and offered them the same settlement. I am very pleased to say that it is a very liberal settlement. In fact it is higher than our own police union were asking, namely, 14 per cent retroactive from January 1, 1970, a further seven per cent compounded as from July 1, and a further 3¾ per cent on July 1, 1971. We have, of course, been in touch with our police union and offered them the same settlement.

Mr. Speaker: The member for Essex South.

GAMMA-RADIATION TREATMENT OF SEWAGE

Mr. D. A. Paterson (Essex South): Mr. Speaker, a question of the Minister of Energy and Resources Management:

Will the minister intensify his experimentation into gamma-radiation treatment of sewage in view of the press announcement from Fisheating Creek, Florida, where the Florida Institute of Technology has been able to transform sewage into potable water through a nuclear sewage-disposal plant?

Hon. Mr. Kerr: Yes, Mr. Speaker, I am not sure if it was the hon. member, but somebody referred to that particular experiment last week, I think. At that time I indicated that, as a result of a conversation with representatives of OWRC, they are aware of this experiment and this research and are getting all the information.

Mr. Paterson: Yes, I wonder, as a supplementary, will the minister advise his people to give special attention toward the pulp and paper industry in view of this, to see if this will correct some of their problems in the far reaches of the province where this type of operation might work?

Mr. Speaker: The member for Yorkview.

BAN ON STUDDED TIRES

Mr. F. Young (Yorkview). A question of the hon. Minister of Transport, Mr. Speaker.

When will the report in respect to studded tires, upon which the ban was based, be released?

Hon. Mr. Haskett: Mr. Speaker, I think this has been available for some time. It was produced by my colleague the Minister of Highways (Mr. Gomme).

Mr. Young: A supplementary.

Mr. Speaker: The member for Yorkview has a supplementary?

Mr. Young: A supplementary: Has it been available to the public for some time? I have seen press reports about it, but I have not seen the actual report.

Hon. Mr. Haskett: Mr. Speaker, I would say yes, in answer to that supplementary question. It was amplified by one of the officials from The Department of Highways before the Canadian Good Roads Association convention meeting in Montreal about two weeks ago.

Mr. Speaker: The member for Rainy River a supplementary?

Mr. T. P. Reid: Mr. Speaker, a supplementary—I have the copies here, by the way: In view of some of the information in regard to studded tires, and the undertaking the minister gave me last week to discuss this with his colleague The Minister of Highways, has any consideration been given again to exempt northern Ontario, especially in view of the information on pages 6 and 7 of report RR165?

Hon. Mr. Haskett: Mr. Speaker, my recollection is rather different from that of the hon. member.

I think when he asked me the question about the relevance of the research to northern and northwestern Ontario, I suggested that he discuss it with the Minister of Highways, to ascertain that the research covered conditions that were germane to the area in which the member lived.

Mr. Speaker: A supplementary?

Mr. Braithwaite: Could the minister clarify the date that studded tires will be allowed to be used in Ontario this year?

Hon. Mr. Haskett: Mr. Speaker, the announcement made very clear that studded tires would be banned from the highways of Ontario following the 31st day of April, 1971.

Mr. Braithwaite: I meant the commencement.

Mr. B. Newman (Windsor-Walkerville): When can you first put them on?

Mr. Braithwaite: The commencement.

Hon. Mr. Haskett: I believe November 1 is the date of allowance.

Mr. Speaker: I am sure the minister did not mean the 31st day of April.

The member for Parkdale.

STAFFING OF OHC TO MAKE HOME VISITS

Mr. J. B. Trotter (Parkdale): Mr. Speaker, I have a question of the Minister of Trade and Development, if I can get his attention.

I was wondering if the minister could tell me if Ontario Housing Corporation in the Toronto area has hired more individuals to make home visits, as a result of having 22,000 applicants for subsidized housing?

Hon. S. J. Randall (Minister of Trade and Development): I do not know whether they have hired any lately, Mr. Speaker; they are up to the full staff that they can handle at 188 University Avenue, and at 170 University Avenue. But they will be moving to their new headquarters on Bloor Street, I hope by the end of November, and if more staff is required for that purpose, they have it in their budget to employ them.

Mr. Trotter: By way of a supplementary question: Could the minister give me the average waiting-time period there would be before one of these home visitors called on an applicant? I understand they wait months. Has the minister any idea how long the average is?

Hon. Mr. Randall: No, I do not have that information here, Mr. Speaker. I will be glad to get the details for the hon. member.

Hon. Mr. Haskett: Mr. Speaker, with respect to the reply I gave the hon. member for Etobicoke, if, when I gave the termination date for studded tires, it sounded like April 31, 1971, it should have sounded like April 30.

Mr. Speaker: The member for Cochrane South.

RETURN OF PORQUIS AIRPORT FROM OTTAWA TO PROVINCE

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I have a question of the Minister of Lands and Forests.

Can the minister explain why his department has not acted on a long-standing federal order-in-council which permits the return of the Porquis airport to the province of Ontario?

Hon. Mr. Brunelle: Mr. Speaker, I was not aware that we had not had this property returned by the federal government. My understanding is that this is Crown land; that at one time this was an airport—an emergency airport, especially during the last war—and, at the present time, this is still Crown land. We are prepared to co-operate with the local municipality or whichever body is interested in pursuing this. There is no problem as far as the jurisdiction of the land is concerned, we are certainly prepared to co-operate with the local municipality.

Mr. Ferrier: Then the minister will see that the municipality can purchase this piece of land and can proceed to upgrade it for an airport?

Hon. Mr. Brunelle: Mr. Speaker, we would be very pleased to enter into negotiations with the municipality in question and to be as helpful as possible.

Mr. Speaker: The member for Windsor-Walkerville.

CONTRACT TO BELLEVILLE FIRM FOR WINDSOR OHC PROJECT

Mr. B. Newman: Mr. Speaker, I have a question of the Minister of Trade and Development.

Will the minister explain why the landscape contract for the senior citizens' high-rise apartment on Ouellette Avenue in Windsor was given to the Quinte Landscapers from Belleville?

Hon. Mr. Randall: Mr. Speaker, I was advised by the housing corporation this morning that the employment of a subcontract is left to the general contractor, and we can only assume that the price and the work to be done from the Quinte company were acceptable and that is why they were hired. In all cases we try to get the contractor to hire local people for most of the jobs, and I would say that in many instances we are successful in doing that.

Mr. B. Newman: A supplementary of the minister, Mr. Speaker: Would the minister inform the House of the amount of the contract, the dollar value?

Hon. Mr. Randall: I do not have it here, Mr. Speaker; I will be glad to get it for the hon. member.

Mr. B. Newman: Thank you, Mr. Speaker.

Mr. Speaker: The member for Wentworth.

FATE OF EMPLOYEES IN CLOSING OF REEL PAK

Mr. Deans: Yes, Mr. Speaker, I have a question of the Minister of Labour.

Could the minister indicate what course of action he suggests the employees of Reel Pak —who were told on Friday afternoon that the company had gone bankrupt and did not have any money to pay their wages and therefore had closed down permanently—ought to follow, in the light of his refusal to proclaim the Act which would provide them with some sense of security?

Hon. Mr. Bales: Mr. Speaker, there is no refusal at all on my part to proclaim the Act. In reference to the employees there, I do not know the circumstances. The member says it was announced on Friday last; I will be obtaining a report, but I have not got it as yet.

Mr. Deans: May I continue by way of a supplementary question?

Mr. Speaker: The oral question period has now expired. I had given the hon. member an opportunity to ask that question earlier in the question period so that he would have had the opportunity of supplementaries.

Mr. Deans: I could not—

Mr. Speaker: I am sorry, but I had cut the member off from asking a supplementary and I though it only fair to allow him to ask it.

Petitions.

Presenting reports.

Hon. Mr. Welch presented the annual report for 1969 of the Ontario Hospital Services Commission.

Mr. Speaker: Motions.

Introduction of bills.

THE HIGHWAY TRAFFIC ACT

Hon. Mr. Haskett moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Haskett: Mr. Speaker, this deals with perfecting the vehicle accident loading terms employed in the amendments to The Highway Traffic Act that were approved last spring.

THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

Hon. Mr. Haskett moves first reading of bill intituled, An Act to amend The Motor Vehicle Accident Claims Act 1961-1962.

Motion agreed to; first reading of the bill.

Hon. Mr. Haskett: Mr. Speaker, the present amendments to The Motor Vehicle Accident Accident Claims Act result from the change made in The Highway Traffic Act last spring removing the need to file proof of financial responsibility.

THE FORESTRY ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Forestry Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, the purpose of this bill is to add a definition of "municipality" to the Act for the purpose of placing district and regional municipalites in the same position as other municipalities under the Act.

THE TREES ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Trees Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, the purpose of this bill is to add a definition of "county" to the Act for the purpose of giving district and regional municipalities the powers accounted under the Act.

THE PROVINCIAL LAND TAX ACT, 1961-1962

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Provincial Land Tax Act, 1961-1962.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: The purpose of this bill, Mr. Speaker, is to provide exemption from provincial land tax for machinery used for production of power for sale and facilities owned by school boards in territories without municipal organizations, in respect of which a grant had been made under The Community Tenders Act.

THE GASOLINE HANDLING ACT, 1968-1969

Hon. Mr. Bales moves first reading of bill intituled, An Act to amend The Gasoline Handling Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. Bales: Mr. Speaker, the responsibility for this was transferred to my department earlier in the session. This requires a simple amendment to the bill changing the name of the minister.

Mr. Speaker: Orders of the day.

Clerk of the House: The eighteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

ESTIMATES, DEPARTMENT OF FINANCIAL AND COMMERCIAL AFFAIRS

On vote 601:

Mr. Chairman: The estimates of The Department of Financial and Commercial Affairs. Does the Minister have an opening statement?

Hon. A. B. R. Lawrence (Minister of Financial Affairs): Yes, Mr. Chairman. It will be an informal and rather brief and broad-brush look at the department as seen from the limited experience that I have had in the department.

I think any remarks at this point should begin with a reference to my predecessor, the member for York West (Mr. Rowntree), who was the first minister of the department. He, with the government as a whole, some three years ago saw the need for this particular organizational form of a governmental department, and proceeded to carve it out, as it were, of the body of the Attorney General's department as an Adam's rib and develop what has turned out to be, in my opinion, a very appropriate administrative organism for the functions required of it.

The former minister's tenure of office saw also the development not only of an excellent administration but of a top-notch staff and, more importantly, a staff which in my experience could not be excelled for its enthusiasm and interest in hard work. I would suggest, the department itself is a monument to the member for York West's experience, his particular skills and again in his case, his own hard work.

I think my coming into this portfolio marks also a time when there would naturally be expected, after the organizational period, a certain shift in attitude or emphasis, and by this I direct the House's attention to something that is probably obvious to all of us, that in the last few years, the last few months, and more importantly in the months and years ahead, we are going to see the phenomenon known as consumerism have its impact felt specifically by this department. I think that even in relation to non-consumer—in a technical, grammatical sense—activity, such as the stock market or the insurance industry or even in the corporate field, we see a greater interest in the consumer.

Those in the consumer branch itself, I would suggest, Mr. Chairman, will also see increasing public interest, public activity, political activity, governmental activity, relating to the pressures that are building up in our people in relation to consumerism. Of the four parts of the department—the companies branch, insurance, securites, and consumer—I would suggest, Mr. Chairman, that the first three will hold relatively steady insofar as expenditures are concerned and insofar as new programmes are concerned. However, I would suggest that we should all be prepared to see expanded activity and expanded cost involved in servicing that one branch—consumer affairs.

Consumer affairs divides itself into consumer protection and basically the other side is consumer education. Here, although there will be continuing incremental increases in cost in relation to consumer protection, I think where the thrust will have to be and where pressure will be felt, not only on the department from members of this House but from the press and from the public at large, will be in the field of consumer education. It is my hope that in the future we will be able to establish within the department a director of consumer education as a distinct responsibility.

We have started planning our consumer education caravan programme. It is experimental—it will not be on the road presumably for a couple of months—but it will give us not only a tremendous experience in dealing with consumers at the grass roots level, but it will also be part of the total consumer educational exercise.

Some time next year I would hope that, under the auspices of the government and under this department's exercise of function, we could put together a conference in this province, not a large one, but a very tightly drawn conference of experts, to try to develop

an overall pattern, an overall approach, to the question of consumer education.

The more one looks at the field in the Province of Ontario the more one sees of the new interest in the commercial field, in the wholesale marketing field, in the educational field itself, in the purely academic field, in relation to this subject of consumer education, the more one is convinced that not only will we need a director and a lot of administrative thrust, but we will also need to try, in some way or other, to pool all these activities, all these exercises of energy and interest, into some kind of pattern under the auspices of, and with the assistance of, The Department of Financial and Commercial Affairs.

A somewhat newer activity of this department that I would suggest will be expanding, is the use of minister's committees, as I call them, for filling in the research and broadening the knowledge of the department and its minister in relation to the very many technical subjects that keep coming forward.

We have had a ministerial committee, or an internal committee, studying mergers; we have set up one in relation to franchises, pyramid selling and referred sales. A few weeks ago I announced another ministerial committee in relation to insurance claims and their settlement within this province. I soon hope to be able to announce to the House the establishment of another ministerial committee studying the question of entrance standards, qualifications, and in some way looking for some rationale, or rationalism, in the field of qualifications for insurance agents and brokers, security salesmen and brokers, and real estate salesmen and brokers.

I do not know what is involved but as a minister, and as a department, I think we need to have a good look at what I described as the commercial professions and see if, as I suggested, there can be greater rationalism in their standards and educational training.

Beyond that, a significant and increasingly important role which the department must play, is to ensure that it acts adequately and flexibly as an appropriate liaison body with other branches of government under the impact of consumer matters and consumer activities. In this regard I speak to the fact that although there are certain differences in principle involved in the approach to consumer problems at the federal level and at the provincial level which are essentially constitutional in relation to our different jurisdictions, for my part I will certainly endeavour to keep any matters of personal pique or jurisdictional aggrandisement out of the situation.

I can say from experience that at the administrative level the federal Department of Consumer and Corporate Affairs and this department work very closely at the lowest level of complaint right up to the level where Mr. Basford and myself discuss our future purposes and ideas.

The department itself, again in a liaison capacity, will have to work very closely with industry in relation to matters of self discipline of industry and other branches of commerce. It will, indeed, have to continue its close liaison with the Consumers' Association in this province and throughout Canada. I mentioned the need for liaison with other departments. The Department of Agriculture and Food, for instance, and The Department of Health, are typical of those departments which must be kept in close contact with our activities and policies.

Next month, on November 26, as some of you may have read in the press, I am convening a conference here in Toronto of all provincial ministers to attend meetings concerning consumer affairs—their laws, our laws. It will be a two-day think-in and talk-in in relation to comparative legislation and problems at the policymaking level.

All provinces are sending a minister with a backup team of experts and the federal government is sending down its senior officials, Mr. Basford being otherwise occupied on the days in question. That will be useful, I think, and as I mentioned earlier, we can collect our thinking; to avoid any futile exercise, I would very much like to see a consumers' educational conference early next year.

So those, Mr. Chairman, as I said, in a broad-brush way are the things that are upon my mind and in the works at the policy level in the department. With the assistance of my experts I am now prepared to discuss the estimates.

Mr. D. M. Deacon (York Centre): Mr. Chairman, in the unavoidable absence of my colleague from Sudbury (Mr. Sopha), who has been detained, I am pleased to take this opportunity to congratulate the minister on his appointment during the past year. Those of us who served with him on the select committee on taxation wondered why it was his talents were being ignored, apparently, from for the office of cabinet post for so long, and we were not at all surprised, in a very key role like this, to find him now in the position of being the minister.

During the past year I have had occasion to deal not only with him but other members of his staff, and I find the whole organization

one that is very helpful to me as I try to carry out my responsibilities for constituents and others who approach me in connection with matters of the department.

Mr. Chairman, there are a few areas I would like to comment on where I feel there is not action being taken in the way I think it should be taken in a province which is the key to the financial core or heart of the country, where our leadership and our activities are taken as examples across the country.

Particularly, I am concerned about the lack of action with regard to either the organization of a Canadian Securities Commission, which is of a type conceived by a former chairman of the Ontario Securities Commission, or the formation of a National Securities Commission. CANSEC sounds fine; it is the type of organization in which we are not building up a huge central hierarchy in Ottawa, but which is based upon all the provinces agreeing to either accept the findings of other provinces for an approval of issues, or in any event working to a common standard of rules so that the security issuers do not have to have approvals from 11 different jurisdictions, or 10 different jurisdictions.

Canada has a tremendous potential of new investment money available to it from within the country itself. The last issue, I notice, of the Toronto Stock Exchange, in the 1969 annual review of the equities market and economy, indicated that $15 billion would be available for investment in this country during the next five or six years. That is a fantastic amount of money to come into the capital markets; and it is because this money faces such hurdles and awkward regulations in finding its way into the marketplace that we are, I am sure, finding many of our industries now selling out in increasing numbers to foreigners who have the ready cash. In selling to them, they do not have to go through the complicated procedures of clearances found in our security regulations in Canada.

I think the minister has to recognize that the investing public is gradually saying, "A plague on both your Houses": Ottawa for not having agreed to CANSEC; and the provinces for not having yet resolved their own differences so they can go to Ottawa and say, "We have agreed to this, will you fellows work with us and help us co-ordinate it?"

I do not think that we can sit around any longer. We have been talking about this for several years, and certainly we do not believe that any national securities commission or any CANSEC is going to automatically mean bad methods will no further occur on the securities market; but at least we can help prevent, by a unified system across Canada, a large variation in standards and also greatly improve the ability of issuers to get into the security market and get their investment funds for development.

I believe this province, as the lead province, must set a deadline and must say on behalf of its people to the other provinces: "If we cannot come together by a given date on what we are prepared to do and accept that it is a good, feasible way so that the security issuers have to get only one clearance, then we in Ontario are going to go to Ottawa and ask them to form a national securities commission."

It is time we stopped hesitating and fiddling around with the matter. If we continue to do this we are going to lose a great opportunity to channel funds into Canadian enterprises and we will find that a good portion of this $15 billion will head into the American market, as it has in the past several years.

The second point I want to cover, Mr. Chairman, is my concern over the general role that the Ontario Securities Commission takes with regard to the offers by those outside our jurisdiction to Canadian or Ontario shareholders. I think in particular of the offer by Nytronics to the American Corporation for Radio Engineering, where there seems to be no action taken by the Ontario Securities Commission, when it was contacted by shareholders of Radio Engineering, to see that they had full and complete data available to them, that there was a proper offer and that the normal requirements of our securities commission were adhered to by those who were offering this security to us in Ontario.

When we have a Canadian company that is going to make an offer for an American company and offer the shares of a Canadian security, or any securities of a Canadian company as payment, then we have to get approval from the securities and exchange commission in the United States. They protect the American shareholder from outsiders coming in and making offers which do not have all the complete information, which do not have up-to-date disclosure of what the full situation is.

It is indeed a tragedy, that our own Canadian shareholders—and particularly in Radio Engineering—despite many attempts to obtain the protection of the Ontario Securities Commission were unable to do so. Surely this securities commission should be responsible and assume the responsibility to see that any

offers that are made by outside corporations meet the same requirements that they would have to meet if they were an internal company making an offer within the jurisdiction of the Ontario Securities Commission here in Ontario.

I think in particular of a letter that was sent on July 14 to the chairman of the securities commission by a Calvin C. Potter, who is the chairman of the department of finance of Sir George Williams University. He was quite concerned about the serious defect that remains in protection accorded the small shareholders. He was able, by taking his own action on behalf of the small shareholders to the courts, to protect them from virtual confiscation in a deal; but he expresses his concern that the securities commission stayed out of this whole matter completely and seemed to take no action to be sure the ordinary shareholder was protected.

I suggest, Mr. Chairman, that this new minister should see that our securities commission affords our residents in this province and our investors in this province, at least the equivalent protection they would receive if they were under the jurisdiction of the Securities and Exchange Commission in the United States.

Mr. Chairman, in further comment on the role of the Ontario Securities Commission, I am concerned about what action they can take to really make takeover legislation effective.

I remember well when Levy Industries sold their control to the Seaway people. They were able to get cash and a subsequent offer was made in securities for the balance of the shares. I remember the same situation happening in other takeovers. Canadian Breweries was another one. Recently there was the Atlantic takeover where in one case the controlling group got cash and later on there had to be a different form of offer made.

What is the securities commission able to do to ensure that the minority shareholders who do not get in on the first action are as well off later on? Is it possible to turn back the deal if a takeover occurs? I suppose this is not possible until the government of Canada takes a little different role in this whole matter of takeovers, because perhaps there will be companies under federal jurisdiction that make offers that we will have no opportunity to deal with and on which we will have no opportunity to correct any move which they make which does not fulfill the normal requirements we would think necessary to protect shareholders. This matter I am sure we will get into later on in the area of the Ontario Securities Commission.

I was interested in the minister's comments on consumerism, the term he used in reference to that very important matter in the life of our province. I like the suggestion that somebody made regarding changing the name of credit cards to debt cards so that people become a little more aware what they really are. They are not just a one way street to buying a product easily, there is the other side of the street where the debts must be repaid.

I was pleased to hear of the ministerial committee that he is forming to look into the various aspects and problems that are coming up. I suggest to the minister there is a role in which I think he should be involving members of this Legislature. I think there is an area in which a select committee could work in order that we, as members of the House, members of this Legislature, could be much more aware of what experts have to say in these various matters. I do not think it is a good idea to set up these committees that are made up purely, not only of appointed officials from within the department and from other departments, but from outside, and do not involve members of the Legislature at the same time.

If a select committee were appointed to tackle some of these matters, it would get a great deal of benefit from some of the problems we are dealing with. I think that the political experience and approach should not be ignored by the minister in his efforts to find answers to these many problems of consumerism.

I am pleased that he is endeavouring to work out some co-ordination with the other provinces in this area, and I congratulate him in his attempts to see that the standards across the country in the fields of the provincial jurisdiction will be much more uniform in the future.

Mr. Chairman: Do we have a speaker from the New Democratic Party?

I recognize the hon. member for Wentworth.

Mr. I. Deans (Wentworth): Thank you, Mr. Chairman. In dealing with the estimates of this department, I cannot help but think that little has occurred in the three years that I have been in the House to bring it into line with what the obvious needs of the consumers of this province are. The department does not appear to be able to come to grips, or at least has shown an unwillingness in coming to grips, with the actual consumer

problems, even though The Consumer Protection Bureau Act is in force and taken care of by this department.

I cannot help thinking that we have so often come across the problems, when we talk of consumer protection and protecting the consumer of the jurisdictional argument. So often we have heard in this House that the recognition of the validity of the points being raised in regard to protecting the consumer, and such things as child safety and other areas including the continuing rise in the cost of living, falls within federal jurisdiction and there is nothing that can be done by this department to assist. It seems to me, as I view the function of the department, that if we do not have the jurisdiction, it is not because of any constitutional problem, it is basically because we do not want to exercise any jurisdiction. In many of the areas, we could, if we wished, move in and take some action on behalf of the consumers of this province, but we have failed to do so, time after time after time.

The government has been very quick in its pronouncements in denouncing the wage increases in the Province of Ontario, and yet it has failed to come to grips with the problems of inflation. We represent a very sizable portion of the total population of Canada; we represent the largest economic area; we represent the area in which the majority of the financing, and in which the majority of the manufacturing is done. Yet, as a government representing the people of this province, there seems to be little attempt being made to come to grips with the obviously inflationary spirals that are taking place.

This government, like most governments, has tended to put the finger on wage increases every time there is a question asked in this House in regard to the increasing cost of living. This government has failed in almost every respect to come to grips with the difficulties of unemployment, as they can be compared or attached to the areas of price spiral and wage increases. I want to say to the minister that in order to make his department functional, in order to try to bring it into line with the obvious needs of the people of this province, he has got to get away from the jurisdictional problems.

I heard him mentioning in his lead-off speech that he was not going to use jurisdiction as the argument, or at least the major argument, against coming to grips with difficulties. It seems now that, since he has made that kind of indication, we should be stepping into the fields that the previous minister and other ministers of the Crown shunted off into federal responsibility.

We should be coming to grips with matters such as inflation as it affects the people of the Province of Ontario. We should be coming to grips with matters such as inadequate or misleading advertising, as it affects the people of the Province of Ontario. We should be coming to grips with the problems of safety, as it affects the consumers of Ontario, rather than waiting for the federal government to do something. It seems that we are always too willing and too eager to sit back and blame someone else for the problems that we encounter in our day-to-day lives.

I want to say to the minister that the arguments that have been made by his government in regard to the effect of wage increases on the economic spiral of Canada, and in particular, of Ontario, are not borne out in most instances by the facts. If this government had been prepared to move into the area of a discriminate price review, some years ago when we in the opposition were bringing it to their attention as a necessity, I am sure that the inflationary spiral would have been at least to some degree slowed down. If we in Ontario can come to grips with it, it will have a tremendous effect on the entire country, and if we in Ontario can come to grips with it, then the benefits that we are able to bring to our people will spread to every other person right across this country.

It is necessary for the minister to come to grips with these now, and if he has not already got the power, acquire the power. It is not too late and it is not borne out by the fact that the federal government is the only agent capable of dealing with inflation. I do not think that the Province of Ontario has lived up to its responsibilities to the people over whom it has jurisdiction. I say to the minister that his department must be broadened, that the scope of the department must be broadened, so that we can have within it the kind of testing and the kind of regulatory agencies, whether they are mandatory regulations or whether it is simply by some method of persuasion, in order that we can deal with price increases now.

People have continuously raised the problems of inflation. People have been crying across this country for the last five years about the inflationary spirals, and yet little, if anything, has been done by the Province of Ontario on its own hook. I hope to see some broadening of the minister's responsibilities in those areas.

I do want to talk to him, though, about four things. I want to talk to him, first of all, about the need to move much more quickly into the area of protection for children, as it affects the consumer protection area. For the last two years I have been asking the government to take steps to make mandatory the use of child-proof drug containers. I have asked the ministry time after time—not this particular minister, but his predecessor and the Minister of Health (Mr. Wells)—to take the necessary steps to make sure that the number of accidental poisonings of children in this province is reduced to a point where we can at least find it acceptable.

The information that I have indicates to me that in areas where they have made mandatory the use of child-proof containers, accidental poisoning in children has been reduced by 90 per cent. There can be no more impressive facts than those. Whether it should be extended beyond the area of simply pharmaceuticals, or whether it be used in the entire area of poisonous substances is something which I suppose we could debate.

But I do believe that this minister through his consumer protection department must introduce legislation now in order to cut down on the number of children who die or who are made ill because of inadvertence or because of their inability to comprehend the substances that are contained in the bottles that they are using.

I think that it is absolutely necessary. I say to you that the Ontario Association of Control of Accidental Poisoning has also written to the government on this matter and has asked that it take action immediately. The Ontario Association of Children's Aid Societies has done the same thing. It has written to the ministers and has asked them to introduce this kind of legislation now before it is too late. Every day that you delay means any number of children are made sick and dying because of accidental poisoning. It is within your jurisdiction; for goodness sake, act on it.

I want then to deal with two matters, one that I have raised with the minister previously, and one that I have not. I spoke with the minister in the late summer about some problems which were confronting former managers of a major milk chain in Ontario. I brought to his attention that there was a good number, perhaps numbering into the hundreds, of former managers that had been released without what had appeared to be an adequate consideration. These people had been working for this major chain, Becker's. They had been working on the basis of being a manager of the chain and they had been forced or requested or required—I suppose required is the proper word—to put up a $1,000-bond in order to guarantee that there would be no loss of inventory or no pilferage.

In every case that I can find—and I have dealt now with 60 or 70 of them and there are many others that I have not been able to reach—after they they been there for a short period of time, there had then been an inventory taken; the inventory had shown a loss and they had been fired. It seems, as I look over the Becker operation, that they must surely average close to three managers a year per store. There are over 300 operations in Ontario alone, and there are three per store—it may only be two, but, regardless, I would guess at this point, from what I have been able to see they would run at about three. That means that there is at least $1,000 per manager per store passing into the hands of Becker's.

Mr. R. Gisborn (Hamilton East): That is how they make their profit.

Mr. Deans: There is something drastically wrong with this operation and I want to go through it with the minister how they do it. To begin with, when Becker's advertise for managers, it says they do not require experience. In fact, to the contrary, they are more likely to hire an inexperienced person than an experienced person. There is a training period. The company claims it is six weeks but in speaking to all of the people that I have spoken to individually, I find that the training period has rarely exceeded two weeks —one week training in a school and one week training on the job. In other words, they are under the supervision of an existing manager for a week.

At the time that they take over the store, an inventory is taken. If you are familiar with a $12,000 operation—an operation with perhaps $12,000 worth of stock—you will appreciate how ludicrous the inventory is. Each of the managers I have spoken to tells me the inventory takes between 45 minutes and an hour and 15 minutes; that a team of people comes in; that they take the inventory while the store is open; that the manager has no opportunity to accompany them; that it is against the company policy to allow the manager to call in his own inventory group. Therefore, he is unable to determine accurately whether the inventory that is being taken is indeed an accurate reflection of the inventory that is in the store.

At that point we stop for a moment because I think the minister would surely agree that in order to take a proper first inventory, at least on the initial day— Day 1—it should be a complete inventory taken when the store is closed, but this is not the case. It should be taken with the manager being a part of the inventory group, and he should be able to check it out against the actual contents of the store at the time he took it over. This is not what happens. Therefore, he receives, maybe a month after he started, a copy of the first inventory; he gets it sent to him and this is one month later. It is pretty difficult at that point to check what is in the store and balance it off against what they tell you should be there since four weeks or even longer have already elapsed.

That is the first flaw in the process. From that point on, inventories are taken at about 30-day intervals. In every instance they are taken while the store is open. In every instance they are taken without the manager being part of it; obviously without him being a part of it because he has to take care of the customers that are in the store. In every instance he receives a report, but the report is meaningless, because you cannot tie the report he is getting to what he knew to be in the store when he first started.

Let me give you an example of what happened with one couple. There was a man inventoried out of a store because of a shortage of—I am guessing at the moment but the figure does not really matter—we will say $500. I cannot remember exactly the figure. He is inventoried out; he is $500 short and they take the $500 out of his deposit. The next couple comes in and the following month that inventory shows $500 over, but there is no attempt made to reimburse the guy in the first place.

Within four months this couple who had the $500—and I use that figure loosely, because I do not want to mislead anyone—or had a substantial amount of money over, have gone from a position of an excess of $500 to a deficit of $400 or $500. It makes no sense, and time after time, in store after store after store, this occurs. In one store in particular there were three managers in a six-month period; each one was inventoried out, each time losing his deposit and all the commissions and wages that were owing to him.

The company say and they are absolutely right—they wrote me a letter and trust the minister should deal with it—they say to me that if I want to hire some chartered accountants, they will make their records open to me. But the records are meaningless, because the basis for everything that is done is on an inventory that takes about an hour to complete, and an inventory that does not accurately count what is in the store, but makes a guess. There is something drastically wrong with this operation.

There is something wrong with an operation that can have so many people passing through it. There is something wrong with an operation that can have three managers a year on average. There is something wrong with a company that does not recognize that when it is making $1,000 per manager, three managers a store, 300 stores a year, there is something wrong with the manner in which it operates. Not everyone is dishonest, and they surely cannot have a corner on all the dishonesty? Surely they do not think that everyone they happen to hire falls into the category of being less than honest, or not dealing with them fairly?

The whole operation from beginning to end has something wrong with it. I ask the minister if he would meet with these people in order that he could hear them because the story that I am telling you is a story that any number could tell. Bring them all if you want; they will all tell you the same thing.

A man starts out in a store with a clean bill of health; a month later he is $30 over. Okay, fine, so $30 is not very much; within six months, he will be $300 or $400 over. Within 12 months, he is $1,400 in the hole, and he is inventoried out. One man tells me about opening a brand new store and when inventory was taken the following week he was over $300 ahead; the store opened with the inventory in it, and within three weeks the man was hundreds of dollars ahead in his inventory. There is something wrong with the system.

Mr. Gisborn: It is a legal racket allowed by this government.

Mr. Deans: I ask the minister to call these people before his committee and let us get to the bottom of it. It is bound to affect the consumer in this province. It certainly has affected the integrity of the people who have been involved in the operations, many of whom now tell me they have had difficulty getting other jobs because their honesty is being questioned.

What does it serve a man to steal $600 from his employer when he has $1,000 bond, and he knows he is going to lose it? It just makes no sense. I ask the minister, please with all haste, to make arrangements for these people to appear before the committee, and

make arrangements for Becker's to appear also so that we can get to the bottom of what is obviously an intolerable situation. If I am wrong, fine. If every one of them turns out to be a thief, then I will be surprised. Frankly, having met and spoken with them, I believe them all to be honest. I believe they all went into it with the intention of doing a good job and I think that they have worked hard. The hours are long, the risks are many, but the company obviously has the upper hand in every circumstance. There is no way that these people can gain and there is no way that they can rob them; there is no possible way they can rob the company. There is something wrong with the inventory process that is being carried out. I cannot put my finger on it but it is there and I hope that through an investigation we can get to the bottom of it.

I want to deal with another situation, not unlike the last. Before finishing that, I would like to say to the minister that there is much more, but time is so precious in these estimates that I do not want to take all of the time of the House in documenting case after case with letters. I think he would appreciate the difficulty I am having with it.

I want to turn to another similar circumstance because I think this is even worse. I wonder if the minister is familiar with an operation called Eldorado Products? They are located at 102 Eglinton Avenue East in Toronto and I understand now they are no longer in business. I want to outline to you the kind of things that were happening here. Here was a company which was supposedly in the business of supplying pizza pie supplies, a very necessary business I am sure. Anyway, the manner of operation was very strange. They had an operation in Hamilton, and their operation was a store-front operation, at 1069 Barton Street East in Hamilton, and they advertised for people to take franchises with them to supply pizza accessories—the shells, and all the things that go into making pizzas—to outlets for retail sales.

Well, that is fine. That is perfectly legitimate, and no one questions the right of a company to do that. It is the manner in which it is done that bothers me. Here is the store-front operation, and a man applies to go into business. He arrives down at 1069 Barton Street East and he talks to them about going into business, the business of supplying pizza equipment and the like, and while he is there a fellow comes in who just happens to be the manager of a fairly well-known finance outfit, who sits down in the office of the Eldorado Pizza Company, and who signs these people to a promissory note for the downpayment necessary to go into business.

He signs them to the promissory note without a witness—all by himself; no witness, no nothing. Now, then, they wait, and they wait. They have signed the promissory note for in excess of $800, but they do not mind because indications are that they will be able to make enough money from the distribution of this stuff to be able to pay it back, and it is well known that lots of people borrow money to go into business. So they wait, and they wait, and they wait, and nothing happens. So they write to Eldorado. Still nothing happens, and they write again to Eldorado, and nothing happens. Finally—and this is months later—they get a letter from Eldorado, and it says—let me read it to you:

> As you probably know by now, we have closed our Hamilton office, However, we have made arrangement for you to obtain pizzas, etc., from Dominion Equipment Services, of 1078 Barton Street East, Suite 218. We must emphasize at this point that all queries with reference to your site, etc. or any other problems that arise must be referred to this office. Do not call Dominion Equipment for any reason other than the ordering of food. If you have any questions or problems, please do not hesitate to contact us.

Okay. So they contact Dominion—and they cannot help them. They really do not know much about it. They cannot give them a hand at all. In the meantime, Associates Finance—those "good people to know," you have heard of them—they are saying to them, "How about paying the money you owe us on the promissory note?" They are the people Red Kelly is always telling us about on television. The good people. They are getting hold of these people every day and they are saying, "Come on, come on, let's pay your money up, eh?"

The fact that they were there and they ought to have investigated the operation to find out how stable it was, is not mentioned. Apparently they do not realize that they too are involved in this thing. They do not accept any responsibility. They are quite prepared just to sit back and claim their money. Well, I am going to tell you, this goes on and on and on. Eventually we find out Eldorado is no longer in business. They have gone out of business.

So, who is left holding the bag? Not Eldorado. They got their money. Not the finance company, because they can sue. The guy left holding the bag is the guy who went

into business, checked it out, found that there were branches—branches in Sherbrooke, Quebec, head office on Eglinton Avenue in Toronto, a branch in Hamilton. It looks like a pretty reputable organization.

I wonder, Mr. Minister, I ask you, is it right that a manager of a finance company should carry on a business in the office of a company other than his own? Is it right that he should be sitting down there signing people to promissory notes? Is it right that Associates Finance should now be hounding these people for the money, since they surely must have had some obligation before lending the money to check out how stable the source or at least how stable the company that was involved really was?

There is something wrong, and if those are "good people to know" then I would hate like the devil to meet the bad ones. It worries me, and as I told you before, I have raised questions in the House about this financing and these companies that are engaged in the financing business, and far be it for me to suggest that they are not entirely scrupulous, but let me tell you, I am not at all satisfied with the way this one was handled.

There is something wrong, and I hope—and this is a fairly recent case, I have not had a chance to bring this to the minister's attention but I am bringing it to his attention now—I would hope that the minister takes it upon himself to get together with these people and to find out what it is that makes them believe that they should be collecting from people when they were actually involved in the initial stages in enticing them into the business.

There is a lot more to say about that. The truth of the matter is that the whole operation stinks. And if these people propose to make those payments then there is something wrong with the manner in which government protects the consumer and there is something wrong with the law as it applies to the lending institutions.

I do not like it and I do not think you do either. I want to say finally to you, and then we can deal with the estimates, that in the area of advertising—and it is tied directly into this operation—I said in this House some time ago that I resented people who had gained their reputation in another area—hockey players, singers, entertainers, football players—I resented them using their well-earned (in most instances, at least) credits, using the kind of faith that people have placed in them to sell products such as loans.

I did not care whether they sold chewing gum—whether they said, "We all chew Wrigley's," or, "We all chew Beechnut," or something else; that did not bother me. I did not even care too much whether they all ate porridge in the morning, but I think we have got to draw the line at having a man who stops pucks well, or who throws footballs with some degree of proficiency, or who drives racing cars better than anyone else, telling people that they should be going here, there or anywhere else to borrow money. It is a bad business.

Mr. V. M. Singer (Downsview): Where do you start the censorship?

Mr. Deans: If you do not agree with it, get up and say so.

Mr. Singer: A little bit of censorship is all right.

Mr. Deans: I am interested in the member for Downsview, he obviously does not agree. I think that when it is simply—

Mr. Singer: No, I do not agree with censorship.

Mr. Deans: —a matter of selling some 65- or 70-cent product as opposed to enticing people to go into debt—simply—

Mr. Singer: How about selling an automobile? That is a pretty good debt.

Mr. Deans: I said that before. We can go on, the member may have a—

Mr. Singer: That is more than 65 or 75 cents.

Mr. Deans: —valid point in some instances. There are other things. I happen to be primarily concerned with anything that gets a person into debt—I think I made that clear—but I am particularly concerned about finance institutions.

I do not think that we should be allowing the good name of a person earned in a field other than the field in which he is trying to make the sale, to be used as an enticement for people who have faith in him to go to that particular place. If he wants to get up and say that, "I borrowed $10,000 and there is the proof and I paid it back and there were no problems, and this is the interest rate and what not and so on," fine.

But, if he is going to get up and say: "Hi there, I am Red Kelly. I am a great guy to know and you all remember me, you all remember how well I used to play for the

Leafs and before that Detroit, and how terrific a manager I am down in Los Angeles. Now I have moved, and because you know me well and can trust me as a hockey player, you should be borrowing your money at Associates." When people taking his advice, perhaps, go there and find that they are being cheated, then it is time we got to the root of it and put a stop to it.

Mr. Minister, I do not think your department goes nearly far enough—

Mr. Singer: Sales ability of bank presidents in these advertisements.

Mr. Deans: —I do not think it is involved enough in normal everyday consumer problems.

I sat in on Saturday, all day, on a consumer affairs forum. I listened to the views of the people who were there. I want to say to you, and I will say it later in this House, that your attitude toward the use of unsolicited credit cards, the government's attitude toward the advertising as I outlined it to you, the government's attitude toward these kinds of practices is not nearly concerned enough. You have got to become more involved.

If we are going to protect the consumer, then let us protect him and let us do something worthwhile in the process. Thank you.

Mr. Chairman: The hon. minister.

Hon. A. B. R. Lawrence: Perhaps it might be useful if I were to comment while the matters are in the minds of the members.

With regard to the remarks of the member for York Centre, I think we should avoid confusion there with regard to the national securities question, which has been, of course, kicking around for a number of years. The Province of Ontario, the Ontario Securities Commission and this department have, as I understand it, consistently supported the Cansec proposals. The Cansec proposals were not adopted at the federal level. Counter proposals were made there, and counter proposals from this department were made. Finally, it was only a month ago, I think, I was up in Ottawa for the federal-provincial conference, and my opposite number at that level came forward with a proposal that would have put the federal government's jurisdiction into the securities field on the basis of geography. Namely, that the federal government would take jurisdiction over all transactions in relation to securities where the transaction involved the crossing of a provincial boundary.

Insofar as Ontario is concerned, that would mean not a question of co-operation; it would mean, I would expect, to take over jurisdiction of over 85 per cent of the transactions—and my friend will know more about this from his knowledge of the market—but probably 85 or 90 per cent of the volume of the transactions concerning this province. That is an extreme position, I think, because not only does it pre-empt, from the point of view of this province, most of the total field but it leaves, of course, unanswered the 10 to 15 per cent of transactions that we have to cover with securities commission for ourselves. We still then have two securities commissions.

The second thing that they have not been able to answer—and it was certainly not answered by the federal government pre-empting virtually the whole field—is the real difference that is to be found in the needs of the Ontario money market, the needs of the Ontario industrialist and the needs of the Ontario commercial society generally, which are different, without doubt, from those of British Columbia, where they have different purposes, different attitudes and different policies. BC quite clearly states that it is distinct from our market. They are much more concerned with allowing freedom of investment in more highly speculative issues.

We know also that when we come to Alberta, their expertise in relation to their own particular resource market raises questions of policy that are not necessarily the same as those which concern us here in our general and highly sophisticated commercial market. We also see that the policies of the Province of Quebec today differ greatly from those of other provinces insofar as the search for capital funds is concerned, and sources to be looked at.

Although we have had a concrete proposal that I think makes a great deal of sense in Cansec, at the moment we are really hung up with, I would suggest, too far-reaching a counter proposal from the federal government at this point. It can be worked out, and I hope it will be worked out, but it cannot be worked out if the federal government simply takes the position that it should pre-empt the total function.

Insofar as the mention that was made in regard to radio engineering, my understanding is that that particular firm complied and is, by law, required to comply with exactly the same requirements, disciplines, filings and disclosure as an Ontario company doing the same things; or Ontario stock or bond securities issuers would do in the same circumstances. So far as takeovers are concerned, as

I think the member for York Centre knows, we have had a merger study. We have had reports, I think, that are pertinent to select committees on company law under the banner of full, true and plain disclosure.

I can assure the House that we will soon be bringing forward legislation which expands the requirements as to a full, true and plain disclosure insofar as they are particularly pertinent in relation to takeovers and mergers. Beyond that, I think we all must sympathize with the minority shareholders; and yet it seems to me that no one in any jurisdiction in North America—or that I have heard of anywhere—has been able to satisfactorily rationalize the problem of control—persons indeed having control and the minority shareholder, of course, being left with a lack of the power that goes to majority control.

I understand there have been different efforts made in different jurisdictions in the world, but I have never heard of an enthusiastic report suggesting a pattern of control over control persons other than through full, true and plain disclosure that, in fact, works.

With regard to credit cards, perhaps it is something we will have to go into more fully that the pending legislation does. We are very concerned with it. As a matter of fact, intriguingly enough, it was in the credit card field that we opened some new lines in our consumer education programme last summer by having retained high school students to produce an animated coloured movie on credit cards. If you have seen it, it is an attractive and very impressive little movie, —impressive certainly to young people who might watch it—dealing with the fact that they are debt cards and that they are extremely dangerous in the hands of the careless or the ignorant.

Mr. J. Renwick (Riverdale): Have you turned yours in?

Hon. A. B. R. Lawrence: I keep one credit card—two credit cards. Under the new legislation, of course, you will be able to toss the credit cards away unsigned and not worry about them. That is some advance and we will have to wait and see what effect it has on the industry.

I will certainly take under consideration the question raised by the member for York Centre with regard to a select committee on consumer affairs. One of the reasons for the ministerial committees, in my point of view, is that by the time a select committee gets cranked up, gets into operation, puts in an interim report and has its final report, there is a tendency for the committee to lose momentum, or at least take a great deal of time.

Mr. Deacon: Take a page out of the Minister of Revenue's book.

Hon. J. H. White (Minister of Revenue): Thank you.

Hon. A. B. R. Lawrence: Yes, that was quite a select committee. There has never been one with such a pressure-cooked operation.

Mr. Deacon: Maybe that is the way it should be done.

Hon. A. B. R. Lawrence: But you have to find a couple of months and people who are willing to do it. I am not casting it aside—maybe a select committee with an arbitrary time and deliberations is what we should have—but at the moment one reason for these ministerial committees is that I can tell the chairman I want an answer in four months or six months, there is no great paraphernalia, the cost is relatively small, there is a great deal of flexibility and it has many advantages. But I am not suggesting to the member for York Centre that the door is closed on his suggestion as to the appointment of a select committee on consumer affairs.

With regard to the remarks of the member for Wentworth, the question of jurisdiction is a very real one; our responsibility in the field of consumer protection is real. But as I have said in this House a number of times before, to the extent that the federal government is indeed doing a good job in the fields of food and drugs, hazardous products, toys and other dangerous articles of commerce are concerned, to the extent that the federal government is exercising an initiative which shows energy and purpose, I would hope that we would not exercise an overlapping jurisduction in relation to product controls.

I have never said anything rude about my colleagues in Ottawa, but I can say from my observations that the hon. Ron Basford, when it comes to hazardous products and standards control legislation, has a great deal of enthusiasm. His legislation, which he has been bringing forward on hazardous products is top-notch; his administration is building up quite quickly; he has the resources with regard to the food and drug research facilities, the National Research Council, the research facilities of half a dozen other departments in Ottawa. I feel there is no evidence but that

he is doing a top-notch job and intends to do a top-notch job in the field of product consumer protection. If this government finds he is slacking off or has lost his enthusiasm, we have not washed our hands of the responsibility.

Mr. H. Peacock (Windsor West): Surely this is not a criterion for deciding whether or not to take action.

Hon. A. B. R. Lawrence: Well, it is a sensible one. I mean, how many jurisdictions—

Mr. Peacock: Suppose he gets elevated to Postmaster General.

Hon. A. B. R. Lawrence: Oh no. I would say this: whether I, as a minister with my particular background in this particular party in the House at this time, like the federal government's attitudes or not, I think whether it be Mr. Basford or anyone else, the consumer pressure on the federal government last year, the year before and in the years during which they will be the government of Canada, I think will be real.

Mr. Peacock: What is Ontario's share of the jurisdiction?

Hon. A. B. R. Lawrence: Oh, we can assert a jurisdiction.

Mr. Deans: You can do anything you want.

Hon. A. B. R. Lawrence: I think a protected consumer is a devil of a lot better than a confused consumer.

Mr. J. Renwick: I think we could agree with that statement.

Hon. A. B. R. Lawrence: Okay. This means that if we can possibly get the public of Ontario, the man in the street, to orient his mind toward products, whether it be Box 99 or the federal protection bureau, and for trade practices look to our responsibilities here in this province, I think we would accomplish something very practical and very important. Indeed, as far as I am concerned, I am not one bit chauvinistic; I would like to see the federal consumer protection bureau in the same office as ours, because it is nonsense to have to send people back and forth because of the interpretation of The British North America Act.

Mr. J. Renwick: What progress are you making in that area?

Hon. A. B. R. Lawrence: It is slow, but the heart is willing.

Mr. J. Renwick: Is the federal minister willing?

Hon. A. B. R. Lawrence: I think so. He feels there is a great need to expand his jurisdiction in the field of trade practices. I think he is perhaps reaching too far—

Hon. Mr. White: It is the Ottawa syndrome.

Hon. A. B. R. Lawrence: But that does not mean in any way that I want to put out my foot and trip the federal exercise in the fields that have been mentioned particularly this afternoon, namely, products, hazardous products and products standards.

Mr. J. Renwick: That is basically criminal law, is it not?

Hon. A. B. R. Lawrence: It is basically criminal law and I think, with the practical resources they have, let us give them a reasonable chance to demonstrate what they say they are developing with their tremendous budget, that they are doing the job we want. And I am not at this time critical and, as I suggested earlier, I am quite willing to endorse the enthusiasm of my opposite number in Ottawa.

With regard to Becker Milk and the Eldorado Products, I can only say to the member for Wentworth it is exactly these situations, of course, that many months ago caused me to establish the minister's committee on franchises, pyramid selling and preferred sales. I was a little sad, as a matter of fact, that what the member was saying this afternoon could be being said this very afternoon over in the Macdonald block where the franchise committee is in session at a public hearing.

Mr. Deans: On a point of order, Mr. Chairman. I wrote the minister a letter and asked if he would meet the people to determine whether this matter was appropriate to go before the franchise committee and I have not had an answer yet.

Hon. A. B. R. Lawrence: I will meet the people; I will meet any people the member wants to bring to me at virtually any time. And I think the member knows this.

Insofar as Eldorado Products is concerned and the description of trade practices put before me there, that is without question exactly the stuff that should be before Mr. Grange's franchise committee across the street this afternoon. He will be having other hearings and other sittings and, rather than

channel it through me, there is the vehicle, there is the expertise, there is the research; there are now three very knowledgeable people ready to plow into exactly that.

The Becker one is a little bit trickier because I am not sure whether you would really call that a matter of franchise and referred sales. I am not sure, as I stand here, whether the terms of reference are enough and I have undertaken to you this afternoon, and I have undertaken in conversation before, that I will meet any of your group of people who are involved with Becker and feel in some way they have been victimized by an unscrupulous trade practice. So that invitation is still there.

Mr. Deans: Would the minister have his secretary send me a letter naming a date and I will arrange for them to be there?

Hon. A. B. R. Lawrence: Yes. That is purely an administrative matter of getting around the table.

I do not know whether there is much I can say about sportsmen appearing in advertisements—

Mr. Deans: Not only sportsmen—

Hon. A. B. R. Lawrence: I know. The one that got me maddest in my lifetime or anyone, I suppose, was the suggestion that Eli Culbertson or Henry Ford could solve world wars, you know. The same sort of thing. But I do not know what comment can be made. In some cases it is distasteful, but it is not fraudulent. And the opposite side was mentioned, but quite sincerely I am sure, by the member for Downsview. Would it not be nice to stop these things? But the other side of the balance is, how close are you going to get to infringements on freedom of speech and freedom of the press?

Mr. Deans: Surely, Mr. Chairman, there are obligations toward the protection of the consumer. Freedom of speech is a great thing but when an individual is not—

An hon. member: What kind of doubletalk is that?

Mr. Deans: —providing any useful background material to enable the consumer to determine the value of the product and is merely relying on the name he has established in another field, then that is wrong. It is just that simple. He is taking advantage of people who have trusted him in one area and is enticing them into another thing altogether; I just cannot agree with it. I do not think it is right in any sense of the word.

Mr. Chairman: Is there any further discussion on vote 601, departmental administration? The member for York Centre.

Mr. Deacon: Mr. Chairman, coming back to the department's views of the jurisdiction of Ottawa verses Ontario, I am quite in agreement with the minister's idea of trying to work these matters out. For example, if product analysis is what the minister in Ottawa can handle right across the national distribution, it seems to be a very good approach and I commend him for trying to do it this way. But with his approach with regard to the securities commission, I do not quite understand his argument.

As I understand it, the basic concept of Cansec is that the provinces agreed among themselves the standards they are going to have. If a security is cleared in Ontario, it is equivalent to also being accepted for clearance by BC or Nova Scotia. It is not necessary to have anyone else look at it, because they have come to a common agreement of the standards they are going to accept.

The other approach is that we forget about our securities commission in Ontario and in BC and in other provinces and we move over to a national securities commission. In either case we still get down to a single jurisdiction handling that.

I am far more in agreement with the Cansec concept, because it means that the securities are being handled in a jurisdiction where the people are far more familiar with the particular situation. But I think we have got to make up our minds in the matter.

I do not think Ottawa can force themselves into the field, but I think Ontario must take a lead in saying to the other provinces: "Look, we have got to come to an agreement among ourselves." If we do not come to an agreement among ourselves within the next few months and give ourselves a deadline to do this, then Ontario should say: "We, as a province, are going to vacate this field of the securities commission and we are going to say to Ottawa, 'You do it'."

It is impossible for us to keep on this present stance of going on forever in the matter, not resolving it. I think if Ontario did take a lead, it would certainly result in several other provinces agreeing to do the same thing. Maybe Quebec, and maybe BC would insist on staying in, but it also might make the other provinces realize what we are up against.

We cannot dilly dally with this forever. If Ontario said: "Let us agree and come to an agreement by a certain time or we are going

to get out of this business and ask Ottawa to take over," then maybe you would get action. But we cannot sit on this forever.

I would appreciate the minister's comments on this approach.

Mr. J. Renwick: Perhaps I might just make one comment, Mr. Chairman, on this point. I think that the Cansec proposal of the Ontario government was an intelligent and, indeed, an imaginative approach to the problem. I certainly would like, from the point of view of this party, to be perfectly clear that under no circumstances would we wish to see an abdication by this government of its responsibility in the field of the securities markets.

I do that because of the need to have the sense of our domestic needs foremost, without, at the same time, preventing us from working out a constitutional method of cooperation with the federal government in this area. I do it also because I think there are very serious questions as to whether or not in fact the federal government has the constitutional authority which is required to enter such a field on a national basis. There has certainly been very little to indicate that the power of Trade and Commerce in the federal constitution could be construed to be that wide without leaving wide areas, as the minister has said, subject to no regulation at all.

I would hope that the minister would be able to press on with the federal government and get an acceptance of the Cansec operation. If that is not possible then I think that the minister's position is perfectly right, that we should stay within the field and responsibility which the government traditionally has had in this area.

Hon. A. B. R. Lawrence: Mr. Chairman, briefly, the problem alluded to by the member for Riverdale is fundamentally bedevilled by the jurisdictional question. A move in this field by the federal government would have to be, at the moment, under the constitutional law based on its criminal jurisdiction. And you can only stretch and push the criminal jurisdiction so far. I do not think that you could develop under the heading of "crime," the kind of sophisticated and the kind of flexible securities administration that we are certainly aiming at in the province, basing our power on property and civil rights and contractual law.

I think the thrust of the merger report—the thrust of several of the reports on securities legislation in this province in the last five or 10 years relating to continuous disclosure—these are things that are properly and easily handled from a legal point of view on the basis of our jurisdiction over property and civil rights. This kind of sophistication, as the member for Riverdale feels, is hardly something that legally one could picture founding itself in the exercise of a criminal function.

Therefore, the constitutional history of Trade and Commerce being as chequered as it is—and one looks back to the days of R. B. Bennett; I guess he was the last person at the federal level who made a serious effort to put some flesh and muscle on the Trade and Commerce power, and as I understand it, he was knocked down on every effort he made—as of 1970, we have this peculiar box, jurisdictionally and legally. Therefore we are simply not free to set a six-month or 12-month deadline and simply fold our tents and leave the field of securities legislation.

Beyond this, I question the sort of—well, not urgency—yes, perhaps the tone of urgency of the member for York Centre in that the best advice I can get is that Canada at this time in our growth, over the past number of years and today is, of all jurisdictions in the world, one of the easiest in which to develop capital formation without other problems as exist in the world. I am told that there is no problem basically with capital formation in Canada, and if we can get the paperwork of our 10 jurisdictions improved and sorted out, we are not under any tremendous time pressures.

Mr. Deacon: Mr. Chairman, I am certainly not going to get into a dispute between two learned members of the bar who are very familiar with all these constitutional differences.

First of all, with regard to the urgency of the matter, I think that we do have in Ontario a much easier row to hoe than they have in the SEC in the States and in some other jurisdictions with regard to getting clearances.

I also think that our protections and our methods of handling issues have been improved immeasurably. We still have serious problems in getting clearances across Canada and I am most impressed by this whole Cansec concept of having a decentralized rather than a centralized approach. I do not want to see us withdraw from this field but the fact of the matter is that the holdup is agreement with the other provinces, as I understand it, in getting them to accept, rather than Ottawa's reluctance here.

As I understand it, the problem is that BC and Quebec, in particular, are not in agreement. We do not have the 10 provinces saying to Ottawa, "We will agree to this concept of Cansec but you fellows have then got to go along with us." I am sure Ottawa would, but the fact is we still have, as I understand the problem in Cansec, disagreements within the provinces themselves. Is that the case?

Hon. A. B. R. Lawrence: Mr. Chairman, I believe that we do not have an answer—I could ask the chairman of the commission if he were at the desk—but I believe that we do not have either agreement or disagreement with Quebec. I would ponder how quickly we would get that with the situation as it is today but, as I understand it, the door has not been closed by the other provinces to the Cansec proposals.

Mr. Deacon: The other question the minister mentioned is this matter of rights of minorities. I suppose we can get into that when we get into the securities commission?

Hon. A. B. R. Lawrence: Pardon?

Mr. Deacon: The rights of minorities and shareholder takeovers. We can leave that to the securities commission?

Hon. A. B. R. Lawrence: Oh, fine, yes, when they are before us.

Mr. J. Renwick: I would like to take just a very few minutes to go to the heart of this problem related to the functioning of this department in relation to its counterpart at the federal level. I have read with considerable interest the general statements made by the hon. Ron Basford in the setting up his department, and other statements which he has made by way of public address about the areas of activity where he sees his department operating. I take it that for practical purposes, leaving aside the securities' problem, the minister sees his department for practical purposes a correlative field to the federal department.

I want to come back then to this—it always appears to be a sort of legalistic argument, but it really is not, because it goes to the substance of it—this same question about the jurisdictional question. The minister and I were talking, I think, the same language on this question of CANSEC a few minutes ago and the need for probably some kind of co-operative operation in the legitimate constitutional fields of both the federal and provincial governments.

But surely this goes for the whole of the minister's department. We have got the whole field of consumer operation, and what the minister was saying a little while ago was that, in a sense, he was quite rightly, going to leave the criminal law part of the operation to the federal government. But he did not seem to give any clear indication that he has either the intention or the initiative to say that the counterpart of the criminal law operation is in the field of property and civil rights and in the civil remedies which can be made much more modern and much more adequate in the field of product use or product purchase, and so forth.

I think that in some areas, as a result of the select committee on consumer credit, some changes were made and provision made for remedies which had not otherwise been available. But surely in the field, even of hazardous products, there is a role for this government's coming up with civil remedies which would be available to a particular person with the assistance of the government, because criminal law, in the first place, is blunt, and, secondly, it has quite rightly all the elements of the difficulty of proof and conviction.

I think it is pretty trite to say that simply the registration of a criminal conviction does not assist anyone who may have, or believe he should have, some more modern remedies in the civil law field in respect of the same incident which may have led to the criminal prosecution. I think this is also equally true in this whole field, where I have felt for many years that, while somebody had to move into the combines field, or that general field, there is a counterpart operation in the Province of Ontario, which the minister's committee in the report, which has come out is dealing with, in some respects, in terms of mergers and so on.

But I think that where the minister has got to direct his attention is to the inventive way in which we can produce different variations or combinations of civil remedies, or create new civil remedies, that will provide an adequate protection for people if they want to pursue their remedies in the courts as part of the general law of property and civil rights.

I think we should be suggesting that just because the federal government moves into the criminal law field, and in that sense preempts a portion, or some aspect of property and civil rights, if one wants to use that phrase, that there is not always the correlative operation in the civil field with relation to property and civil rights which goes to the

heart of the minister's department. I think that we have got to look at The Used Car Dealers Act, and we have got to look at The Real Estate and Business Brokers Act, and at other Acts, in terms of creating more effective remedies in a civil sense for people who believe themselves to have suffered some alleged harm.

I think that it is possible for the government to come up, for example in the field of used car dealers, with a much more effective used car dealers Act than there is at the present time. There are still large numbers of complaints which do not fall within the restrictive terms of The Used Car Dealers Act where people have a sense that they have been taken. I am quite sure that that is also true in connection with something called shoddy merchandise, which does not necessarily fall within the area of hazardous products, and where you cannot really quite legitimately come up and say, the only solution to shoddy merchandise is to have some equivalent shoddy-merchandise Act of the federal government in the criminal law field, because I do not think that is the answer.

It seems to me that the minister certainly has got to direct his attention to those areas of consumer products other than food and drugs with respect to the quality of the merchandise, and the terms under which it is bought and sold, so far as quality is concerned, because I think that there is a great deal of shoddy merchandise on the market in the Province of Ontario about which most consumers feel quite helpless, except in a very extreme case where it amounts to being almost a useless article. There is a great quantity of material sold under, I think, the probably otherwise adequate provisions of The Sale of Goods Act, but which requires a look-at in terms of seeing whether or not it is possible for straight consumer goods to be given some other protection than the traditional protections of The Sale of Goods Act.

That seems to me to be an area where I would like to see the minister direct a great deal of his attention, to see whether or not The Sale of Goods Act is or is not adequate at the present time in the conditions of a mass production market, in terms of what the minister believes to be a free market, so that people can have the sensation that they have some more adequate protection which they themselves could take on their own initiative, as well as the protection which the minister can provide through the consumer protection bureau.

My last comment is that I think that unless the minister does work out with his colleague, the hon. Ron Basford, a method by which there is a single office in a given geographic area, where a person who has consumer problems can go, then I think we are gradually going to find that with the best intentions in the world, there is going to be a tendency to exaggerate this jurisdictional problem when it does not need to be exaggerated. It should be possible, co-operatively, to set up these offices in such a way that a person does not feel that he is being double-shuffled, if he has, what to him is simply a consumer complaint, and is not particularly interested as to which area of government activity takes hold of the problem and tries to deal with it for him.

Hon. A. B. R. Lawrence: Mr. Chairman, I may say that I agree with much of what the member for Riverdale has pointed out. I do not think that in the 1970s and onward we are going to be able to protect the consumer or have a proper protective system developed on the straight Mrs. Jones-sues-Mr. Brown basis, or individual-case business in the civil court. I just do not think it will work. What are the alternatives—cease and desist orders and special penalties? One that I have raised for discussion in the commercial and industrial world from time to time very recently is whether or not we can broaden our licensing system and rationalize it so that we could perhaps develop a general licensing system based upon a code of good business practices, so that we did not have different standards and different approaches.

It is a very difficult question and I quite sincerely invite any member of this House to recognize the problem of the inadequacy of the criminal law and the inadequacy of the old civil processes when faced with the modern marketplace and government responsibility.

Finally, with regard to the jurisdiction, I may say to the members, or repeat something that I have said a couple of times, and that is the one thing I would very much like to avoid—shall we take hearing aids for example —the thing I would like most to avoid is a cartoon by, shall we say, MacPherson, which would show a little old lady on her back on the sidewalk with Mr. Basford grabbing one leg, me grabbing the other leg, with a caption reading, "All I want is my hearing aid fixed." So I accept the point that it would be absolutely ridiculous for the two of us to get pulling in separate directions and certainly if we get into the same office that would be ideal.

Mr. Chairman: The member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Chairman. I would like to go into an entirely different problem and that is the problem that was raised as a result of the licensing of lotteries and bingos.

I am aware of a meeting that took place a couple of weeks ago here in this building that dealt to some extent with those problems. As a result of that meeting the minister did make an announcement in the House that some resolution had come about of the bingo problem, although not entirely, but he made a commitment on that occasion that he would look into the aspects of lotteries and discuss it with his colleague, the Minister of Justice (Mr. Wishart).

I am wondering about the very strict limitations put on issuance of licences for holding of lotteries, particularly in the north where there are many small communites where nothing really happens unless it is done by local initiative—and I am speaking of local service clubs, or community groups, who are interested in building a community centre, or a swimming pool, or an artificial ice plant, or they concern themselves about providing a resuscitator for the community, or any of these small things tht are not normally taken care of by some other level of government. These local interest groups do take it upon themselves to raise money for these very worthwhile causes.

Because of the strict interpretation of the regulations and the Act—I think it is the Criminal Code really, with regard to lotteries or off-track betting or whatever you want to call it—it is very difficult for some of these public-spirited groups to act within the law. There is nothing really immoral or illegal in what they are doing. They are generating funds for very worthwhile causes, but you get a few hard-headed people on the local level, such as Ontario Provincial Police, people who will take a very rigid interpretation of the law and close down or prevent such operations taking place.

In a good many other instances where you do have the person who is charged with the responsibility of issuing licences taking a very dim view of any way of generating money by the sale of lottery tickets, it has restricted the very legitimate and worthwhile operations of a good many of these groups in small communites in northern Ontario.

I am just wondering if the minister is prepared to advise the House what has happened as a result of the undertaking he made to discuss this with his colleague, and to try and define more clearly what is legal and what is illegal, what will be condoned, what will not be condoned, under the present regulations, and if there will not be a more moderate interpretation put on the regulations so that it will enable these groups that I spoke of earlier to continue to operate in the fashion they have for the very reasons that I mentioned; that they do provide a very worthwhile service to small communities and they provide a good many of the things that local municipal councils either directly, or through grants from the province, are not able to provide?

As I say, I spoke earlier of the recreational activities or assistance to volunteer fire departments, where they generate much of the money that they need to carry on their very worthwhile work, and it just seems to pervade every facet and every activity in a small community where you do find the necessity of generating funds in this way in order to see a very worthwhile project through to fruition.

I am afraid that if you continue to interpret the Criminal Code and put the restrictions that you have put on them at the present time for the operation of these lotteries, you are going to cut off a very significant source of funds. I am just wondering if the minister would not comment on this and assure these people that they will be allowed to continue the very worthwhile work they are doing at the present time.

Hon. A. B. R. Lawrence: Mr. Chairman, certainly if one considers the province as a whole, the story of lotteries' regulation has been one of a very liberal attitude, I would say, in the administrtaion and I would suggest that whether or not you have specific cases in specific cities in your riding, the mail I get and the comments I get on the street, as it were, has been generally cognizant of the very compassionate way in which we have handled our regulatory function. I think the members in the House would vouch for me on this no matter what party they belonged to.

But we do bump into a problem. The province, by regulation, or this department by policy or order, cannot purport to change the Criminal Code of the Dominion of Canada. Let us take as an example the restriction relating to the fact that these exercises must be for charitable or educational purposes. We, from our point of view, when we are issuing licences or approving of what the municipality is doing with its licensing, take a very open and reasonable approach to charitable

and educational organizations as a matter of interpretation. But finally, of course, it being the Criminal Code of Canada, and the law of Canada, it is not for me, it is not for the Minister of Justice, it is not for this government, to interpret the Criminal Code of Canada; it is ultimately for the judges in our courts.

So, if there are particular problems in particular cities please bring them to us, because the pattern of our action has been flexible and compassionate I am sure.

Mr. Chairman: Anything further under vote 601? The member for York Centre?

Mr. Deacon: Mr. Chairman, with regard to the item on research and advisory services, what is that research item made up of, that $90,000? How is it being handled? Is this to do with these ministerial committees?

Hon. A. B. R. Lawrence: Yes, in about a dozen items here – the franchise study, research into no-fault insurance, studies of agents and brokers, claim settlements, real estate compensation funds—we are playing around with, trying to improve, the bonding situation; study of mutual funds, new amendments to The Consumer Protection Act; the film I mentioned earlier, a couple of thousand dollars there—

Mr. Singer: Is that a department song?

Hon. A. B. R. Lawrence: Not yet. Have you a recommendation to make?

Mr. Deacon: That just does not take any single research company outside an organization; that is paid to internal people or other people that are appointed from outside, but it is directly under the department's jurisdiction? Is that true?

Hon. A. B. R. Lawrence: Yes, there is no PR involved here at all. Mr. Turner, for instance, has done some travelling in the department; Professor Gillies, of York University; P. S. Ross, to do some research; David MacWilliam's commission will be starting up; solicitors, legal fees, Professor Lyndon, environics research; Mr. Whittick, of the insurance industry. No, those are all specialists or outside consulting matters.

Mr. Chairman: The member for Hamilton Centre.

Mr. N. Davison (Hamilton Centre): Mr. Chairman, I would like to bring a problem to the minister's attention and see if there is any way that it can be remedied. It is concerning the restaurant supply business. A lot of the dealers now are discovering that although they want to sell Canadian-manufactured goods to the restaurant people they are not able to do so. It is done on the basis that one dealer now seems to have the franchise from most of the big manufacturing groups in Ontario that manufacture restaurant equipment.

For these other dealers to stay in business now they must basically buy most of their equipment from the United States. As far as Canada is concerned, we could certainly do with more equipment being sold here because of the employment situation such as it is.

Is it not possible that these dealers will be able to buy equipment manufactured in Ontario to sell to these restaurant owners?

Hon. A. B. R. Lawrence: I had not heard of the problem before but I would think this would be right along the line of the responsibilities of the Minister of Trade and Development (Mr. Randall). If it is a restrictive trade practice or a combine operating, that brings in the hon. Ron Basford and his group. If you can relate it to any of the 23 different statutes that we administer in this department, I will certainly take a look at it.

Mr. Davison: Mr. Chairman, if I bring the case to your attention with the names of the manufacturers and dealers who are not able to buy the equipment would you look into it then?

Hon. A. B. R. Lawrence: Certainly, in a preliminary way. What I will do is find out where the problem should rest and shoot it along to who might most appropriately deal with it.

Mr. Chairman: Member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I happen to be confronted with a similar problem in my own community where an individual wishes to sell restaurant supplies and he finds himself not able to purchase supplies from Canadian manufacturers. As a result he has to import them even from Japan simply because of the restrictive trade practices on the part of certain Canadian manufacturers.

Hon. A. B. R. Lawrence: I think this was the point made just a moment ago.

Mr. Davison: Same thing.

Mr. B. Newman: Exactly, so I will supply the minister with the information on that.

Mr. Chairman: The member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. I want to ask the minister under his research vote whether there has been any research or is there any research being done into the practice of discounting conditional sales agreements. Has there been any attempt made to bring about a standard form of agreement in order that purchasers might be sure that they are protected?

Many of the forms that are presently signed have so many clauses in them and so much fine print that it is pretty difficult for the average individual in a retail store to determine honestly whether what he is purchasing and the form that he is signing is what he thinks it is. I do not think we want to get to the point of having everyone have to go to his lawyer in order to make sure that he is not signing his life away.

Secondly, in connection with the practice of discounting to finance houses, the conditional sales agreements that are undertaken, I think that this should be made known to the purchaser. First of all he should be informed that the company involved does not intend to carry the credit itself but intends to give it off to a lending institution. He should also be told which lending institution they intend to give it to so that the purchaser can have a choice because it is quite possible, in my own case, that there may be some that I would not want it to go to for one reason or another. I might not think they are very good people to know and I would want to send it elsewhere.

This sort of thing should appear on the document, clearly written, that this document will be eventually transferred from the retail operation to a finance operation naming the finance operation and naming all of the terms involved. This is not presently done and I think it would be worthwhile to do that, and as I say, then come up with a standard form that can be put into use in the province.

Hon. A. B. R. Lawrence: Mr. Chairman, we are right in the midst of dealing with this particular problem. Insofar as the contract itself physically is concerned, I expect that will be a prime topic when the ten provinces in the federal jurisdiction meet here on November 26 for our consumers' conference. In fact, it is on the agenda, I believe—this question of uniformity of contracts and improvements of the contracts.

The other question: At the federal level quite recently Mr. Basford brought in legislation which I believe is now law, whereby promissory notes attached to conditional sales for eventual assignment, say to an acceptance company, are required to be marked. I have pretty well undertaken to produce for my colleagues in the cabinet and I hope ultimately this House, a collateral piece of legislation relating to the contracts themselves. This is what you were talking about?

Mr. Deans: That is what I am after, yes.

Hon. A. B. R. Lawrence: I cannot state categorically what the government policy will be but I can assure the member that the question of disclaimer and cutoff clauses and their abolition on trade paper or assigned conditional sales contracts is very much before us because without it the federal action on promissory notes is, I would judge, pretty well a waste of time.

Mr. Deans: Might I just in closing at this point urge the minister that when you are talking about conditional sales contracts or any other kind of sales contracts that you do what you can to make sure that they are written in every-day English? Would you please try to make sure that the clauses be written in a reasonable-size type and in English that the average individual can read, because as far as I am personally concerned, half of the things that are written there the individual buyer does not understand.

He does not know that he has signed his life away until it has gone. Surely in this day and age, we can deal in the English of today and we can start getting things out so that people understand them.

Mr. Singer: Mr. Chairman, just a brief point on that promissory note. I wonder if the minister can advise me? Is it not part of the law now that when the holder of the promissory note sues on it that a defence can be that consideration was wanting or that it was not fully given? I thought that was an amendment fairly recently. At least one finance company I had to deal with is acting as though that law is now in effect.

Hon. A. B. R. Lawrence: I believe that what has happened is that there was a series of cases in which the judges said that any kind of transaction that smacks of its being a part of an unassigned situation can be challenged insofar as the equities are concerned.

Mr. Singer: No, that is not the question that I had in mind. I buy a refrigerator and sign a conditional sales contract, then a promissory note, which in due course is discounted to a finance company. The refrigerator does not work and I stop paying. Then I am sued by the holder in due course who may be three or four places down the line. I think the law now is, and I thought it was a statutory change, that I can go into court and say "The refrigerator never did work." Therefore I should not be obligated to pay under the note. Is that part of Mr. Basford's legislation or is it part of yours?

Hon. A. B. R. Lawrence: No, it is Mr. Basford's legislation that I am mentioning because again we get back to the constitution that they are—

Mr. Singer: Yes, it is bills and notes.

Hon. A. B. R. Lawrence: Bills and notes?

Mr. Singer: Yes.

Hon. A. B. R. Lawrence: But as I said it is not going to be effective unless, at the provincial level, we stop, cut off and disclaim our clauses in the accompanying contract.

Mr. Singer: I was asking the minister specifically whether Mr. Basford's legislation is now in force?

Hon. A. B. R. Lawrence: I think so, I think so.

Mr. Singer: And you would be surprised how effective it is because I had occasion just the other day to deal with a finance company and it was amazing how co-operative they were in light of the legislation; whereas six months ago the attitude would have been entirely different, so that while Ontario legislation complementary to this would be certainly helpful, the federal legislation effected the big jump which is of substantial assistance now to people who want to put forward that kind of an argument.

Mr. Chairman: Vote 601 carried?

Vote 601 agreed to.

On vote 602:

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: I would like to deal with something briefly. I have had some correspondence with the Ontario Securities Commission referring to the bankruptcy of the United Scholarship Fund Limited. Letters were sent by the Guaranty Trust Company of Canada to the subscribers in that fund stating that:

> We advise you to discontinue your payments since this judgement by the court to all practical purposes cancels the scholarship plan. The trustee in bankruptcy will be in communication with you in the near future concerning your plan.

They say:

> We regret this unfortunate turn of events over which our company had no control since we have acted only as trustees for the moneys deposited to the United Scholarship Fund Limited which now is waiting for judgement concerning liquidation.

And that was signed by E. B. Toller, assistant general manager of the Guaranty Trust Company of Canada.

As a result of that, we got in touch with Mr. B. C. Howard, a director of the Ontario Securities Commission, who states that the United Scholarship did not file a prospectus with the commission, and UNENCO Limited, its enrolment agency, was not registered under The Securities Act of 1966, and prior to September 1, 1968, scholarship plans were not caught by the definition of securities and were not subject to the prospectus and registration requirements of the Act.

It appears that bankruptcy proceedings were launched in Montreal in April, 1969. Mr. S. Kwiat of 50 West Cremazie, Room 609, Montreal 351, was appointed trustee in bankruptcy of the UNENCO Limited to distribute the assets of the fund, and Mr. Howard suggested that we get in touch with Mr. Kwait, which I did.

As a result of getting in touch with him I got a letter from the firm of Adesski, Kingstone, Zerbisias and Coulin, stating that:

> We are the attorneys for the trustee and the inspectors representing the mass of the creditors in estate UNENCO Limited. On August 10, 1970, by judgement of the hon. Mr. Justice Paul Carignan of the Superior Court bankruptcy division, district of Montreal, Mr. Kwiat was instructed to take possession of the United Scholarship Fund Limited with the express purpose of liquidating the funds in order to return to the subscribers those moneys that are left on a prorata basis, less all expenses and deductions incurred in the administration of the fund, etc.
>
> All moneys paid by subscribers to the United Scholarship Fund are being held in trust by Guaranty Trust Company. We anticipate receiving from Guaranty Trust

> Company within the next short while a detailed accounting of the moneys in their possession and the amount paid in by individual subscribers. The liquidator will then be in a position to comply with the judgement of Mr. Justice Carignan that is from the attorneys.

I realize that the Ontario Securities Commission says it has no jurisdiction, so I wrote to the hon. Ron Basford, and I received a letter from him today stating as follows:

> The order of Mr. Justice Carignan, to which Mr. Adesski refers, was made pursuant to an application by the trustee of the estate of UNENCO Limited in bankruptcy for an order requiring Guaranty Trust to account to the trustees for commissions owing the estate for subscription obtained for the fund by the bankruptcy company. I can only assume that the order of the judge appointing the trustee and bankruptcy liquidator of the fund was in the interests of economy to the subscriber.
>
> In view of the position of conflict of interest in which the trustee may find himself, an application is presently under way for another qualified person to be substituted by the court to liquidate the fund and represent the interest of subscribers in regard to claims made on this money by others. When a new liquidator is appointed, I would suggest that, as he will act to protect the subscribers, they express their comments to him. I understand that this substitution should take place shortly, and the subscribers will be informed.

I would like to know, Mr. Chairman, from the minister, what this all means in terms of the subscribers? Does it mean that they were never protected under any provincial legislation? That they are not really protected under any federal legislation? And that a company or a fund such as the United Scholarship Fund can operate within the jurisdiction of the Province of Ontario without any accountability to any agency of this government, and the same would hold true, apparently, of the federal authorities? I am wondering if there is now any legislation on the books that would protect the subscribers of such a fund?

The letter that we got from Mr. Howard would tend to indicate that since the legislation that he referred to in 1968 would provide some protection or at least give the Ontario Securities Commission some jurisdiction—if that is the case—if there is anything that you can do, or your department can do on behalf of these subscribers, or anything that you could pass along to your counterpart, Mr. Basford, that would assure the subscribers that they would be given every consideration possible, and every protection possible under existing laws?

Hon. A. B. R. Lawrence: The key words are existing laws. Under existing laws this kind of situation could not arise. The Securities Act was amended in 1968—I believe it was, as you mentioned yourself—putting an operation such as the United Scholarship Funds fully within the jurisdiction of and giving the Securities Commission complete powers of discipline and scrutiny and inspection and whatever. That was not the case before, but it would not be retroactive. I mean, the horse is out of the barn in relation to a situation arising before the 1968 amendments. It just cannot happen again.

Where would we find money to compensate those whose shares or interest in the fund has dropped? There is no such source. The only legal source, I expect, that would be open would be a civil action against trustees, or criminal action against trustees. I am also advised that as of these past years—or certainly today—the commission takes very special steps to see that a responsibility is placed on the trustee above and beyond whatever inspection powers the commission itself wishes to use or whatever details it may wish to draw requiring a prospectus.

How much in any particular case—and there are one, two, three, four, perhaps half-a-dozen of these scholarship funds that have been having trouble—how much the people will lose is the question. Some of them will not lose all their investments. For some, when the money is in the bankruptcy trustees' hands and is distributed, it may turn out to be relatively all of the investment or a large proportion of it. You would have to look at a particular fund.

Mr. Stokes: I would just like one clarification. You say that the changes in the Act in 1968 did place some responsibility on the trustee and that, in this case, would be Guaranty Trust. Is that what you are saying?

Hon. A. B. R. Lawrence: No, the responsibility is placed on the Securities Commission. The Securities Commission can, with the jurisdiction it has, look at the trustees and satisfy itself on whether it feels that the trustee relationship is going to provide adequate protection for the investors.

Mr. Chairman: On vote 602, the hon. member for York Centre.

Mr. Deacon: Mr. Chairman, I would like to go into the question of the Nytronics Radio Engineering deal. As I understand it, and I may be incorrect here, there is a different form used if a firm is making a share exchange offer. It is not a regular prospectus; it is a simplified form. The Ontario Securities Act has provision for takeover bids and the Ontario Securities Commission has diligent officials. This is quoting from a letter from Mr. Potter to the chairman of the Ontario Securities Commission:

> Nytronics fulfilled the requirements of that Act regarding disclosure by the offerer. So also did the directors of Radio Engineering regarding beneficial ownership and contractual interests but, as you know, in the instance of a share exchange, a prospectus does not have to be filed. What is required is a substitute form that provides the most significant information concerning the affairs of the company whose securities are being offered in exchange for the shares of the offeree company, and there is no comparable provision for information regarding the affairs of the offeree. This lack is a weakness in the protection.

There was a complaint I received that, on the basis that the information that is available to the shareholders was out of date, it was not as complete as it would have been in a regular prospectus. Actually, because I passed this along to my colleague, I did not get into this matter in great depth. But is it true that the regulations do not require the same full detailed disclosure on the part of the offering company and the one whose shares have been taken over so that shareholders can readily compare what they are being offered with what they now have? They should be given statements that show them that they are getting more per share in earnings, or not as much per share in earnings and give them a picture that they can readily and properly compare so that they can see what they are acquiring if they do agree to accept the exchange offer.

Hon. A. B. R. Lawrence: My advice is that the standard of disclosure required in relation to the offer for a company is the same as that which would be required in relation to a prospectus. But with regard to the information provided insofar as the offeree company is concerned, on the assumption that they know as shareholders in that company something of the company itself, the standard is lower or the details of information disclosure are not as complete.

Hon. Mr. Welch moves that the committee rise and report that it has come to a certain resolution and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report that it has come to a certain resolution and asks for leave to sit again.

Report agreed to.

THE ELECTION ACT, 1968-1969

Mr. Young moves second reading of Bill 74, An act to amend The Elections Act, 1968-1969.

Mr. F. Young (Yorkview): Mr. Speaker, Bill 74 is a very simple bill. It substitutes the age of 18 for the present age of 21 for those eligible to vote in the Province of Ontario. Now this matter has been discussed time after time in this Legislature and elsewhere and in view of the election coming in 1971, according to all reports, it would seem that there is some urgency to this bill. It would also seem that the government of this province is hesitating to bring votes to the 18-year-olds in Ontario and, for whatever reason, they have not up to this point made any real move to introduce legislation and so we are taking the initiative in this bill.

I had a discussion some time ago with a student at Waterloo Lutheran University, a chap by the name of Brian Thomson, and out of that discussion came a very comprehensive essay called "A Partial Report on the Age of Majority; a Questioning and Inquiry in Some of the Laws Governing the Ages of Legal Responsibilities." He sent me a copy of this essay and it is a pretty thoroughgoing document and I would like to point out to the House some of the things which are contained therein.

He traces part of a history of the age of majority. He mentions the Roman law where we had the various stages of growing up until the age of 25 that became the age of legal responsibility. Then he shows how in the Dark Ages the age was determined by the marketability of a youth on the slave market. There are basically three categories, he points out.

1. Under seven years, the child could be sold by his parents.

2. Between seven and 14, the child could only be sold with its consent.

3. Beyond 14 years, the child had the right to sell himself.

This points to the eventual evolution in the beginning of the Middle Ages where a person gained adult responsibility at the age of 15.

The age of 21 came into existence in the Middle Ages, primarily because more physical stamina was needed to manipulate and carry the armour and combat devices used by knights. It also evolved because many heirs and successors were not experienced enough to handle their inheritances and their responsibilities at the age of 15.

Now, Mr. Thomson also points out that the Latey report on the age of majority—that is the British report of 1967—pointed out that there is really no reason for this age of 21 at the present time. We no longer have the armour-clad knights and the situation has completely changed. The Latey report said, and I quote again. "In recommending change they cited: 'We do not feel that we need necessarily prove that the young have changed before we recommend a change in the law'."

And that is a significant thing; that after all the matter of right comes in here and the maturity of the young people. We have, as a matter of fact, not one age of majority in Ontario but we have several ages at which the young person is able to do certain things. The matters to which the age of majority apply at 21, for example, are things like contract, property, litigation, acquisition of domicile. Then there is the age of responsibility in criminal law where a child can be charged at age six but cannot be convicted unless it can be proved that he did understand the nature and consequences of his behaviour and know that the conduct was wrong. Generally children under the age of 16 committing criminal offences are tried as juveniles.

Then, of course, there is the age of economic independence when we allow children to leave school at certain ages. Sixteen is the generally accepted time and that is the time when parental responsibility perhaps is alleviated to some extent at least. The age for free marriage, the age when a young person can be married without his parents' consent, stays at 18.

The voting age is 21; but then we have other age requirements—such as for driving motor vehicles; that is 16. For drinking it is 21, smoking it is 18, military service it is 18. So in all, these are different ages for different purposes and the proposal for the age of majority would be to make all these ages one. That is the proposal which has been put before the select committee dealing with this matter in this province and I want to say a word or two about that later on.

The fact is that today these various ages at which young people are able to do certain things brings confusion. I think, for example, of a situation that emerged in my own riding where a man came to me one day and said that he was in real trouble because his son, at the age at that time of 20, had been killed in a motor accident. The son had bought a motor car and had paid the insurance on it, and the insurance stipulated that if the boy were killed, or if the owner of a car were killed, then the car would be fully paid up—that was one of the stipulations and the boy was paying insurance on that basis.

But unfortunately since the boy was only 20, his father's name had to go on the insurance policy, and it was rather a shock to the father when the boy was killed in somebody else's car, not his own. The car was still there but the boy was killed, and the father found out then that only with the father's death would the insurance become operative as far as paying off the balance owing on the car was concerned.

Also, since the car was in the son's name, there was real difficulty in getting a transfer, including mechanical fitness examination, and all the rest of it, transferred to the father's name. Then he was able to sell the car and he had to borrow from the credit union to pay off the balance on the car. All this when both of them had thought and had acted in good faith with the agent's assurance that the boy was covered fully as far as the insurance was concerned.

Well, this kind of a situation could not rise, of course, if the age of majority became the same age as the lower voting age, and when all these other powers could be exercised. This is something which I think all of us look forward to. I know there is some unease on the part of some people about this matter. They look at the hippies and the long hair and the riots that young people sometimes cause, and they say that young people should not have this responsibility because they are not yet ready for it.

As against that, let us realize that many, many people—most young people—have a sense of responsibility and that when we single out these people who get the finger pointed at them, they are in a great minority

of that group from 18 to 21. As a matter of fact, a great many people over the age of 21 have been known to be instigators of riots—have been known to be irresponsible. To say that young people of that age are irresponsible, and make a blanket statement about it, is not looking at the facts at all.

I have, for example, a letter in my hand which came the other day. It is a letter in respect to a band which travelled from Westview Centennial Secondary School, in my riding, to Britain where they put on a great many concerts and returned recently. The man who was directing the programme received this letter, and he sent me a copy of a paragraph. He said:

> We received recently a letter from a lady in Liverpool praising the behaviour, musical ability, and friendliness of the band's students. She said they are a credit to their country, their school and their parents.

This is the kind of thing which we find as far as the majority of young people are concerned. I think, when we point the finger of scorn at young people because some are irresponsible, we are not making any case whatsoever.

In recent years, of course, the educational system has changed. The whole programme of transition of information has become modernized. Young people know, through television and the radio and the newspapers exactly what is happening the world around. When anything is happening anywhere we have news of it quickly and young people today are informed in a way they were never informed before.

The educational standards have risen and today young people are different than they were in our fathers' day and I believe able to accept responsibility.

Last spring the select committee dealing with this matter brought in a report and it says this:

> The majority of the committee believes that it is of companion importance that other Acts should be amended at the same time—

As The Voting Age Act, that is.

> —so as to establish the age of legal majority at 18 years.

Prior to this the committee had recommended that the voting age be reduced to 19. That was on a majority vote, with the government members voting for 19 and the opposition members unanimous at 18. Then, all of a sudden there comes this bombshell in the committee meeting, when the opposition at least was not warned of what was going to come, and it had never been discussed with us, but the committee chairman brought in the recommendation that the age of legal majority be reduced to 18 years.

We had no objection to that and we are quite willing that it should be done. But, strangely enough, while that was last spring, no action has taken place since then, although we have all kinds of action in the Toronto *Telegram* of June 19, for example, where we have this quote:

> Premier John Robarts indicated yesterday that his government may lower the voting age to 18 before the next provincial election. A select committee on election law recommended this recently. Mr. Robarts, questioned in the Legislature, said he was certain he will take some action on the committee's recommendation before the next election. He did not specify what recommendations he would take action on.

Of course, we all know that in Britain the voting age has been lowered to 18 and we know that the Association of Ontario Mayors and Reeves has asked that this be done here. And we know, too, that the Province of Manitoba has lowered the age of majority to 18 effective September 15, 1970. At the present time the same kind of action has taken place in a great many localities across the country.

As a matter of fact, the latest bow to youth in an action of Parliament, to lower the voting age to 18 from 21, was made by Canada. Then Prince Edward Island, Quebec, Manitoba and Saskatchewan have a voting age of 18. Ontario and New Brunswick are the only provinces still requiring electors to be at least 21 before they can vote. Newfoundland, Nova Scotia, Alberta and British Columbia, have, for the time, settled on 19 as the age for voting.

Mr. Speaker, the question in our minds is a very simple one. Why, when all this activity is going on, and why, when you listen to the cries from the cabinet benches and from the government members that Ontario is a pioneer in so many directions, that it leads the way in field after field, why has it not been doing its job in this field of lowering the voting age and in fact lowering the age of majority to 18?

One can only conclude that they have looked around and they have decided that the young people from 18 to 21 are not apt to vote Tory in the next election. If their surveys had determined that the young people would vote Tory in great numbers we would have

had the legislation by now. One can only assume that, because of a lack of action—unless it is forthcoming very, very quickly—this government is not intending to lower the age of majority until after the 1971 election.

I know the old cry is that it takes time, it is a slow process; but it does not need to be. Manitoba did it very quickly and it can be done here as easily. All the government needs to do is to send to Manitoba, get a copy of their Act, give it to the member for York East, and let him polish it up for the Ontario situation. Then he could introduce that legislation in this House before many weeks have passed. It is not as complicated as people would have us believe.

So, Mr. Speaker, today I would urge upon this government that it face up to the realities of a modern day; that it become a bit more progressive than it has shown itself in the days gone by, and that immediately this bill be passed by this government, and then it be supplemented by another bill introduced by the government which would lower the age of majority to 18.

But, in the meantime, let us get on with the job and let us pass this bill in this form. It is a simple matter of substituting the figure 18 for the figure 21. That will not take much time; it will not take much effort; it can be done this afternoon as far as the second reading is concerned, if the government wishes it.

If the government wants to introduce its own bill—I have no objections if they want to do it—let them introduce a similar bill tomorrow if they want the kudos. Let us get on with it, because we will all agree—those on the opposition benches will put up no fight against it—we will agree that this substitution should be made and then we will work with you and agree that the bill is a good one, when you introduce the bill to lower the age of maturity from 21 to 18.

Mr. A. K. Meen (York East): Mr. Speaker, in rising to participate in this debate, may I say that I welcome the opportunity. I have listened with great interest to the comments made by the member for Yorkview, and I must say that, in some respects at least, I quite concur with his views. I must say very quickly that obviously I do not concur with them all.

But in principle, I do support the idea behind this bill. It is by no means new, as we all know. This I think is the fifth or sixth time a bill of this nature has been before this House in debate.

Certainly we would not be alone if we were to reduce the voting age without touching other aspects of the age of majority or responsibility. I am given to understand that the USSR and Israel, Argentina, Brazil, Ecuador, Guatemala, Peru, Britain—and in West Germany too, I believe, although there is some conflict among the research material I was able to obtain as to whether West Germany has done this—but in any event there have been quite a number that have reduced the voting age to 18 years. Other jurisdictions such as Saskatchewan, as mentioned by the hon. member for Yorkview, Quebec, B.C., Newfoundland and Alberta went to 19, they did not go all the way to 18.

I read with some interest the experience in New Brunswick, the province mentioned by the hon. member as still staying at age 21, because they took the step of conducting a referendum; and to their great surprise, I suppose, it turned out that the average elector down there did not like at the idea of extending the age lower, to 18 or 19; that referendum was defeated quite resoundingly by the electors. Perhaps that was just selfishness on their part, inasmuch as they all had to wait until they were 21 before they could exercise their franchise. The fact of the matter was that the electors there did reject the suggestion; and I gather it is for that reason, as well as many others, I think, that the voting age has stayed at 21 down there.

Mr. Young: Might I just correct the hon. member? The Saskatchewan voting age is 18.

Mr. Meen: Thank you. However, there are many other jurisdictions, as I am sure the hon. members know, in which the voting age still remains at 21. There are some 46 states of the US, and most other western democracies still remain at 21.

And I hasten to add of course, that just because we are in good company does not mean we should stay there. If it is a progressive step to move the voting age downward, then I do not think that just because we are in the vanguard means that we should drag our heels.

I read with considerable interest the law reform commission report to which the hon. member for Yorkview referred. I found it extremely interesting. Page 29 of that report summarizes their recommendations, and I might say at this stage that those recommendations deal with all aspects, or essentially all aspects, of the attainment of majority; with the exception of contract, with which they dealt under a separate part.

Subject to that qualification, Mr. Speaker, the commission did recommend that the general provisions for attainment of one's majority and capacity as an adult be reduced from 21 to 18 years of age. And of course they point out that to do this would require amendment to a very substantial number of statutes. They give an appendix to that. Some 29 different statutes would have to be amended in some form or another.

Now whether one can do this by a composite kind of bill or whether one would have separate amendments to all these Acts, I really do not know. It strikes me that it may be a little more complicated than the hon. member for Yorkview would have us believe. However, they do indicate that those various Acts would have to be amended.

At page 53, the commission, interestingly enough, comes to a rather waffling conclusion in dealing with the age of majority for contractual purposes. If I may read a very small part from this, Mr. Speaker, at page 53, as follows:

> After much deliberation, the commission has concluded that recommendations on the law of infants' contracts ought not to be made at this time. The studies of the commission should continue and a further report be made at a future date.

And somewhat further down:

> A study should be made of credit granting practices and collection procedures if meaningful proposals for change are to be made. If American commercial practices are followed here, as seems likely, there will be an expansion of credit-granting in the next few years to those in their mid-teens.

And I suppose it was for that reason, as much as anything else, that the law reform commission has treated this in a different fashion from the law governing other aspects such as the capacity to own real estate, to mortgage it and to eventually sell it; implicit capacity to be able to make a valid will; matters such as the drinking age, the right to drive a car, the right to hold provincial or municipal elective office—all of these things—the right to sue and to be sued. At present, anyone under 21 has to sue by his next friend, or defend an action by his guardian *ad litem*. These all add complications to any court action, as my fellow legal colleagues in the House well know.

Really, when one reads this entire report, where you see the two different approaches to it, that is in the certain areas where they recommend the reduction to 18, and the recommendation of the further study as to contract before any change is made as to dropping the age, I come away from it—I think anyone reading this whole report does—one comes away from it with the distinct impression that all of this has to be treated as a package.

I think the hon. member for Yorkview would agree with me that there is a philosophical connection, somehow or other, between the right to vote, the right to determine the destiny of one's country and the obligation to be bound by one's signature on a contract. To my mind we cannot segregate these and deal with them separately. I think they have to be treated as a package. It is seemingly only common sense to me.

I am in favour of lowering the age of responsibility; I think the age of 18 or 19 is more appropriate today, in this age of what I choose to call instant communication. Our youth today are far better apprised of what is going on around us than they ever were before.

I read a quotation from a youngster interviewed on the subject a short while ago, and he said something to the effect: "Well, I think we are smarter than the people were 20 or 30 years ago." I think he is mistaken there. I do not think he is any smarter, but I would expect that he is a whale of a lot better educated and far more knowledgeable of the facts as they exist in the community than we could ever have been 20 or 30 years ago. Indeed, I think they are far better able to assess the results of what they do than we could have been.

They still lack experience. I think experience can come only with the passage of time, and consequently judgement may be somewhat less sound than we might expect it to be as the years roll on. But subject to that qualification, I certainly have little objection to extending the franchise to them.

I have to emphasize that doing so is only a part, really, albeit a very significant part, of the overall recognition that with our change in times comes a general lowering of the age at which some form of maturity can be expected to be achieved by our young people.

I think most young people of today, in our society at any rate, would welcome being treated, for all purposes, as adults. I do not think, really, they want to be treated as adults for one purpose and as infants for others. If we make them completely responsible for all of their actions: Contracts, ownership, the right to have a will, the right to

sue and be sued in our courts; they would then accept this responsibility and guide themselves accordingly when they come to cast a vote.

I worry somewhat, I might say Mr. Speaker, I worry somewhat, though, on the subject of the drinking age. If we are going to lower it for everything, people are going to say: "Well, all right, then lower the age at which a person called an adult can go into a bar and have a drink." I think this has to be treated differently though. I do not want to sound old-fashioned, but I am a bit concerned. I think it has to be treated differently, as it seems to be a matter of physical development toward the maturing of one's system, one's physical system, to handle alcoholic beverages, more that than a matter of intellectual maturity.

Now these can be, I think, and indeed I believe they are, two very different things. The select committee on youth itself concluded that the minimum age of 21 for drinking in bars and the like should be retained and should not be tampered with.

All in all then, Mr. Speaker, I must say I do support the principle of this bill, provided that rather than standing alone as a single change in our laws it forms a part of a larger and more comprehensive scheme for lowering the age of responsibility to something of the order of 18 or 19 years. However, standing alone, as a very small part of the overall picture, I am afraid I cannot support the bill.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I rise to support Bill 74, an Act to amend The Election Act, 1968-1969, whose sole purpose is to reduce the age of persons who may vote at provincial elections from 21 to 18 years. It really does surprise me, Mr. Speaker, that of the eight members of the government party who are on the election committee, not one of them has taken the opportunity to defend their actions here this afternoon.

Mr. V. M. Singer (Downsview). None of them are even in the House, are they?

Mr. B. Newman: Mr. Speaker, the reduction of the voting age has received its share of attention, discussion and concern from all provincial governments and even the federal government. However, the federal government chose to act while Ontario hedges, ponders, procrastinates. Why should not we, the banner province in Canada, have been in the forefront, leading the way?

It is often said that youth are not clamouring for the responsibility of exercising the franchise. My personal observations, Mr. Speaker, are just the opposite. And in a survey that I conducted in my own community among the youth of the community, I found that youth would prefer to have the right to vote in greater percentages than the right to drink. For example, in one of the high schools, 81 per cent said they would prefer to have the right to vote whereas only 45 per cent said that they would prefer to have the right to drink at 18. In one of the technical high schools, 66 per cent said they would prefer to vote at 18 as opposed to 59 per cent who said they would prefer to be able to drink at age 18.

So, Mr. Speaker, you can readily see just from those two small comparisons—and I have them for the whole community—that youth would prefer to have the opportunity to exercise their franchise sooner than they would have the desire to drink at the age of 18. Youth, Mr. Speaker, are not irresponsible. It is we, the older generation, who do not have the confidence in the abilities of our youth to act sanely, responsibly and well in the overall good of their community, their province or their country. Let us not be guided by the misdirected attitudes and actions of the noisy minority. It was Thomas Paine who wrote:

> Men are born, and always will continue, free and equal. The end of all political associations is the preservation of the nature and the rights of man. The right of voting for representatives is the primary right by which other rights are protected. To take away this right is to reduce man to slavery, for slavery consist in being subject to the will of another, and he that has not a vote in the elections of representatives is in this case, a slave. The proposal, therefore, to disenfranchise any class of men is as criminal as the proposal to take away property.

Mr. Speaker, the right of exercising the franchise has been a struggle from segments of our society since time immemorial. It is not long ago that the gentler sex were not entrusted with the right to cast ballots. For a long time, those who did not own property, that is real estate, were not given the responsibility of voting while others were quite often given multiple votes. The more affluent today quite often have the opportunity of casting several ballots while a very important social segment of our society is barred the opportunity of a single choice.

Throughout our world, all types of conditions were placed on some people in an attempt to deny them the franchise. Educational, religious, ethnic and racial reasons were used. We have only to look at the practices employed in some of the southern states in the US, to know what we refer to; or even look at some parts of Africa, just to name another area.

We in Ontario have been dragging our feet on this. The first major step that can be and should be taken for our youth is to assure them that we recognize them as an important segment of today's society.

Mr. Speaker, many countries in the world have extended the franchise to those under 21 years of age, and the hon. member for York East made a whole series of comments concerning various countries. I will mention only a few. For example, at the very inception of the establishment of the State of Israel, the voting age was set at 18 years. Most countries behind the Iron Curtain accept 18. Quebec, Saskatchewan, Prince Edward Island and Manitoba have set the age at 18. Other Canadian provinces have set 19 as the right age level.

What about Ontario, Mr. Speaker? The election law committee in a split decision — with both opposition parties being united in their stand — accepted 18 but tied this in with the legal age of majority being also lowered to 18. Is this not, Mr. Speaker, just a plain stall tactic? Quite often it is said if a person is old enough to fight for his country, he should be old enough to be given the right to vote. I cannot accept that type of reasoning simply because that puts a physical requirement on the right to exercise the franchise. If a person is old enough to fight for his country, and should not be given the right to vote, then the person who is too old to fight for his country should not be given the right to vote, and this I cannot accept.

Everyone here concedes that we can derive much from the idealism and occasionally the irreverence of youth. Where do we see the young, be they long haired or short haired, be they bearded or beardless today? Quite often we see them in the streets demonstrating, protesting, parading. Sometimes we are tempted to think that they are wrong, misguided or perhaps covertly directed by somebody or by some group which really does not have much idealism but something more sinister or mundane in mind. Whatever the situation, whatever the auspices or whoever the stimulators, there is energy, drive commitment, dedication and concern among youth.

I believe, Mr. Speaker, that a healthy, vital and concerned political party should not be content if these people are on the streets and not in council rooms of the party. I am convinced that this is where the value may come in. I think full participation of those who are not too young to vote in the democratic process generally will, and should, enliven all our political institutions, make them more relevant, perhaps even more exciting.

This new section of the electorate will add need for quicker action and some willingness to tread paths that some have said should not be trod, and others have said could not be trod successfully. If the young want to change the old order through their own efforts, let them do it within the existing system, rather than through revolutionary methods. I think it is incumbent upon us to encourage them to participate and to make an effective contribution at an earlier age than as they are now given.

Mr. Speaker, in today's world, where communications media are lightning fast, where education has become compulsory and accessible to almost everyone, and where we feel an overall awakening in our young people, I think it is very wise to allow our 18-year-olds the fundamental right of man, that of choosing his administrators.

It is often said that the young would vote according to the opinions of their group rather than according to their personal value of a party or a candidate. I, however, believe that young 18-year-old Ontario youths will vote with far more seriousness than we think. Students are often much more critical than are older people. They are looking for the good and the bad and they can differentiate between them. Once they dedicate themselves to a cause they do so very thoroughly. They could give a more rational and realistic meaning to our elections.

Mr. Speaker: I do not wish to interrupt the member but there are two more speakers, each entitled to 10 minutes, and I would ask the hon. member perhaps to share the time with them.

Mr. B. Newman: I will conclude immediately, Mr. Speaker. Thank you.

It is strange that when the survival of democracy was at stake we did not hesitate to put an 18-year-old in charge of a multi-million-dollar aircraft. We put 18-year-olds in charge of a platoon; we put 18-year-olds in charge of a ship; we knew they had the ability to make decisions about whether someone should live or should die. What about

Ontario? The government does not have the faith in the ability of its 18-year-olds to make decisions. The federal government does.

Mr. Speaker, I think that we cannot afford not to give the 18-year-olds the responsibility of exercising their franchise.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I want to join with my colleague from Yorkview in supporting this bill which he has placed before this Legislature previously, that the voting age should be lowered to 18.

I want to talk just for a moment about what is surely the philosophic basis for keeping the age to 21. I think probably it is, firstly, the belief that young people at the age of 18, 19 and 20 would not have the experience and the judgement—I think that is the word the member for York East used—and, secondly, because we do not feel that they have a stake in society. We do not quite go as far as saying they do not own any property, but essentially we do not feel that they perhaps would use their vote with sufficient acumen in view of the fact that they do not yet know what the world about them is really like.

I think probably the reason we come to this point is that in essence in the twentieth century what we have done is we have extended childhood and we called it adolescence. At one point in time, in fact as late as the Middle Ages, there was no such thing as adolescents—what we would regard as children. Adolescents worked: they worked day after day; they worked very long hours and very hard. They were legally responsible. We have some very disconcerting descriptions of torture and imprisonment of children. In other words, they saw youth really as younger adults whereas today, of course, we have hied them off, we have isolated them as children and as adolescents.

To some extent, I think, one can blame the educational system for this, because what we have done in our schooling is to extend year by year the length of term that young people take receiving their education; we make it now the age of 16 legally but we have made it almost socially at the age of 18, 19, 20—in fact, some would even say 21. If you drop out before you are 21 you are just that, a dropout.

I think the irony probably is that we have taken young people and we have said, "You must stay in school; you must remain as an adolescent until you are 20 or 21. Then we are going to penalize you because we will not give you any of these legal rights; we will not let you drink and certainly we will not let you vote." So we as adults have created an impossible situation for young people today. But I think this is an example of an area where we have not come to grips with what is happening in the world about us, because in spite of our efforts and our desires to keep young people isolated, to keep them hived in institutions, indeed to institutionalize their existence until they are 21, they are not accepting this. They are not accepting this.

What they have decided is that "You can say I am in school and therefore I am not in the world and therefore I do not have the experience to have the vote," but what I am going to say is that schooling is life. It is no longer a matter of preparing oneself to go out into the world; rather the world is the educational system. Indeed, if you look at John Kenneth Galbraith and what he is saying about the kind of world we are moving into in the modern industrial state, he says that we are moving into an educational society and that the modern industrial enterprise is not really turning out goods, it is turning out information and it is changing people and it is educating and retraining people and that is the major aspect of its role. IBM is not turning out Xerox material any more, it is turning out information and data—and people are involved in this process. So that really what has happened is we have changed the whole emphasis of adolescence.

I think young people are beginning to realize that being in school is a normal activity of an adult, not an abnormal activity which is reserved for adolescents and for young people. So I think if we take a look at what we have done with young people, we must admit that we have to include them; if we want them to be responsible, we have to give them responsibilities. This is something which I have tried to learn. It is a very difficult thing to learn. If you want to make young people responsible, you must give them responsibilities, and it works. I have discovered it works. It works in universities; it works in schools. In fact, if you have seen what has happened at the university level—I give the Minister of Education (Mr. Davis) full marks in some cases for this—what has happened is a revolution in the universities of Ontario, involving young people.

Young people are sitting on boards of governors and they are sitting on committees and they are taking part in the whole development of a very complex and difficult institution, one of the most complex and difficult institutions there is in the modern world—the multi-university. These young people are doing

very well, thank you, and they have added a great deal to the spectrum of activities going on in these universities. I think it shows up very well indeed that our school system can be a place where young people can gain experience to take part in the electoral process. I want to say that some other things should be happening.

I think the member for York East is quite right on this point, that we must help young people by stopping teaching them citizenship and starting to teach them politics in high schools, because there is nothing which is more pointless and irrelevant than teaching them all the numbers of people that are in this chamber and in Ottawa and the division of powers and all this gobbledegook, when what they really want to know is how do people do things in a modern society—that is all they want to know—and how do we use the political process to make life decent and worthwhile and humane and sensitive.

We do not do those things. We start giving them the names of all the people who are in the federal cabinet and so forth. This is one of the things we have to change. We have to remember this, because we can take it upon ourselves to recognize and extend an act of faith to young people, and say that, "At 18 we are going to allow you to take full part in electoral process. Then we hope that you will also take part in the development of your universities and your schools as well, in school committees, in school board committees, in the whole gamut of activities which affect you day by day, because you know it really is not that important that you have one vote and are involved in the election of people going to the provincial assemblies and Ottawa, if indeed you are not participating at the local level."

We should be allowing political parties to go into schools and talk to young people, and reorganizing our political parties to find a more active role for teenage young people in our political parties as well. We have a lot of work to do in this whole business. But I say the first step is to extend an act of faith and bring 18- and 19-year-olds and 20-year-olds into the electoral process of this province. I think that we will find they will add a great deal of good to what is being done, because if there is anything that young people extend —at least to me—it is a tremendous idealism.

We, in the fifties, who came through out of the forties and fifties, have so many hangups. We, in many ways, fail to see some problems. Our young people also fail to see the complexity of problems, I will buy that, but to us we fail to see the priorities. Those young people have made us realize that pollution was a major problem. I can remember a few years ago we did a survey in this political party, and pollution was at the bottom of the list, in terms of those who were going to vote, as to what they thought was important. The young people do not think so because they think in terms of the future. They are programmed into the future. We are programmed into the past. We tend to see things in terms of past experience. They see things in terms of future insight.

I think Marshall McLuhan has got a great deal to say to us when he sees what has happened to young people as a result of changing the society around them, and that insight is necessary in the political spectrum. So, I say to you, Mr. Speaker, that we here in this Legislature have an opportunity, a very real opportunity at this point in time. We can do one thing; we can say, "All right, we are not prepared to extend this to you. We are going to demand that if you want to make your views known then you can join other people who feel that they are also not being listened to. You can go outside on the steps of the Legislature and you can carry signs and you can carry out that activity as your expression of political concern. Or, you can write letters to us, here in the Legislature, and by petitions and letters you can express your concern this way."

Or we can say, "You can become a part of the political process as a voter at the age of 18, but this involves responsibilities. This involves the responsibility of learning the complexity of our society and the complexity of the problems that beset that society. It involves more than just walking into a poll on election day. It means involving yourself in political parties, and in their policies, and in their platforms. It means involving yourself at your local level in your school and in your university." We can give that kind of hope to our youth that we will involve young people, or we can just simply turn to them and say, "All right, you can wait." I hope that this Legislature might just take this opportunity of extending that act of faith in the young people of this province and lowering the voting age to 18 at this very moment.

Mr. Singer: Mr. Speaker, it is very fascinating, this bill having come on several times and now being highlighted by the third report of the select committee on election law, that as I look around the House this afternoon there is only one member of the committee who has found it worth his while to attend. That is the hon. Tory member of the com-

mittee, who has found it worth his while to attend—the hon. member for Kenora.

Mr. L. Bernier (Kenora): Thank you for the recognition.

Mr. Singer: I would dare say, Mr. Speaker, and perhaps it is only my suspicious mind talking, that if the hon. member for Kenora was allowed to give voice to his thoughts he would agree with the minority provision in this report, rather than with the majority one. I wonder where the chairman of the committee is, the member for York-Forest Hill (Mr. Dunlop) and the member for Kingston and the Islands (Mr. Apps), probably the most reactionary member in this House, who objected to anything at all that was put forward, that was the least bit advanced or progressive.

Mr. R. F. Nixon (Leader of the Opposition): Is that the chap that wants to be Minister of Youth?

Mr. Singer: The member for Prescott and Russell (Mr. Belanger) is not here either nor is the member for York North (Mr. W. Hodgson). He had some pretty strong views. He is not here to express them today. The member for Hastings (Mr. Rollins) is another progressive thinker. He is not here to express his views on this very important bill.

Mr. Nixon: He is a Progressive Conservative, yes.

Mr. Singer: The member for Simcoe East (Mr. G. E. Smith) is among the missing as well, so I suppose, Mr. Speaker, without attributing motives to anyone, that one might perhaps guess that some of these members are not here because they do not find this debate to their liking. In any event, I listened with great care, Mr. Speaker, to the remarks made by the hon. member for York East.

Mr. Bernier: Mr. Speaker, on a point of privilege. I think the member for Downsview is trying to leave the impression that the Tory members on the select committee are against the principle of this bill. I want to assure the members of the opposition that they are not.

Mr. Nixon: Their spokesman said they were against it.

Mr. R. Gisborn (Hamilton East): It was opposed by the government's main speaker.

Mr. Singer: Mr. Speaker, despite his point of order, as it may be, let me continue.

I was saying that I listened with great interest and with complete disagreement to the remarks made by the hon. member for York East. He was assigned the unfortunate task, the almost impossible task, of trying to justify the unjustifiable—

Mr. Nixon: Which is government policy.

Mr. Singer: —and as he went off into his great harangue about how important it was to deal with the age of majority, which he called on occasion the age of maturity, which is not quite the same thing, I began to wonder really about what particular relationship the two things had. Obviously the member for York East had read the reports put forward by the law reform commission and he listened with care, I am sure to the remarks of his colleague, the Minister of Justice (Mr. Wishart), when he said, as he had on frequent occasions, "This is a very complicated matter and we are going to study it very carefully and in due course we will come up with an answer." I suppose in parenthesis he meant, "We will come up with the right answer" and the Minister of Justice is in complete agreement.

Mr. Speaker, I have been here long enough to recognize that when we get those great words of wisdom from the Attorney General, that he means, "Do not worry about it now. Do not worry about for the next few months. Do not worry about it for the next year or so, maybe in a couple of years it is going to see the light of day in the form of a statutory amendment." I would think it is just reasonable comment to suggest, having watched the very slow progress of that report of the law reform committee through this House and having listened very carefully to the Attorney General's words of wisdom on all occasions and having searched in vain for some hint we are going to have a statute affecting the age of majority and not having found it, then it is not unreasonable to assume that we are not going to have one within the reasonable, immediate future.

What, Mr. Speaker, could have got into the minds of the Tory majority of this committee who were trying to stall what seemed to be a most reasonable and logical advance to our election laws?

They could not on the face of it come out and say that 18-year-olds cannot vote. No, they would not dare do that. They did not even have the courage, Mr. Speaker, and I

say this in the presence of the hon. member for Kenora, to say in advance at an open meeting of the committee, that their decision was going to be to tie it in with a change in the age of majority.

No, Mr. Speaker, they decided that at a secret meeting so that when the minority members of that committee came to the final meeting and were presented with a document called "Draft of Third Report of Committee on Election Law" we were met with this brand new idea, "Yes, we are all in favour of lowering the voting age to 18 provided it is done at the same time as we lower the age of majority." What better method could you have of shelving the whole idea and that is exactly what they recommended to the government and that is exactly what is happening.

Mr. Speaker, I do not think there is any other conclusion that can be arrived at from this series of events than that the Tories, looking vainly for some excuse to avoid having 18-year-olds vote in the next election, seized upon this patent gimmick—that is all it was—to shelve the whole question for an indefinite period. That is exactly what they have done.

What do they say? They say here in paragraph four that persons otherwise qualified to vote and aged 18 on polling days shall be qualified to vote at elections provided that this recommendation is implemented concurrently with the enactments required to reduce the legal age of majority to 18. This document is really one of the most unusual and party oriented gimmicks that has arrived in this House in a long time.

Mr. Speaker, just to conclude as I see that it is nearing 6 of the clock, let me read the recommendation of the minority Liberal group, which I think sums it up very neatly.

> The majority report suggests that the voting age be lowered to 18 provided that this recommendation is implemented concurrently with the enactments required to reduce the age of legal majority to 18. This recommendation is amplified in paragraphs 15 and 16 of the majority report. The arguments put forward particularly in paragraph 16 of the majority report as well as those advanced by the Progressive Conservative Party Association of Ontario, who came to us as a group—

And you would have thought, Mr. Speaker, that the most important people had arrived before us the day that that group arrived and presented its brief.

> —and the representations made by the Young Progressive Conservatives of Ontario —exactly the same kind of recommendation —as well as many others, indicate that the very strong opinion that the voting age in Ontario should, in fact, be lowered. Many other jurisdictions in Canada, including our federal government, have already taken such action. The most recent Speech from the Throne—

And this dissenting opinion was written before the Speech from the Throne.

> —delivered in Ottawa indicated that such action would be taken by the federal government.

As I say, it has now been taken.

> The most recent Speech from the Throne in Ontario indicated the Ontario government looks with favour on this suggestion.

Well, it is very mild favour because we have not heard a peep about it from the Attorney General.

> While it is true that concern was expressed at earlier meetings of the committee as to what might be the effect in the event that a person in Ontario might be allowed to be a candidate prior to his having reached the age of majority, and it was noted that the most recent recommendations of the Law Reform Commission of Ontario to the Attorney General suggest that the age of majority be reduced to 18, at no time was it ever suggested at any meeting of the committee, prior to its meeting held on May 7, 1970, that lowering of the voting age be made conditional upon reduction of the age of majority.
>
> The majority of the committee did refuse to include any recommendation to lower the voting age either in its first or second reports, using as its excuse that the matter needed more research before it was finally reported on. The committee has continuously carried on its work accepting the idea that the next provincial election would probably be in 1971 and that in the event that any changes were to be contemplated in the election laws, which would affect that election, such changes would have to be made within a reasonable time prior to that election.
>
> I may say that it was the feeling of the court and the chief election officer of the Province of Ontario that if the changes were not made by now it would be very difficult, if not impossible, to effect these changes in time for the next election.

In view of the majority's refusal to make any positive recommendations as to the reduction in voting age in its second report and more particularly, in view of the conditional recommendation it now makes, we must conclude that the majority of the committee has done everything in its power to forestall any possible change in the voting age which could make it effective in time for the anticipated 1971 election.

We believe:

1. That the voting age in Ontario should be reduced to the age of 18, and

2. That the age of candidates be retained at 21 until the age of majority is changed, and

3. That action be taken on these most important recommendations as quickly as possible.

We say, Mr. Speaker, that the pallid excuses put forward this afternoon by the only Tory member who had courage to speak, the member for York East, will not stand the test of any real examination.

Mr. Speaker: This concludes the private members' hour.

ESTIMATES, DEPARTMENT OF FINANCIAL AND COMMERCIAL AFFAIRS

(continued)

Clerk of the House: The eighteenth order, House in committee of supply; Mr. R. D. Rowe in the chair.

It being 6 o'clock, p.m., the House took recess.

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No. 136



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Monday, October 26, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, OCTOBER 26, 1970

The House resumed at 8 o'clock, p.m.

ESTIMATES, DEPARTMENT OF FINANCIAL AND COMMERCIAL AFFAIRS
(concluded)

On vote 602:

Mr. Chairman: I believe the hon. member for York Centre has the floor.

Mr. D. M. Deacon (York Centre): I asked a question with regard to the full disclosure on these offers of exchange of shares so that the shareholders can get a proper idea of, not only the company that is being offered and the shares which are being offered to them, but in their own case, the statements could be well behind and not available on the basis that they can compare what they are getting with what they had. I feel it is a very important factor that is missing in our present form prospectus.

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): I do not quite understand the member's concern. On a take-over bid, based on a share exchange, as I understand it, the offerer must give all the information that he would give in an ordinary prospectus. I am referred to section 94 of The Securities Act. Insofar as the offeree shareholders are concerned, they bought their stock on the basis of information available to them on the market. They receive information annually or semi-annually. They receive all the information that relates to the fact that they made their investment in the beginning.

I just do not follow the point, because they are part of the company and are subject, which every investor is, to the same access of material and information.

Mr. Deacon: Mr. Chairman, they are part of the company to the extent they can get the annual reports and the quarterly reports to the degree of information that is released to them then. The underwriter, for example, is right on the inside as well as the management who might have sold out, as was the case of Radio Engineering. The offer we are discussing is one that was made to the remaining shareholders. The major shareholders sold out to cash; the others were getting shares. There is quite a difference in their position. The ones that really knew the inside story, or the existing story, had already got their cash.

It is very difficult for the shareholders to be in an equivalent position when the prospectus that they got related only to the company that was making the offer. It did not show any good reason why they should accept. They had a hard time understanding why the underwriter in this case would be recommending that they accept what apparently was a much poorer security than that which they already had. There was a lot of feeling on the part of shareholders that they were not getting the full story in this case.

Hon. A. B. R. Lawrence: I think perhaps that it raises the whole question as to how far one will go in the regulatory and statutory requirements with regard to insider trading. Should the particular circumstances that the member for York Centre has suggested require or trigger a degree of regulatory impact insofar as insider trading is concerned, beyond that which would apply in a variety of circumstances? Is there something very special that raises a particular standard of disclosure here?

Mr. Deacon: It is a question, Mr. Chairman, of the insider selling a controlling block, knowing perhaps that his control has a greater value and other people's shares do not have the controlled block. The people who have the control have the really valuable document. And once they have sold control, they really are not worried about the minority stockholder that is left behind.

The concern that I am expressing is the position the minority stockholder is in when suddenly he gets something quite different offered to him without really knowing why he cannot get as good a deal as the fellow that sold out the control. He does not get the full story of why he is being urged to sell

out. This same situation arose not only in Nytronics-Radio Engineering but it arose also in a Levy sale. It arose in another that was just mentioned by the member for Windsor West (Mr. Peacock)—I cannot think of it at the moment—where his blocks suddenly are sold and—

An hon. member: Acres.

Mr. Deacon: Acres. The blocks are sold overnight, and it has probably more to do with the actual restrictions and controls we are going to have imposed in the takeover bids in getting the teeth behind it.

The view is not completed. The view is not completed as far as the seller of the control when he has made his first sale control. It is some way of getting back at him to be sure that the balance of the shareholders have an equal advantage in this situation.

Hon. A. B. R. Lawrence: It strikes me, Mr. Chairman, that this raises the whole issue that was discussed briefly earlier today and that is the position of the minority shareholder.

The control person under our legislation, and it could perhaps be tightened up broadly, is required to disclose how often and how much. Of course, we can debate, we can increase. But along with that, have you not raised the fundamental issue of what is the position of the minority shareholder? It seems to me, as an ingénu and not nearly as knowledgeable as the member for York Centre, that perhaps there is an argument here, that the mere value of the stock as purchased, or the security as purchased by someone in a minority position reflects the totality of all the implications of being a minority shareholder.

Mr. Deacon: That was the former system. But are we not trying to get away from that, Mr. Chairman, in our present legislation for a takeover rule? Are we not trying to make it so it is much more difficult for people just to sell out control and leave the remaining shareholders holding the bag, so to speak? Is our philosophy in our securities legislation not one of trying to make it obligatory that the same sort of offer be made to the other shareholders as well? Is that not what we have been trying to do in all this takeover legislation?

Hon. A. B. R. Lawrence: No, Mr. Chairman, I do not think that is the purpose.

I think that the purpose behind what we have been trying to do, whether it be in the merger study or in the report that has been made, is to find a system where everyone who is involved is given the greatest amount of information.

I think what we are trying to do is deal with the fact that it is a fair bill. In other words, people know what is happening at the particular time. But no amount of disclosure can overcome, it seems to me, the fundamental fact that control is control and that the control shareholder's stock is worth more in essence because of his control than that of anyone on a proportionate or percentage basis who is in a minority position. There are two questions here. They are very different.

Mr. Deacon: Mr. Chairman, I am rather surprised that the minister expresses it this way, because we have in our regulations, I understand, instances where offers are made that people have to take pro rata. If there are more shares offered than the offer asks for, it is not first come, first served. It is a matter of a certain time limit on the offer and then they divide it up, pro rata.

The shares that are tendered are divided pro rata in the way of getting the benefit of the offer. Is not this representing a philosophy of trying to make the deal the same for all, regardless of whether they happen to have that control block?

Hon. A. B. R. Lawrence: Mr. Chairman, I do not think so necessarily, because the question of pro-rating is still within the question of the minority position. I think it is not until you move into the question of appraisal rights and other practical legislative experiments or exercises in other jurisdictions that you get into the question of trying to switch the balance between control and not control.

The merger study that Mr. Bray has participated in goes into that in some detail and I presume that the member for York Centre has read it. But unless you are going to get into a system which strikes me of valuation and of artificial legislative propping-up of the minority position, pro-rating I do not think attacks it and disclosure I do not think attacks the fundamental fact that control is control.

Mr. Deacon: Mr. Chairman, it seems to me the Canadian Breweries case is that case in point where Philip Morris came in and made an offer for a certain number of shares under certain conditions. The people who had the existing controls objected to it or at least they did not take an action. Had that offer been successful and there had been more shares tendered than they actually bid for—

they had complied with the rules of takeover bids by saying it would be done on a pro rata basis.

Now is not that a reason for that pro rata rule to be one where all shareholders get the same treatment, regardless of their position of a minority or majority shareholder? I thought that this was one of the basic thoughts that was behind this pro rata basis, rather than the first-come first-served rule that had prevailed before.

Hon. A. B. R. Lawrence: I can accept that argument, but still it does not suggest that we move into appraisals or artificial judications on the value of minority interests as such.

What I am not clear on is what, if we were drafting statutory or regulatory provisions, the member for York Centre is putting before us.

Mr. Deacon: Mr. Chairman, I am certainly not making myself very clear tonight and I apologize.

What I am saying is—and take a specific example—if a company like Philip Morris wants Canadian Breweries and it goes to the controlling group and says, "If you will deliver 51 per cent of the stock we will pay you $15 a share, even though the market is $10," as I understand our rules for takeover bids, we frown on that. We say, "Make an offer; we will assure you the 51 per cent—you will get that—but make your offer at $15 and of all that stock tendered we will only accept those shareholders that tender, say, 100 shares. If 75 per cent of the total shares of the company are tendered and only 51 per cent are wanted then only two-thirds of those shares the shareholder entered would be accepted at $15. You would be left with the balance."

But that same pro rata would apply to all shareholders, regardless of whether they are part of the minority or part of the controlling group. But the ethics, I had understood, that the department was seeking in these fair takeover rules were so that the minority shareholder, in effect, had the same treatment as the majority shareholder; he had the same chance.

It has nothing to do with appraisal of valuations. It is up to the shareholder, with the full disclosure that he is given in a prospectus, to make his own appraisal whether he thinks $15 is a good price or not, because the price on a takeover bid may be far below what the real value of the stock will be two or three years from then.

Maybe the shareholder says: "I do not want to sell out to these people." He has that choice. He does not have to. What I am really interested in here is that I thought that the whole philosophy the government was seeking to place in legislation was one whereby the minority shareholder really did get an even chance with the majority stockholder in any takeover bid.

Hon. A. B. R. Lawrence: We come back to the whole fundamental and almost philosophical exercise, which is: Do you recognize, or are we to challenge, the fact that the control is controlled? I mean, you can get control whether it be by holding 20 per cent of a particular stock, or 51 per cent of a particular stock. In our market, left to your own cleverness, your own ability, your own power and financial strength, you can use that control. It is reflected in the value of your stock, the value of the minority stock, or the value of a spread majority, you know, where you may only own 30 per cent of the stock, but still have control.

The question of pro-rating arises, as I understand it, where you have over-subscription, or where you are dealing with the class equally among themselves. But it does not raise the status of that class in law so that you challenge the fundamental ability of the group, or the person, who has control of exercising the very peculiar powers that come from de facto control.

I think we come back to that fundamental question of philosophy about control itself—other than ensuring the control that persons give the plainest and fullest and clearest disclosure; other than raising the question of whether or not we have gone far enough in the field of disclosure, and I can debate with the member indefinitely the degree at which we require the books to be open, as it were—we cannot decide here this evening—and once you put me in the position of suggesting that control shall not be recognized as what it is—the power of operating or controlling or being able to take over—so far as I am concerned you leave almost a philosophical barrier.

Mr. Deacon: Mr. Chairman, a good example of a situation where a control position was abused, was a few years ago in the case of Canadian Vickers. A group which had 51 per cent sold control at $40 a share. The stock, I do not think, ever got above $25. It had been down around $10 or less for a good deal of the time subsequent to that.

There was no opportunity given by the controlling group. They did not say to Vickers

of England, "We insist that you make an offer to everybody. We will get everybody in pro rata for the number of shares, and give them an opportunity to supply pro rata the number of shares that you require."

This is the type of practice that I understood had caused the government to recommend fair rules in takeover. This is why the stock exchange has brought out this code of ethics in takeovers. Now it has not worked in many cases so far. I would like to see the government actually design legislation that would make this effective—put some teeth in it.

So if I am in a position, as I have been in the past, to deal control of a company to somebody else, I also have to have the obligation of making certain that everybody else in that company has the same chance to see the same percentage number of shares and that offer to control is submitted.

I do not think that it is anything abusive of controlling interest when those that happen to have the 51 per cent deal for themselves and they are allowed to get away with not taking upon themselves the obligation to look after the remainder.

This is something we should be working at and putting into legislation. So in the case of Canadian Vickers, where the deal went through at $40, they actually would not be able to conclude that transaction, until we were sure that everyone else had got their pro rata share.

I just do not think that the practice as it has been in the past is good enough. I think that the reason we have put in this code of ethics for takeovers was—that we were trying to eliminate this discrimination in price, when a majority group is using its position and control to get itself something considerably better, certainly better than the rest of the shareholders. I think they have an obligation in having control to look after and give the same equal treatment to the minority shareholders.

Hon. A. Grossman (Minister of Correctional Services): Mr. Chairman, I wonder if I might interrupt you just for a moment. I wonder in view of the fact that the hon. member for Downsview is always making election announcements, would he care to tell the House the result of the New Brunswick elections?

Mr. V. M. Singer (Downsview): I have not heard. Why do you not tell us?

Hon. Mr. Grossman: I will tell you. Robichaud has conceded defeat.

Mr. J. Renwick (Riverdale): They are turning out governments right and left.

Hon. R. S. Welch (Provincial Secretary): How many NDP?

Mr. J. E. Stokes (Thunder Bay): How did you do in Nova Scotia a couple of weeks ago?

Mr. C. G. Pilkey (Oshawa): Ask them to tell you about that.

Mr. R. F. Ruston (Essex-Kent): The minister did not say anything about Nova Scotia that day.

Mr. Chairman: The hon. member for Riverdale.

Mr. J. Renwick: Mr. Chairman, as this will be not only the first estimates that this minister has brought before the House, but probably the last ones, I would like to have the benefit—

Hon. Mr. Grossman: Take a shot in the other arm.

Hon. J. R. Simonett (Minister of Public Works): Yes, and when you get both arms finished, take a shot in the head.

Mr. J. Renwick: I would like to make a couple of comments. I would like to ask the minister if he would give his impressions on the merger report, and what the government's intentions are with respect to the many recommendations that are included in the report? Perhaps that will be a good starting point, Mr. Chairman.

Hon. A. B. R. Lawrence: It raises questions of policy, of course, Mr. Chairman, but I do not think it is going too far to say that we are moving toward the development of amendments to The Securities Act, in relation to a substantial number of the recommendations in the report, particularly those relating to disclosure, and again, in relation to takeovers. That is the part of the study and its recommendations that we are, day-to-day, actively engaged in preparing and, hopefully, we will have amendments to the Act before the House within the next six months.

Mr. Chairman: Vote 602?

Mr. J. Renwick: Mr. Chairman, I do not necessarily agree with many of the recommendations, but I do not think this is the proper forum with which to attempt to deal individually with them. However, I would ask the minister if he would give serious consideration to making mandatory a requirement that the directors of offeree cor-

porations be required to express their judgement of the offer which is made to the shareholders of the offeree company.

The recommendation says, that, for practical purposes, "If company A offers to the shareholders of company B, the directors of company B may, if they wish, make a statement about it."

It seems to me that that is really quite unreal in a takeover situation. It seems to me that the shareholders of the company whose shares are being offered, are entitled to require of the directors that, after due consideration, they make a formal statement about the extent of the offer, their assessment of the value of the offer, their business judgement about whether or not that offer should or should not be accepted. It seems to me to be just a little too cute that directors of a company who have assumed the obligation of managing and directing its affairs should, when an offer has been made to their shareholders, on which the shareholders as such cannot really exercise any definitive judgement in a business sense, that the directors of the offeree company should be required, rather than have it left at their discretion, as to whether or not they should or should not make a recommendation with respect to the offer.

There is one other matter which concerns me greatly in the Province of Ontario. I do not think that we can long go on with the luxury of simply basing our securities laws on the question of disclosure.

I think that that is always one important and basic aspect of the securities legislation of the province. But in a department such as this minister's department, it would seem to me that there must of necessity come a time when the government is going to have to exercise some kind of say—and I emphasize the "some kind of say"—about the purposes for which the issues are being made, the purposes for which capital requirements issues are being made in the province.

At some point or other there is going to have to be some kind of an advisory body somewhat similar to the capital issues committee, which has functioned quite well in Great Britain over some considerable period of time, expressing some judgement to those who go to the capital market about the government's view of whether or not that is the kind of overall capital requirement that is in the interest of the province as a whole.

I think it is just not possible in a time such as this for government in the Province of Ontario to abdicate its responsibilities about whether or not a particular capital issue goes to the market to be determined solely, for example, in major instances by those in the insurance companies or trust companies, or other financial institutions, or the banks, without in some way giving consideration to the role of government in that capital operation.

Although we have reasonable access to capital requirements, we have not got, in the Province of Ontario, the kind of capital which will permit us the luxury of simply saying that it can be left entirely to the private capital market. That is not to say that the government is to be exercising its necessary veto over a capital issue, but there should be some forum of government that can, in some way or other, make some kind of a comment, or express some kind of a view, about whether or not a particular demand on the capital market is justified by the economics of the province as a whole, by the specific demands of various competing parts of the economy for what will always be in the Province of Ontario for a measurable period of time, a scarcity of capital resource.

I would appreciate it if the minister would comment about the first point and then about the second point which I have raised with him.

Hon. A. B. R. Lawrence: As I understand it, Mr. Chairman, the United Kingdom exercise in this field related very specifically to their defence of the pound in the world money market, but I cannot go any further because I do not know whether or not it went more broadly than that.

But this does raise a very difficult question, that is whether or not—although we loosely talk of the economy of the Province of Ontario—any province really has an economy or whether, indeed, it is Canada that has an economy. I will concern myself, and I am sure others present will concern themselves, with the remarks by the member for Riverdale, but it does raise a very peculiar thing because it assumes, in a way, that there is a provincial economy. That is a highly questionable thesis, I would think, from the academic economist's point of view.

Mr. J. Renwick: Mr. Chairman, I do not know about the academic economist's point of view, but every year now under the kleig lights in this House the provincial Treasurer (Mr. MacNaughton) raises, in his budget, the whole question of what is referred to as the "state of the provincial economy." Therefore, this government, in my view, has some responsibility about its welfare, albeit only of

this segment of some larger economy, insofar as the use of capital resource is concerned.

I just question really whether or not you can go on continuously on the basis that people with limited resources, either by the purchase of life insurance, or by deposits and other resources available to trust companies, or to deposits in the chartered banks and the other financial institutions, then should abdicate their responsibility to the managers of those institutions to decide whether or not a particular issuing company will be able to obtain the capital that it asks for on the marketplace.

Somewhere, at some time, the government is going to have to recognize a part of the responsibility for the determination of the allocation of scarce capital resources in Ontario and I question, to the minister, then, is it possible that the government could give some consideration to the needs of that kind of capital allocation committee? Whether you call it a capital issues committee or by some other name is relatively immaterial.

Hon. A. B. R. Lawrence: You know the slipperiest word of all is "consideration." I do not think that any of us have our minds closed to debating some of these theses, but whether or not the Treasurer of the province or anyone else uses the term "provincial economy" if we are looking at economy from the academic point of view it does not seem to me that a province has an economy, and to a great extent—and your party would be one of the first to be sensitive to it—it is often difficult to see that even a nation these days has an economy in the old sense of the word.

We are dealing with money markets. We are dealing with international flows of capital. I really hesitate, at the moment, to suggest that at the provincial level a kind of scrutiny and supervision of the money market makes sense.

Mr. Chairman: The member for Downsview.

Mr. Singer: Mr. Chairman, the suggestion made by the member for Riverdale intrigues me. Is he suggesting that when Bell Telephone decides it needs $100 million on the capital market, it should come to a cabinet minister or a committee and say, "We need $100 million. Can you, the great poobahs in government in Ontario, determine whether or not we can have our $100 million?" Is he suggesting—

Hon. J. H. White (Minister of Revenue): That is why he lost his bid for the leadership a couple of years ago.

Mr. Singer: —that Bert Lawrence Limited, who is a hard-working young fellow out of Ottawa who is operating a small manufacturing outfit, decide that the point has arrived in the development of his company that he can go to the public and say, "Because we make such good products we would like to appeal to the public for capital contributions by way of the debenture or by way of preferred share purchase," and only the government can decide whether Bert Lawrence Limited is going to be able to do this?

If this is what the hon. member for Riverdale is suggesting, sir, then it shocks me completely because what he is suggesting, in fact—and I would hope that this kind of suggestion is the sort of suggestion that represents party policy. I do not know if it does or not.

I would have been more impressed had it been expressed by the hon. member for Scarborough West (Mr. Lewis). If that is party policy, if the member for Riverdale is advocating the complete government control of all investments, let the record stand and say that, because certainly we, in this party, do not believe that that should, in fact, be the case.

Mr. J. Renwick: The member for Downsview did pick up the drift of my remarks, perhaps not to the logical extent which he drove it. But I recall, Mr. Chairman, and I am sure the minister will recall very clearly that at the time of the introduction of the giveaway loans by this government we raised, in this Legislature, the question of whether or not this government would have the foresight and the imagination to have an equity participation. The Minister of Trade and Development (Mr. Randall) nearly went apoplectic. But I noticed the other day that it would be quite likely that the government would be taking an equity position in companies to which loans would be made.

I am simply suggesting, regardless of the ultra-conservative laissez faire model that the member for Downsview adopts in his discussion of this matter, that it is not too far-fetched to suggest not that Bert Lawrence Limited but that Bert Lawrence, the Minister of the Crown, in a representative democratic system responsible to the government of the province and responsible, in due course, to the people should, on occasion, express a view about the allocation of scarce capital resources in the Province of Ontario.

That is if "development" and "economic growth" and all of these pat phrases that come from the government regularly are to

have any substance and meaning—and I just throw it out in the pleasant atmosphere of this particular October evening as a suggestion for the government to give some consideration to, because just as certainly as day follows night and just as certainly as you are going to take equity positions in the companies to which you give these forgivable loans, you can be quite certain that it will only be a very short time until the scarcity of capital resources will so impinge on the government of this province that they are going to have to make some kind of an indication about what their policy is as to where those scarce capital resources are to be applied if they are going to continue to have the the kind of economic growth that we all believe is essential to the well-being of the province.

Mr. Singer: Mr. Chairman, having made a blatant statement about the NDP moving in to control all of the economy for the province and having been challenged on it he immediately runs for cover and begins to compare apples to oranges.

Mr. D. C. MacDonald (York South): Go on. You are bankrupt.

Mr. Singer: Yes he does because he knows it is a very different thing when we talk about using part of the money the province raises to direct the economy in a certain direction and the whole question about accountability in the expenditure of public money.

The hon. member for Riverdale is a shrewd enough man and politician to recognize that having thrown out the blanket statement, that he immediately, on being challenged, did not want to saddle his leader or the NDP with that kind of utter nonsense.

If it is part of the policy of the NDP, Mr. Chairman, that the government of Ontario controls all of the investment policy of everyone in Ontario then some of us will disagree. If that is their policy as enunciated by the member for Riverdale, so be it and if that is the issue on which they want to go to the people, fine, we will take that issue. That is what the member for Riverdale said and no amount of back-treading or back-pedalling at this point will change it.

Mr. J. Renwick: Mr. Chairman, I actually wanted to get a response from the Minister of Financial and Commercial Affairs. I had, in the back of my mind, that perhaps my friend the member for Downsview would respond and he certainly did.

Mr. Chairman: The member for York Centre.

Mr. Deacon: I wish to say that if the type of approach is ever adopted in this province where we try to direct and give opinions as to the merits of issues rather than concentrating on the policy of disclosure, then we really will be scarce of funds. We will not have any capital at all; it will have fled this province. It is time we recognized—

Mr. Singer: They will throw their hands up in horror.

Mr. Deacon: It is time we recognized that the key element in the free enterpriise system is the giving of freedom to the individuals to choose themselves and to decide themselves as to whether a venture is worthy of their investment or not.

Mr. MacDonald: Did you hear Jack Davis on TV last night?

Mr. Deacon: A further question is coming up. There was some comment made about the situation in Britain—

Mr. Singer: On Friday. That was a good one too.

Mr. Deacon: The London Stock Exchange does, in the case of—

Hon. Mr. Grossman: While you fellows are looking at TV, we are looking after the store.

Mr. Deacon: In the case of takeover bids, the London Stock Exchange does insist that underwriters be called in by the companies, or the ones they retain, to make an opinion, or express an opinion, on the merits of an issue—but it is an underwriter selected by the company and not one appointed by the government to give such opinions. The government's control in these matter is only to do with the exchange, as someone explained earlier here.

One of the areas I wanted to ask the minister about is what is being done to assist the investors or the people who have invested through the broker, Ord-Wallington and Company, to recover their funds. This was a broker that was licensed by the province. Therefore I think in licensing, the province indicated to the public at large that the broker had ample capital to carry out transactions in the way that they are licensed to carry out. I feel that the government has some responsibility here and I would appreciate hearing from the minister what is being

done to assist those people in recovering the funds they lost as a result of that firm's bankruptcy.

Hon. A. B. R. Lawrence: I think it is a fallacious argument to suggest because the province licenses somebody that in other words they underwrite them. We license all lawyers but the province does not underwrite them.

Mr. Singer: You do not license lawyers.

Hon. A. B. R. Lawrence: You cannot practise law unless you are licensed.

Mr. Singer: But not by the government—by the Law Society of Upper Canada.

Mr. MacDonald: It is a delegated power.

Hon. A. B. R. Lawrence: It is a delegated power, as the member for York South has said. In any case, mere licensing cannot be considered as a guarantee of either the honesty or the solvency of anybody in this province. What has happened—and the member knows—is that within the last year we have, in cooperation with the brokers themselves, set up a compensation fund. Whether it will be adequate or not is an empirical test, but I do not think ex post facto or retroactively there is any way in which this department of the government has any grounds for distributing funds to those who lost with the Ord-Wallington collapse.

Mr. Deacon: Mr. Chairman, I do not agree with the minister for the simple reason that all brokers except for the few — Ord-Wallington is one of the few exceptions—were members of groups that did have provision to safeguard any of the public who are dealing through them in the event of loss. Whether it was the stock exchange or the Investment Dealers Association, there is a fund whereby if any of their members got into difficulty, they would be protected.

The government in effect was operating the same way as the lawyers. They had delegated the responsibility in those cases, but the government did leave a loophole for situations. And they still delegate without insisting that there be some form of protection to ensure that the capital was maintained and that there were other safeguards in the case of any difficulties suddenly occurring. I think that the government does have an obligation in the case of Ord-Wallington and in the other cases where brokers are licensed by them, and yet there is no provision made by the government to ensure that through an agency to which they delegated powers there was protection for those that dealt with those licensed brokers.

Hon. A. B. R. Lawrence: Well, as I said earlier, Mr. Chairman, I cannot see how we could ever be in the position where licensing would make us the insurer of all the thieves and cut-throats in the province. When people steal and act criminally, the criminal courts are there to catch them. We do believe that—and, for instance, the Ord-Wallington thing could not happen today. We do believe that this small group which was without a compensation fund should have one, and it now has. It was not by statute either, you know.

I think the Toronto Stock Exchange, for instance, acted on its own as far as I know without statutory requirements in setting up its compensation fund and, although hallowed by legislation, it was the Law Society of Upper Canada that moved to set up its fund. There will be crooks found in odd lots in all sorts of places and to suggest that the government of Ontario should be the insurer of these people, merely because they are licensed, I do not think is practical.

Mr. Deacon: Mr. Chairman, I am not talking about the government being their insurer; but about the government taking care to see that these are insured, that in the case of the other departments this government is responsible for—real estate brokers and car dealers —there are bonds that they require to be deposited to protect the public. I think that the government itself was very negligent in allowing these gaps to occur for such a protracted period because several bankruptcies occurred in the past where the government did not take action to avoid them. In the Ord-Wallington case, fortunately, we seem to have now stopped up this very bad loophole but I still think the government has some responsibility to these people who lost money in brokers that they presumed, the government would have ensured as having proper insurance protection against such losses.

Vote 602 agreed to.

Vote 603 agreed to.

On vote 604:

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, under vote 604, I know how interested the minister is in consumer protection, and I thought I would bring to his attention the latest bit of literature that has come to my attention. It comes

from, I am sure, a very estimable body called the Bureau of Canadian Tax Land Sales whose mailing address is 16 Quimby Court, Thistletown, Ontario, Canada. They say in their very colourful literature, printed in three colours and with little pieces thrust in the middle, "The power to capitalize upon the extraordinary recreational and investment potential of Canada is now within your grasp," and among other things it is indicating to us, with a big star up in the corner,

> Buy Canada—$10 for 10 acres. Most unique land service in the whole wide world. Municipal tax arrears sales. Thousands of border properties available direct from Canadian municipal governments. No middleman. Revolutionary service. For you, every region, every locale is thoroughly researched. Hunting, fishing, investing, cottages, farms, towns and cities. Bargains for more than 80 years, coast to coast, five provinces—

I guess they lost five provinces on the way, but:

> Thousands of dollars in land bargains now available. Easy driving distance of U.S.-Canadian border points. Coin your bonanza right away—

And the final line is the one that I like the best:

> Speculators guaranteed profit or money refunded.

There is much more in it, than this, Mr. Chairman. I am just going to send it over to the minister so that he can take the appropriate action, but somewhere along the line I would hope that here in the Province of Ontario we are beginning to get somewhere where we can get at this kind of utter nonsense—

Mr. J. Renwick: That is censorship.

Mr. Stokes: That is free enterprise.

Mr. Singer: And hopefully the minister and his department would become aware of this and begin to take advantage of some of the new provisions under the federal statutes relating to false advertising and other things. For instance, I would wonder whether the people connected with this might or might not be registered real estate brokers, and the extent to which you have OPP reports about false advertising and so on. It is one of many and I thought this one deserved being brought to the minister's attention.

Mr. Chairman: Vote 604. The hon. member for Oshawa.

Mr. Pilkey: Mr. Chairman, I raised the question with the Attorney General some time ago during his estimates on the protection for managers of the Mac's Milk outlets. I have received, or, a number of people have come to my office complaining about the kind of contract they have to sign. In addition to that there is a $1,000 fee that they have to pay to acquire one of these stores and become a manager. The information that has come to my attention is that usually every manager whose employment is severed with that company has his $1,000 confiscated. In addition to that, after they do some kind of ad hoc inventory, they owe additional moneys to the $1,000. Not only—

Hon. A. B. R. Lawrence: Could I interrupt the member for Oshawa?

Mr. Pilkey: Yes, right, please do.

Hon. A. B. R. Lawrence: While he was absent from the House this afternoon, the member for Wentworth (Mr. Deans) raised this issue in some detail.

The particular matter you are describing at the moment is one which I suggested and he accepted, I believe, as being one to put before the franchise committee which is holding its public hearings today, and last week had a public hearing. I would suggest that the member for Wentworth, I think, aired this thing in complete detail and I have undertaken, and certainly the franchise committee is set up for exactly the purpose of getting the people before that committee. Today it is over in the Macdonald block. I do not know if it is sitting over there tomorrow, but it is gathering information on exactly this situation and they do view it with grave concern.

Mr. Pilkey: I appreciate that, Mr. Chairman, because it is not just in Oshawa, obviously. I received a letter on the situation in Ottawa where they are proceeding into the courts. There have been a couple of court cases in which these managers have been involved. It just seems ludicrous to me that an employer like Mac's Milk is able to continue with that kind of programme in exploiting people. Within your department is the consumer protection branch and it seems to me that in some way your department has to come to the aid of these people. I would appreciate hearing something on that.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I will be as brief as possible because I understand our time is limited and others may want to speak.

I would like to simply ask the minister if there are any checks being made by his department concerning the offers that are put out by *Reader's Digest*? I have got a bank book here offering $100 a month for life. I have got all kinds of super bonus prizes from *Reader's Digest*. I have got everything that you could think of, but they never seem to send me the money. I just wondered if your department makes any check that *Reader's Digest* actually does deliver, according to what it says.

I could mention another corporation—Prize Headquarters of Montreal. I have two different items from them. I have Shell also—the Shell company. They are all on the same idea, Mr. Minister. Have you made any check that they really do deliver the prizes that they actually say they are going to give?

Hon. A. B. R. Lawrence: I am advised, Mr. Chairman, that *Reader's Digest* have been checked and they have produced, and they are prepared to produce, lists of actual winners. From time to time, we have this problem occur and our consumer protection branch immediately moves in and finds out whether the allegations they make in their material stand as fact. I do not know if we have checked some of the others that you have mentioned, but we will.

Mr. B. Newman: Shell.

Hon. A. B. R. Lawrence: Shell?

Mr. B. Newman: Treasure.

Hon. A. B. R. Lawrence: Treasure what?

Mr. B. Newman: Treasure Chest, All-Canadian Sweepstakes.

Hon. A. B. R. Lawrence: Treasure Chest, All-Canadian Sweepstakes?

Mr. B. Newman: Prize Headquarters is the name of the company.

Hon. A. B. R. Lawrence: Shoot them along because we feel that it is our responsibility to find out whether they are square.

Mr. B. Newman: Right. May I simply ask the minister then, as a final question, if he is considering requiring all companies to make public, by a specific date, a full disclosure of their prizes and how the prizes are being distributed? I understand the Federal Trade Commission in the US requires this.

Hon. A. B. R. Lawrence: If it is on a game of chance, or something similar to that, I know in my own experience we have asked them to come in and give us details. I just cannot answer the question as to whether we would launch ourselves into a statutory requirement for publication in relation to all such activities. It seems to me an awful lot of bureaucracy where spot-checking can probably answer it, or individual complaints that the member is making.

Vote 604 agreed to.

On vote 605:

Mr. D. A. Paterson (Essex South): Yes, Mr. Chairman, I would just like to pass on to the minister my concern about the effect of office incorporations that are carried on.

I draw to the Minister's attention an incorporation that took place in the city of Windsor in the law office of Walter H. Prince, who is very high calibre solicitor and well respected in that city. Recently a gentleman must have approached him to incorporate a firm called Pleasant Valley Canners in the municipality of Harrow. When they applied to your branch they found that there was such a firm already incorporated and they had to go by a serial number. Now within eight or nine months of that incorporation, this company was down the drain with very serious financial losses for a number of people in that area.

I would just ask of you, through the Chairman, Mr. Minister, is there any onus at all upon your department or upon that law firm for the protection of those individuals who have been affected by such a firm? How soon can we find out who the actual owners or promoters of this firm are? The list of the exact office holders and not the office incorporators.

Hon. A. B. R. Lawrence: Mr. Chairman, I am advised that under the present Act and under The Business Corporations Act a change of the incorporating directors, which may be secretaries or lawyers within a law firm, has to be filed with the branch within 15 days. Beyond this I do not know what to say. As a matter of fact, the problem raised by the member could be worse as we move into our new and reformed corporate legislation which will allow one shareholder to be incorporated. If you have any suggestions as to how we can overcome this, whether 15 days should

be shortened to seven perhaps, I would be glad to entertain them.

Mr. Chairman: The member for Windsor West.

Mr. H. Peacock (Windsor West): I would like to ask the minister, first of all, why the enforcement of returns such as the one he just mentioned is not pursued more vigorously. Where changes of officers or names of persons who have appeared on the original application for incorporation cease to be the officers, where annual returns are considerably in arrears, why is the department not taking proceedings, either against the solicitor or the principals of those firms to bring that information up to date in the files of the branch?

Secondly, I would like to ask the minister to what extent he is prepared to permit the use of serial numbers as corporate titles or styles, because in the few contacts I have had recently with the branch, I have, like the member for Essex South, come across a growing number of firms which appear to be using a serial number as a style or title of incorporation.

For me, Mr. Chairman, and I think for many of the members of the public, it is going to pose a considerable difficulty in trying to arrive at the information that the member for Essex South seeks in regard to this bankruptcy. It is difficult enough separating one company from another by use of words in a title. It is now going to become exceptionally difficult to separate companies from one another where you have as many as six digits in the style of incorporation.

The ordinary person who seeks information or even endeavours to pin down who it is, what corporate person they seek to take action against, I would suggest, is going to have increasing difficulty in getting to the minister's records and getting the accurate information because of the difficulties in accurately identifying the corporate person that they are seeking out.

Hon. A. B. R. Lawrence: It could not be any more difficult to identify a corporation when you search it under numerals than it would be under names, and so far as going bankrupt or not. I mean a rose by any other name will smell as sweet. Whether it be ABC or Joe Blow Company is not going to protect the person who is a creditor who is caught or an investor who is caught.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Could the minister tell me what has been done to co-ordinate filings and registrations and recordings under the Securities Commission and those under The Business Corporations Act. One of the great advantages we saw in bringing the companies branch under this department was the co-ordination and reduction in duplication of returns. Has much been done to achieve that? I do not see it in the organization charts that he shows.

Hon. A. B. R. Lawrence: There has been nothing done to achieve it except a lot of concern and a lot of thought. I think the point the member for York Centre raises is valid. We must move toward the centralization and pooling of all our information. I would not really, so far as I am concerned, stop at the point he has. It may well be that other financial and commercial activities should be part of the same pooling. We know where we want to go in this field, but it is a practical and technical question of reorganization and computerization.

Mr. Deacon: Is this under a ministerial study?

Hon. A. B. R. Lawrence: Well, no. This is the kind of thing that is the responsibility of my staff to work out. My deputy minister and the branch heads are responsible for administrative efficiency and I do not think any of us would quarrel with the point that you have raised. It is just how soon and how quickly we can be that smart.

Mr. Chairman: Shall vote 605 carry?

The hon. member for High Park.

Mr. M. Shulman (High Park): Under business and corporations, Mr. Chairman. It has been drawn to my attenion there is a flaw in the Act in that in incorporating a company it is possible to put someone's name in as a director who is completely unaware of it.

We have in the files upstairs a company which went bankrupt. When the creditors began to chase the people who were written down as directors they found that at least one of them did not even know he was listed as a director. He had never been contacted, and never approached in any way. He informed me that he wrote your department to complain and he was informed that there was no regulation saying that he had to be contacted.

I request that you fix this flaw in the law because otherwise there is nothing to stop me from incorporating a company with you and the Attorney General (Mr. Wishart) and the

Treasurer and the Minister of Revenue as the directors. We will then have a wonderful bankruptcy and will let the people look after the problems.

Hon. A. B. R. Lawrence: I can advise the member for High Park that the new Act cures this and hopefully it will be in force by proclamation on January 1.

Vote 605 agreed to.

Mr. Chairman: This completes the estimates of The Department of Commercial and Financial Affairs.

ESTIMATES, DEPARTMENT OF LABOUR

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, I intend to be very brief because I know the time is limited and we want a discussion on the various branches before us.

I have already distributed to the members this afternoon a copy of the statement which summarizes the major activities of the various branches within the department, and I hope that this will assist the members.

Before proceeding, Mr. Chairman, there are a few things I would like to point out. The Department of Labour is a service organization and I think we should bear in mind its major functions.

To assist management and organized labour to achieve harmonious industrial relations through the free collective bargaining process.

To assist individual members of the work force in a variety of ways, including protection against discrimination, exploitation, and dangerous work practices. To provide a variety of training programmes to help employees to improve their skills and economic positions.

To fulfil these functions we keep our programmes under review and when ways and means appear to offer sound approaches to progress we implement them as speedily as possible. We think we have achieved some success in these endeavours.

Because of this approach a major change has been instituted in our conciliation services branch. The branch, under the very able direction of Mr. Bill Dickie, has been enlarged to provide both mediation and conciliation services. The move was preceded by three years of innovation and testing and the changes effected to date are proving to be effective.

We have appointed several of our most experienced conciliation officers as mediators and some have been designated as specialists for certain industries.

A mediation specialist has been appointed for the construction industry and he is developing a separate conciliation section in this particular field.

An ad hoc mediation panel of experts in industrial relations has been appointed and is available as needed. In the meantime, a mediation officer has been stationed in Ottawa to provide services for the eastern part of the province.

Additional conciliation officers have been hired and a training project has been developed which will include practical work experience in both union and management organization.

This combination of conciliation with mediation services will, we feel sure, contribute to greater peace and harmony in the industrial relations front next year. We have the same feeling of confidence about the amendments to The Labour Relations Act which have been debated during this session.

Naturally, a period of adjustment will be necessary to give both management and labour the opportunity to react to the increased powers of the labour relations board and the other measures that have been enacted into law. But as I have said a number of times, we are confident the new procedures and requirements will lead to increased stability in the Ontario industrial relations field, and this could benefit both labour and management, and particularly the general public.

Mr. Chairman, turning to the programmes we have developed for the protection of the work force, the most notable advances have been in the introduction of The Women's Equal Employment Opportunity Act, and the amendments to The Employment Standards Act.

With The Women's Equal Employment Opportunity Act we are, I believe, breaking new ground. This Act, the members will realize, becomes effective December 1, and in recent weeks information bulletins have been sent to employers and unions, newspapers and periodicals, and employment agencies.

We have also been conducting an information campaign through a series of speeches and seminars for interested groups.

The reaction of both the business and industrial community has been constructive and we have evidence that the legislation already is having an educational effect by

making people aware of discrimination in employment against women. Some executives in business and industry already are taking steps to correct the situation in their particular companies.

In the government view, this type of legislation is essential because one out of every three in the work force is a woman. We must end job discrimination based on sex. The women's bureau of the department will press forward vigorously with its programme in the months ahead.

The success of this type of legislation, designed to prevent discrimination or exploitation, has been well demonstrated in the first 21 months of our employment standards programmes. Under the new Employment Standards Act, which became effective on January 1, 1969, the employment standards branch has collected more than $3 million to the end of September on behalf of employees. Vacation pay continues to be the area in which the largest collection is made; it is 40 per cent. Increased collection for overtime pay and equal pay for equal work have risen, 27 per cent in the first case, and 7.5 per cent in the second. Those percentage figures relate to total collection.

The recent amendments, which provide for advance notice of dismissal, will provide additional protection for employees and help them to meet the problems arising out of economic change.

These amendments will go into effect soon. As I have said on several occasions, we received a large number of briefs and submissions concerning this aspect of the new bill and these raised a number of complex problems which had to be met in the drafting of the regulations. But this work is virtually completed and we are putting the finishing touches to a system which, we believe, will help to co-ordinate all of the services which are available to the unemployed so that they may quickly be made available to workers who are displaced as a result of economic and other changes.

While we are on the subject of protection of the work force, I would like to remind the House, Mr. Chairman, of the increase in the minimum wage this year. The general rate was increased to $1.50 hourly on October 1, and this brings Ontario into line with British Columbia and Manitoba and puts us ahead of the Maritime provinces, Saskatchewan and Quebec. In two jurisdictions the minimum wage is higher than ours at the present time. In Alberta the rate is $1.55 hourly, and in the federal government jurisdiction the hourly rate is $1.65. Ontario's general rate is scheduled to increase to the figure of $1.65 on April 1, 1971.

Mr. Chairman, the hon. members may recall that The Department of Labour assumed two new responsibilities this year. A major share of the duties of my colleague from The Department of Energy and Resources Management, namely, those for the energy branch, has been transferred to the safety and technical division of The Department of Labour.

The new branch has the responsibility for administering all provisions of The Energy Act, 1964 that relate to the safety of persons and property in the distribution and use of natural gas, oil and propane fuels. It also administers The Gasoline Handling Act. I do not want to go into additional detail in reference to that matter because the estimates in reference to that particular branch have already been dealt with.

Another new responsibility is that of organizing and operating uniform building standards in Ontario. Mr. Graham Adams, formerly with the community planning branch of The Department of Municipal Affairs, has been appointed director of the new uniform building standards branch which also will be within the safety and technical services division of The Department of Labour.

At present, we are establishing two review committees which were recommended in the report of the Carruthers committee. One committee is to be responsible for recommending appropriate legislation. The second committee will advise as to the type of organization needed to handle a particular job. There is a great deal of work to be done, but we intend to proceed with it as rapidly as possible, because we are convinced that substantial benefits will accrue to the community from a uniform building code.

Finally, Mr. Chairman, I want to deal briefly with a fairly new aspect of the department's operations, that is the programme undertaken to encourage employers to hire more students during the summer months. Last year the programme was conducted for the first time since the summer of 1969, and I am sure it greatly assisted a large number of students.

An attitudinal research study indicated that employers were influenced by the campaign to hire students for the first time or, the alternative in other cases, to hire more students for summer employment. Employers, students and parents all agreed that the

campaign should be continued in 1970, because it made employers aware of the student employment problem and it gave encouragement to students in their efforts to find work.

In the light of this experience, the government again undertook an advertising campaign this year, to encourage employment of students and it also directed a separate campaign to students themselves to urge them to seek employment early in the year for the summer period.

As the hon. members will recall, Mr. Chairman, the consensus earlier this year was that students would have a more difficult time in finding employment. The anticipated levelling off of the economy and subsequent softening of the labour market was an indication of this.

However, the evidence we have found to date indicates that student unemployment was not as severe as anticipated and we expect this to be confirmed when reports from the universities and colleges, Canada Manpower Centres and chamber of commerce placement bureaus are compiled and made available to us. We will be giving consideration to undertaking another campaign in 1971, but the final decision on that must await a review of the evidence.

Mr. Chairman, I want to confine my remarks, as I said in the beginning, and leave time for an ample and full discussion among the members of this House. I shall be pleased to answer questions as the estimates proceed.

Mr. Chairman: The member for Dovercourt.

Mr. D. M. De Monte (Dovercourt): Mr. Chairman, after listening to the Minister of Labour speak about the important but mundane aspects that he considers important in present-day industrial relations and sociological conditions, he just leaves me a bit awed, simply because I feel that the problems that confront Ontario today in connection with labour relations are certainly much more serious and much more basic than the minister has pointed out to us tonight.

You would think that the minister, Mr. Chairman, would have taken account of the polarization of the different parties in labour disputes, of the dialectic that takes place and which he encourages, of multi-bargaining, of horizontal and vertical bargaining, of the problem within the construction industry, of the problems in bargaining for non-union people and of the vast multitude of the people of Ontario that are not represented by anyone. I think these were the basic problems the minister could have discussed, Mr. Chairman, and of course, the minister chose to ignore them.

The Liberal Party, Mr. Chairman, will not delay the minister too long today. The circumstances of major labour legislation which we will consider in committee are such that almost every vital issue in labour management relations must be placed under the microscope in the atmosphere that the committee room affords.

I think we are still agreed that we will make progress and do more useful work downstairs than in the estimates format, and we all want to make the most productive use of the time remaining to us this session to get down to the issues at stake in the cut and thrust of the committee room.

For this reason, Mr. Chairman, we in the opposition are prepared to reserve our major thrusts for the other forum. Of course, if we are not satisfied, we shall be back here for the Committee of the Whole House, and even for a reasoned amendment to third reading, because we are certainly not going to allow the minister to get away with his bill in its present form.

These observations, Mr. Chairman, lead me into the main statement I want to make this evening, that the Minister of Labour is polarizing Ontario by his policies. He has of course, a very good model in the Treasurer of Ontario (Mr. MacNaughton) who cloaks in verbiage his inability to come to terms with the reality that is Canada today. Ontario's government is so far removed from the mood of the people of Ontario that only an election will demonstrate the extent of this cleavage, and we in the opposition, we in the Liberal Party, are ready for that showdown.

And may I point out to you, Mr. Chairman, that incumbent governments are not doing too well in Canada today. Let us just remember, Mr. Chairman, in the last year four governments, four incumbent governments have fallen. I trust that the government opposite, in considering its policies, will take this into consideration.

I want to speak to you briefly, Mr. Chairman, to try to show how in Labour matters, as in other areas, this government, by setting employers and employees apart, is contributing to the polarization of the attitudes between employer and employee.

You know what the Conservatives want, Mr. Chairman. That government wants a

clear-cut election between left and right, because the Premier (Mr. Robarts) believes that therein lies his only hope in winning—and what a faint hope it is. However the upcoming election is fought it must not be fought on the basis of the class dialectic or the envy of the unorganized for the trade union movement. But unfortunately there is plenty of evidence to suggest that the government and the Conservatives are prepared to do just that in order to hang on to power.

The labour policies of this government are a last-ditch attempt to maintain and shore up the old order against a surf of time and the tide of modern industrial labour-relations concepts. And, Mr. Chairman, we have had many delegates come into our caucus room in the past several weeks and they have all maintained the same attitude for apprehension. They all feel there is something afoot—and they are right. People are not as naive as they used to be. They have the background and the education to see through phoniness; they are travelled and sophisticated, and they are quick to smell a rat.

Let me tell you about the visit of the deputation of the United Electrical Radio and Machine Workers, Local 358.

Mr. S. Lewis (Scarborough West): 538.

Mr. De Monte: That is right, 538. I have the numbers transposed.

The delegates were before us, and before other caucuses too, but I understand they could not get before their caucus, is that correct? That the delegation—

An hon. member: They locked the door.

Mr. De Monte: They locked the door. Well, I know they could not see the deputy minister, and I know they did not see the minister, so they were before two caucuses.

Mr. Lewis: You probably found them too polarized for your liking.

Mr. De Monte: Now these people are the employees of Canadian General Electric at Rexdale. And because of the extraordinary burst of activity and the proliferation of patents by Japanese manufacturers, the days of the cathode ray tube industry in particular and the general electrical industry in Canada are numbered.

Hon. A. A. Wishart (Minister of Justice): Who lets that stuff come in?

Mr. De Monte: That is a typical attitude: Who lets that stuff come in! Do not solve the problem; blame somebody else. Blame the federal government. There are certain things that are the complete purview of this government and perhaps they should stop saying, "Who lets the stuff in?"

Hon. Mr. Wishart: Perhaps you should answer it.

Mr. De Monte: Perhaps if the government opposite would take a look at these shutdowns we would still be producing them. An in-depth review of the shutdowns possibly would make it possible for a lot of these companies that walk out of Canada for pure profit to be forced to stay here—not forced perhaps; we could have come up with some legitimate alternatives. Why is it that companies that are controlled from outside of Canada, and outside of Ontario—Dunlop of England, General Electric of the United States, Westinghouse—are involved? This is a result of our branch-plant economy that is being fostered by the minister second from the end over there, the Minister of Trade and Development (Mr. Randall). And it is the result of a branch-plant economy that has downgraded Canadian research into electronic engineering techniques. Today the Trinitron tube, the single-gun colour TV tube, is a Japanese patent. The three-gun colour tube with the black background between the colour dots is an American patent, and none of these new patents that is worth anything in terms of innovation is Canadian.

Consequently we are no more than a failing production line, and this is true in other fields of production. We are a production line for the American corporate giants, the English corporate giants and the Italian corporate giants—and all we do is produce it. And when the price falls below a certain amount you know what they say: "Close up that plant in Canada. We will produce it in Japan. We have got the patent registered over there; we will be able to produce it there, ship it into Canada through the General Electric subsidiary." And the Canadian worker is out in the cold.

This is what bothers me, Mr. Chairman, that these people will not do a thing about it. They refuse to do a thing about it. They refuse to see the crux of the basic argument, the basic problem. They talk about collecting $3 million in vacation pay and unpaid wages. A department of government should be able to do that with its eyes shut; two men can do it. I could collect $1 million if I knew where the guy was and if he had the money. I will collect the money. Put it in the hands of a lawyer. He can collect.

The workers, particularly in the electrical industry, know the facts in this case. They know that they are losing their jobs 1,500 jobs in five years. The Minister of Trade and Development might say, "Oh well, we have picked up another 1,500 jobs some place else." Nevertheless, we have lost 1,500 jobs that we will be unable to create again in the electrical industry. The workers in this industry know this and no doubt they will try at the federal government level to sponsor research that will ensure them a continuing livelihood in a line of electronic manufacturing that might be uniquely developed here.

We should be taking part in research so that we can develop the patents here, and once they are here we can make sure they are produced here. But no, we allow the branch plants to come in to produce the goods here until it suits them and then they produce the goods somewhere else and ship them in. If it is not too late, particularly in view of the electronic shopping concepts, the electronic banking concepts, facsimile newspaper delivery and all those other new concepts in electronics, we might create an industry here if we are smart enough and if we can repatriate some of our research. That is the key. Without research the electronics industry in Canada is dead and nobody knows it better than the Minister of Labour. And what has he done about it? Nothing.

Now this party, the Liberal Party, was aware of the technical and technological problems that had brought this situation about. However, the caucus of the Liberal Party was completely appalled by the effect of the lack of notice of shutdown of these industries. It seems incredible that a company can behave in this fashion in Ontario. Yet it is all too possible because the Tory government, conscious of the interest of the establishment, has deliberately refrained from amending The Employment Standards Act, 1968, in a fashion that would safeguard the rights of workers about to be laid off as a result of plant rationalization, as it is so euphemistically called. We should poke a few red hot needles in that conceit because it is the end of the line for many older workers through no fault of their own.

We are all agreed that Canada should do something to make better citizens of international companies which now make a long nose at our laws and standards. This is an interesting point, Mr. Chairman. I am told that by the year 2000 there will be less than 300 multi-national corporations in absolute control of nearly all of the world's manufacturing and trade. Think of it—by the year 2000 there will only be 300 multi-national corporations. Now I can see that the head offices of these companies will likely be in countries where regulations are lax. They will do as they like. And perhaps it is likely to be a problem for the United Nations or some stronger world body to police them and to make them good corporate citizens of the planet.

But that alone is not sufficient. It will be necessary for each level of government to impose its own standards. The federal government will have its work cut out to see that these international companies do not by their sheer weight and power make a mockery of Canadian sovereignty. At the provincial level the government will have to safeguard and secure the interests of the worker.

I am hopeful that the federal government will bring in legislation that will control this international cartel business as Mexico has done. We have to have at least 51 per cent Canadian ownership of companies operating in Canada. We have to win back Canadian control of industry. But rest assured that I have lobbied my federal colleagues on this issue and I feel certain that we shall see some progress in that regard in the very near future. But my front line is here in Ontario and the Labour ministry, this soulless ministry, is my prime target. So do not go blaming Ottawa for those faults that can be laid squarely at the door of Queen's Park. The layoff legislation is our responsibility and no one else's.

It is easy and perhaps it is important to realize just why government has got itself so deeply involved in labour-management relations, rather than leaving the whole matter to be fought out over the bargaining table between employer and employed. As the Woods report has pointed out, government involvement and individual civil rights are interwoven into a fabric that has caught us all up in the mesh. Today the need for adequate labour legislation to match the changing needs of today's society causes the unions to come to government and ask for legislation. And no doubt, in relation to the amendments that we are going to be discussing shortly in committee, labour unions did come to the government and no doubt they asked them that certain legislation be passed in order to protect not only the unions but the building industry.

It is one thing to legislate and then stand out of the way and let the free process of bargaining continue. And it is quite another thing to stand in the way, through such

devices as compulsory arbitration and special inquiry commissions, which have not worked in Australia and will not work here in Canada or in Ontario. But that is not to recognize, as Woods does, and I quote from page 5 of the report:

> That the collective bargaining process is not an end in itself, but is a public policy that draws its strategic validity from the nature of our society, is susceptible to obsolescence if it does not change with its social environment and may not survive radical social transformation.

There is a very powerful statement for Woods. "Collective bargaining . . . may not survive radical social transformation." It is a comment that must give us all food for thought in current conditions. What Woods is saying is that the first victim of current attempts to polarize opinions will be collective bargaining. Mediation around the table will disappear if we allow our lives to be wrecked by being stampeded into one of two camps: the radical left camp on the one hand, the reactionary Tory camp on the other. Workers should recognize that they will be the first to suffer by being polarized in this way.

Interjections by hon. members.

Mr. De Monte: It got to you. It got to them.

Mr. Lewis: It is called the nondescript centre.

Mr. De Monte: As Woods points out, Mr. Chairman, the principles which underlie the Canadian industrial relations system are reflected in Canada's heritage of fundamental western values, in the liberal democratic political system adopted in this country and in the mixed enterprise economy that has developed.

Mr. E. W. Martel (Sudbury East): How about Smallwood?

Mr. De Monte: He does not understand it; that is why he is making noise. Here we are, getting to them again. They get excited every so often.

Mr. Lewis: Smallwood is getting through to him.

Mr. De Monte: Now, let me make my point, Mr. Chairman.

Mr. Martel: That is a good idea. And I might understand it.

Mr. De Monte: I will send you a copy of it; you can study it tonight before you go to bed, and it might get to you.

Mr. Martel: I cannot read; you explain it to me.

Mr. De Monte: In any society there prevail values fundamental to it and to the goals it pursues.

Mr. Lewis: Like the civil liberties perhaps?

Mr. De Monte: Well, there you are, you see. They seem to confuse things, these fellows. If it does not agree with them, they are against it.

Mr. Lewis: You talk about the freedoms; now you talk about the Liberal freedoms.

Mr. De Monte: These values are often enshrined in the concept of fundamental human rights or "natural rights." Relating mainly to the freedom of the person, property rights and freedom of thought and political action, they compose the liberal democratic traditions of western society designed to enhance the free development of the human personality.

Mr. Martel: We went through all that yesterday.

Mr. Lewis: Well, there is an election slogan.

Mr. De Monte: What is your election slogan?

Mr. Lewis: I am waiting to hear it.

Mr. De Monte: From yourself?

Mr. Lewis: I am waiting to hear it.

Mr. De Monte: Well, I hope that the workers of Ontario—and this might interest my friend to the left here—will be able to hear me through the raucous and misguided din as I call upon them not to be bamboozled by this pretended concern for their welfare on the part of the NDP and the union leaders who voted for extremism at the recent political leadership convention.

Mr. D. C. MacDonald (York South): We are not going to be bamboozled by you boys over there.

Mr. De Monte: Now, that is an answer that I hoped I could give him in this report,

to answer my question, or answer my problems.

Interjections by hon. members.

Mr. Lewis: Oh, that is not kind.

Mr. De Monte: Oh, I do not know; bamboozling takes place—

Interjections by hon. members.

Mr. De Monte: Back to them again.

Mr. Lewis: That is not becoming. I am surprised.

Mr. De Monte: Oh, I know, it is basically unkind. But I liked it anyway.

And I hope that the middle classes, the managerial ranks of Ontario will not be bamboozled by the Randall revisionism—get that—which is not traditional Conservative thought of the kind that might appeal to some Ontarians, but just an exercise of a give-away mentality that would sell our birthright for a mess of pottage.

Mr. Martel: Hear? We are among the managerial ranks.

Mr. Lewis: Oh, there is a good phrase.

Mr. Martel: Is that not what Joe Greene just said?

Mr. De Monte: Now, these two extreme positions can be linked, giving us the Lewis-Randall axis, the pivot of all extremism in Ontario.

Mr. Martel: Send that to Joe Greene.

Mr. De Monte: Now, listen. They do not want anyone to hear this. They are getting excited again. Just a moment.

Mr. B. Newman (Windsor-Walkerville): You are getting through to them.

Interjections by hon. members.

Mr. Lewis: This is verging on slander, Mr. Chairman. Call him to order.

Mr. De Monte: Now, just a moment. It is an axis because it has a north pole and a south pole and both are frigid. But both are cold to the real needs of today's industrial society in Ontario. Only the Liberal view is situated in the temperate climes.

Mr. Martel: And you are in the middle.

Mr. De Monte: Only here can people warm themselves and not get frozen out.

An hon. member: Right.

Mr. De Monte: All right. We stand to lose most of our hard-won rights if we do the wrong thing. We will do the wrong thing by foolish and ill-thought-out legislation in the name of expediency, or worse, to maintain this present Tory regime in power against the radical straw-man that is painstakingly being set up by the Premier. In the light of this, let me assert the virtues of the Liberal philosophy against which both the Minister of Labour and the New Democratic Party rail.

Hon. G. A. Kerr (Minister of Energy and Resources Management): Straighten your halo.

Mr. De Monte: We on these benches pin our whole faith in moderation. We believe that the institutions and incentives of the mixed enterprise society have so far provided a greater opportunity for the individual and social fulfilment and achievement than any acceptable alternative.

Mr. MacDonald: The bland leading the bland.

Hon. Mr. Kerr: Get a filter on a cigarette.

Mr. De Monte: By our vigilance in all areas, but particularly in this area of labour, where I am the main watchdog, we intend to keep it that way.

Now, you often wonder—I hardly ever hear my friends to the left here talk about the Swedish experiments—terrific labour legislation housed in a free enterprise system.

An hon. member: What do you mean, useful?

Mr. MacDonald: Nonsense.

Mr. De Monte: Nonsense, Mr. Chairman? That is the kind of retort that you are going to get—nonsense. Perhaps he has not looked at it; it is a free enterprise system which has been made to work, it has been made to work.

Mr. R. Gisborn (Hamilton East): But not by a Liberal.

Mr. MacDonald: Did you hear your deputy earlier this evening?

Mr. De Monte: Maybe right-wing socialists, but nevertheless it has been made to work in a mixture of free enterprise and government ownership.

Mr. Martel: Oh, you just changed your position.

Hon. A. Grossman (Minister of Correctional Services): You are all trying to sound like Conservatives, all of you.

Mr. Lewis: Look, if you had the members for Humber (Mr. Ben) and Grey-Bruce (Mr. Sargent) and Sudbury (Mr. Sopha) in your caucus, you would have troubles—

Mr. De Monte: How far should government move into the industrial—

Interjections by hon. members.

Mr. De Monte: Mr. Chairman, how far should a government move in the industrial and commercial scene? In the past, governments have had to take cognizance of the hardships created by unemployment, underemployment, sweated labour, low wages, long hours, uncouth supervision and unsafe and unhealthy working conditions. We have to have this kind of progressively specific labour legislation, of course. Thanks to the sophistication of the trade unions these days—and they certainly serve a valid and important role—we do not always have to initiate the action that will bring about the reforms of these areas.

The unions are quick to bring the anomalies to our notice. But we always have to execute these reforms to translate them into laws. This is our key function in the field of labour, Mr. Chairman. If I may paraphrase Prime Minister Trudeau, our task is to assume the drafting of a framework of rights and responsibilities within which management and labour may freely conduct their relations without further interference from us.

This brings me to the present pass in regard to Bill 96. We are being woefully remiss in regard to section 4 and I trust the minister will listen about section 4. There is a total absence of provisions governing workers who, like the GE tube workers, are to be laid off for an indefinite period of time. More fundamentally, we are ducking our responsibility in not legislating a public examination of the reason for plant closures or large layoffs, prior to the decisions being finalized by the employer.

In today's conditions of complex interdependence, the free enterprise system, which perhaps succeeded in simpler times, can no longer be allowed to be totally free-running, without checks and balances in the public interest. Government moves in because it must, in the larger social sense, ensure the good of the greatest possible number in the community. The public interest in these circumstances is coincident with the interest of the affected workers.

Now, unless we do move in through appropriate legislation, we destroy more freedoms than we preserve—we abrogate more rights than we sustain. The pattern of the employers now is clear. Dunlop Canada closes its Toronto operation because international Dunlop has a deal with Italian Pirelli, with a Japanese Dunlop subsidiary and with a Mitsubishi subsidiary. They are all tied in, with the result that the belts that were formerly made on Queen Street here in Toronto end up being fabricated by the Tokyo Rubber Company.

And, of course, the Dunlop situation is a perfect example of the international cartel rationalizing its worldwide operations. The operation on Queen Street in Toronto, according to their accountants, was not profitable although they spent $1.5 million in improving the plant a year or a year and a half before. But I will tell you, if people would have looked closely into that operation down there, I question whether they were losing money or whether it was just a rationalization where they could make more money somewhere else and the workers be damned. That is what I question.

I suspect, Mr. Chairman, that there is somebody controlled by Dunlop or Pirelli in Japan, that are producing those goods right now, and selling them back to us. They are selling the goods back here in Ontario to the Hydro. It is incomprehensible. But nothing was done, nobody took the time in government to look at it to see if that was still a viable operation that could have been saved.

You know, it is like at the General Electric plant. They say, "We cannot produce the tubes" but General Electric is buying its tubes from Matsushita and the Rexdale workers are laid off—375 of them. In General Electric alone in the last four years—I do not know the exact time limit—they have laid off 1,500 workers, and we are not going to replace the jobs.

Once the job is gone out of the country, you can kiss it goodbye.

We might be able to create more work on the giveaway programme that comes from the second seat on the left, but those jobs are gone forever. How much does it cost us to create 375 jobs from the Minister of Trade and Development? How much is it going to cost us in social losses, taxes, to retrain, for welfare, for early pensions—although I doubt we will get anything from the government on early pensions? How much is it going to cost

us? That is a question that comes up time and time again.

The pattern is always very similar. For months, the union meets with management representatives attempting to ascertain or find out whether there is any basis in fact to rumours that a company intends to close down its local operation. The pattern is established. The company responds in very vague terms, very vague. "Well, we don't know yet, we think we are going to close down." The union is never advised specifically of what is happening until the blow falls right on their heads. Then, usually in a pay packet, comes the announcement that the company will be cutting back or totally curtailing its operations. And management calls this tactic "consultation." That is what they call it, consultation. "We have consulted with the workers and told them that they are fired, they are through."

In the electrical industry alone, thousands of Ontario workers have been thrown out of work in this fashion in the past year—and the government does nothing to make Bill 96 their charter. In the Toronto-based plants of the Canadian General Electric Company alone, some 1,500 workers have lost their jobs. Many of them, especially the older men, will never be placed in employment again. And yet the Labour Minister does nothing.

What we must look at immediately—and you know, his opening statement sort of indicates what is important to the Minister of Labour, not basic labour legislation, not basic concepts that have been developed over the years that could be improved. As Woods said, either you improve them with the social conditions, the social development, or they die.

What we must look at now, today, as soon as we possibly can after we finish with the main labour bill, is the Canadianization of the Swedish concept of the tripartite commission, which has worked exceedingly well in Sweden and is still working. Such a commission of government, labour and management would deal with all situations involving rationalization, efficient innovation, automation, accumulated pensions, shutdowns, layoffs, and a multitude of other things in this province.

I want to see an Act that will make it mandatory for employers to report their intentions in this regard. Then the commission will move in. Of course, the commission is made up of government, labour and management. Now, it will have wide powers to discover and determine whether or not the proposed development is in the public interest. No shutdowns or layoffs will be sanctioned until the commission has brought down its report. This will force employers to plan ahead.

In other words, they will not just suddenly close the doors. They report to the commission, the commission will try to find out if it is an inefficient operation and should close down, whether there is an alternative for the plant, whether modernization would be in order. There are many things the commission could do. And if the plant does close down, how many of the workers are going to be transferred, retraining, accelerated pensions, all these concepts could be part of the commission's duties. But the commission will not merely report. It will actively explore all possible alternatives. Anything less than this would be selling the Ontario worker short, and we in the Liberal Party are not prepared to do that.

It is within our power and competence in this province and in the Legislature as the elected representatives of the people of Ontario, to design a piece of progressive legislation that will reflect credit upon Ontario throughout the international community of industrial relations. We can take the Swedish model and so improve upon it that we shall set standards in this regard that will be admired and copied all over the world.

I mean this, we could be the front runners, but of course we have to take cognizance of the progressive concepts that have been brought out in labour relations in the last 10 or 15 years. And the only stumbling block in this regard is ourselves as a Legislature. I believe that in this sphere all parties should pledge themselves to refrain from using the Legislature and its committees as hustings for elections. If we want to electioneer let us get out and do it.

Mr. MacDonald: After the speech you just made, why do you not take your own advice?

Mr. De Monte: You see what I mean?

Mr. MacDonald: What a fatuous comment.

Mr. De Monte: Although I see this happen across the floor and to my left. How does the hon. member for York South like that?

I say the Liberal Party will not do this. We will do our duty as legislators here and we will perform our political roles to the best of our ability.

Interjections by hon. members.

Mr. De Monte: They cannot stand it, you know, when you get to them; they cannot keep quiet.

Mr. Martel: You really do not think you are getting to anybody, do you?

Mr. De Monte: I am getting to you. I might not be getting to your other cohorts, but I am getting to you.

Mr. Martel: So ridiculous.

Mr. De Monte: Everything is ridiculous to the member for Sudbury East.

From the mail that I received—and I will make this short in closing—and the people that I have met in the course of preparing this speech, particularly since the NDP convention, I am convinced—

Mr. M. Shulman (High Park): On a point of order, Mr. Chairman.

Mr. De Monte: He wants to let people know he is here, Mr. Chairman. Listen to this—

Mr. Chairman: Order please. The member for High Park has a point of order.

Mr. Shulman: I hate to interrupt this important speech but we do not seem to have a quorum.

Mr. De Monte: Oh, what in heaven's name! He wants to let people know he is here, Mr. Chairman. We all know he is here.

Mr. Shulman: I am not electioneering.

Mr. Chairman: Will the member take his seat?

Mr. Shulman: I do not want to throw you off your train of thought.

Mr. Chairman ordered that the bells be rung for four minutes.

Mr. Chairman: We now have a quorum.

Mr. De Monte: It appalls me. He walks in and he is here for 10 minutes and calls for a quorum.

Mr. Chairman: Order! Will the member for Dovercourt please continue?

Mr. Lewis: The public of Ontario will never believe you that the member for High Park—

Mr. Shulman: On a point of personal privilege, Mr. Chairman, I want to point out that I have been here all evening. Thank you.

Mr. Chairman: The member for Dovercourt still has the floor.

Mr. De Monte: It is obvious to me, Mr. Chairman, I am convinced that the rank and file of the trade union movement favours the approach that I am espousing. Many workers have told me that they are sick and tired of the way in which some of their leaders have been acting and what they want is a fair deal. That is what they want. They want to be able to approach all political parties with their ideas and beefs and not to have them filtered through the one organization that selects what it wants for its own ends and rejects all the rest. Now they are going to really get excited at this.

They want freedom of choice in dealing with their elected representatives and with the Liberal philosophy reflected in this legislative action they will soon have it. We are committed to action in the field of labour and I know that the labour movement and individual workers are watching with interest and appreciation our endeavours in this regard.

We do not intend through any actions on our part to let them down. Once we move downstairs you will see the results of our resolve and since we are anxious to get there, Mr. Chairman, we propose that the present business now proceed with all haste, and I suggest the member for High Park sit around and listen to his own labour critic.

Mr. Chairman: The member for Scarborough West.

Mr. Lewis: Mr. Chairman, I have not heard such a vigorous outburst from the member for Dovercourt for some considerable time. So much passion and so much hand waving. You must have been watching the Rock 2 programme on the CBC last night. It is called the Robichaud convulsion. I think, Mr. Chairman, that is what it is known as.

I have never heard a more explicit demonstration of the fear that grips the Liberal Party in Ontario, that possesses your soul, you know, your shattered, nondescript presence, because you are caught in the vortex of real political change. That was necessarily reflected in what the member said tonight and one can understand it the little whimpers of despair and the occasional caterwauling.

But I would like, Mr. Chairman, to deal with that minister across the floor, because as we said on other occasions we know where the friendly enemy stands, or sits, or lies, or is inert, or immobile. We are more than happy to deal with you on your terms. The Treasurer is not going to interrupt me tonight. I want

him to relax before I begin because I do not think I could take another.

Joined by the effective leader of the government in the presence of the provincial Treasurer I am now honoured to begin some thoughts and observations for the Minister of Labour which I would like to deal with at not too great a length because I think that engaging with this minister in the give and take of debate—what the Minister of Correctional Services calls the cut and thrust—would be rather more profitable than endless speechifying from this side, because I would like to hear what he has to say about a number of issues. So perhaps if we can prolong it into the afternoon tomorrow and continue it this evening we can get some of that on the record.

There are a number of areas which I would like to refer to briefly and raise with him for his consideration, and then pursue later on. Not all of them were dealt with earlier in the session, not all of them were available to be dealt with under the confines of Bill 167.

Mr. Chairman, the Ontario Human Rights Commission still operates under the aegis of the Minister of Labour. I want to express through you to him carefully—very carefully—a growing concern on the part of a number of people and some of us in this caucus, about the activities of the Ontario Human Rights Commission, about its powers and about the effect of implementation of those activities and those powers.

There seems to us to be an unconscionable delay developing in the handling of cases. I am not at all certain whether that lies within the commission itself or whether that lies within the minister. The minister will recall the Castlefield apartments case where a ministerial order waited for signature, if I recall and I think I do, for more than a year. The minister will recall the recent and rather difficult board of inquiry into the Ford Motor Company of Canada and Mr. Keith Sims—the Sims case, which took the adjudicator, Professor Krever, an undue length of time to render a judgement while tensions ran high. The minister will remember the Oakville Ford cases, the additional cases which were heard, and the length of time for disposition.

The minister will know that within the Human Rights Commission there has been an increasing anxiety about justice for the Indian community in northern Ontario, and that the Human Rights Commissioner at the Lakehead, Mr. Bruce Lenton, I guess his name is, has expressed by way of letter often with very strong language, and very great feeling, the sense that the Ontario Provincial Police and the Attorney General and Minister of Justice are simply not tending to the judicial rights of the Indian community in northern Ontario.

The minister will know that 17 instances of alleged injustice and mistreatment by OPP personnel toward Indians were presented on behalf of his commission to the Attorney General and the Ontario Provincial Police. I would like to know before this estimate is over what happened to every single instance involved.

The minister will remember the impotence of the Human Rights Commission when faced with all of this information. All they could do was to suggest that it lay within the prerogative of the OPP and that they might have educational sessions with police officers. As far back as December 19, 1969, in the minutes of the Ontario Human Rights Commission there lies the following paragraph:

> The commission discussed a report that was forwarded by the Port Arthur office regarding 17 instances of alleged mistreatment of the Indian people by OPP personnel. It was agreed that Mr. Eberlee would approach Mr. Eric Silk, commissioner, Ontario Provincial Police, and discuss the possibility of initiating human rights education programmes with OPP officers.

Again, on January 16, 1970, in the minutes of the Ontario Human Rights Commission:

> Mr. Eberlee stated that he would soon be speaking with Mr. Eric Silk regarding the educational implications of a report tabled at the November 27 meeting of the commission dealing with complaints of Indians against the OPP.

That is almost a year old now, Mr. Minister. No one is entirely sure what happens to these kinds of complaints. They are documented by your human rights officers under your department and direct allegations are levelled against one of your colleagues. The way in which this department is managed they are shuffled off very easily into the confines of the administrative process between the Human Rights Commission on one hand and the OPP on the other.

We in this caucus would like to know what happens to the disposition of those cases. How much of the mistreatment was alleged only, and how much of it was valid upon examination? What are you as a minister prepared to do to give the Ontario Human Rights Commission some substance? I will await your reply on that as the estimates proceed.

You know that a serious problem within the Ontario Human Rights Code itself was revealed in the Krever decision around Ford Motor Company of Canada and Mr. Keith Sims. A word, a term of unconscionable abuse was, in this case, used by a foreman against a worker, against an employee of the plant. Mr. Krever points out that the only section which could conceivably have any application is section 4(1) of the code which reads as follows:

> No employer or person acting on behalf of an employer shall refuse to employ or continue to employ any person, or discriminate against any person with regard to employment or any term or condition of employment because of his race, creed, colour, nationality, ancestry or place of origin.

And Horace Krever goes on to say:

> It should be noted that to begin with the Legislature has not seen fit to prohibit the use per se of racially derogatory epithets. To call a black man a nigger or even, for that matter, worse—

and I will not include the "worse":

> —is reprehensible, but by itself is not prohibited by the code. That being so, the question of calling the man by supervisory personnel in an employment situation does not make any difference. In my view, in some circumstances it may.

And Mr. Krever goes on to document some of those circumstances where it may make a difference, but in this instance finds that the company was not acting in bad faith even though the employee involved was suspended and the man who had used the language was believed.

It presents a problem in the Human Rights Code, does it not—presents a problem through which very offensive and very hurtful situations can occur within the work force of the Province of Ontario and for which there is as yet no answer. I would have thought that the Krever report demonstrates pretty compellingly the value of amending the Human Rights Code so that this kind of thing would not be possible in the work force in the Province of Ontario, and so that there were some redress for the persons thus offended.

I am not going into all the details of it because I am assuming that the minister is intimately familiar with the document. It was a case which caused enormous concern on the assembly lines at the Ford plant in Oakville, as the minister knows, and concern among all of those who felt that the employee had been discriminated against and abused in a way which is entirely unconscionable. Something has to be done within the Human Rights Code or another area of government legislation which would surely prevent it. If it is not always possible to prevent essential expression of feelings of this kind, then a company which advertently or inadvertently supports it should at least be called to account at some stage and herculean efforts made to redress the balance. That was not done in this case.

My impression is, Mr. Chairman, that the entire Human Rights Commission needs a bit of a shaking up. All of us have the warmest regard for Dr. Hill and the work that he is attempting to undertake. But in one instance after another—whether it is with the OPP in northern Ontario or the Castlefield apartment, for instance, or the Ford line at Oakville—there are just too many cases where the instances brought to the commission are not satisfactorily resolved.

The resolution of the commission seems to be wanting. The great passion which it felt when it was set up seems to be diluted, and whereas in the Province of Nova Scotia one sees a commission honour-bound to turf out every single violation of the Act with a real crusading spirit, in the Province of Ontario what began as one of the most exciting experiments of its kind has begun to falter. We can do no more than to offer the minister all the support in the world if he amends his legislation, and if he gives Dr. Daniel Hill and the Human Rights Commission rather greater authority. It is the first point I wanted to raise.

The second point I wanted to raise, Mr. Chairman, in terms of the minister's Acts and what he himself has authority over, is this desperate pattern which has been alluded to of continuing layoffs and shutdowns in the Province of Ontario, which goes far beyond the regulations which you may or may not some day proclaim. I, for one, would be interested before these estimates conclude when you tell us why you have not been able to proclaim the regulation. I remind the minister, Mr. Chairman, of the Green Giant plant closing; of General Motors; of Ford; of Frigidaire; of de Haviland, of Dunlop; of International Harvester; of Pilkington; of CGE tube plant; of CGE, Rexdale plant; of Canadian International Paper; of Quality Springs, of Reel Pak. The list to me is endless, Mr. Minister, of shutdowns, layoffs, relocations without notice, consigning the workers to the scrap heap of the economic system and never

a response from your government worthy of the name.

Even the legislation which sits already gathering dust on your shelves has not been proclaimed. Of course, all the workers who are expendable are on your conscience because in the last many months, when you could have done something about it, you have absolutely refused. I would like you to wander in to the riding of Scarborough West, which I represent, some day and explain to the 400 Frigidaire workers who have been tossed out because of the parent plant in Ohio, how you, the Minister of Labour, justify it.

I would like you to explain to my colleague from Wentworth (Mr. Deans) and to the 35 workers of Reel Pak in Hamilton, who were tossed out of their jobs on Friday last in the absence of your legislation, how you, as Minister of Labour, justify it. I want you to tell the 25 people who worked at Quality Springs, in Welland, when it was shifted in the dead of night over a weekend to Oakville, so that when they came back to the plant on Monday, in the middle of bargaining sessions, the workers found the plant boarded up and the company stolen away like a thief in the night. I would like you to explain to them, in the absence of your regulations how you, as Minister of Labour, justify it.

I would like you to sit in a caucus the way we do, and speak to the Canadian General Electric United Electrical Workers, who have had a systematic decimation of the work force, the like of which has been seen in no other plants around Metropolitan Toronto and the outskirts; and explain to them, as Minister of Labour, where your regulations are and how you justify it; and how they find jobs, and what they tell their families, and where they derive their income from. I would like you, as Minister of Labour, to explain to the work force at de Haviland, which has fallen from 3,500 to 1,100 men in the last two to three years, how you allow the issuance of four months of overtime work permits when many of them are desperate for employment? We want to know in this caucus just how cynical and insensitive and indifferent are your capacities, because you are wreaking havoc in the work force, and you have no right to do it, none whatsoever. And your whole government has lost its senses in terms of dealing with those who are the victims of a branch plant society of your creation and the provincial Treasurer's creation, and the Minister of Trade and Development's creation, and you are prepared to see them all down the drain for the sake of some absurd continentalism which you regard as a fetish.

I can recall in the middle of the summer, wandering down to the Niagara Peninsula to speak to the workers of Canadian International Paper, some 200, who found that within one month their plant was shut down without any recourse. I saw my friend from Niagara Falls (Mr. Bukator) in the Liberal Party. Perhaps you will tell him what they are going to do at Cyanamid in Niagara Falls, when the 120 workers and their families have absolutely nowhere to turn.

Perhaps as you look around you and you see the extraordinary patterns which develop, so that there are meetings of the unemployed from Oshawa to St. Catharines not because of the war against inflation, but because of plant shutdowns aroused by your government without conscience, and without response, and without consultation, and without alternatives, perhaps some day you will explain to the House and explain to them how you manage it, how your colleagues manage it.

You will face an election one day, and some of these people will present at the polls their sense of outrage, and I do not doubt for a moment that that alone will bring you down. There will be other factors, but of all that I am aware of, your insensitivity on this issue knows no modern parallels in the actions of any other Minister of Labour in the province of Ontario.

Hon. Mr. Bales: Mr. Chairman, I resent those kind of remarks being made in reference to me or a minister of this House. There is important legislation being brought forward to assist the individuals in these kinds of situations. I am never averse to real criticism or constructive criticism, but I am averse to that kind of insinuation from that member or any other in this House.

Mr. MacDonald: Well, well, we have really got to you. Somebody broke through the crust finally.

Hon. Mr. Bales: Just you be quiet. I have great respect for you, so just—

Mr. MacDonald: Well, okay, he has broken through the crust.

Hon. Mr. Bales: That is a very complicated matter, you know, and I cannot forget that last spring when we brought forward legislation—

Mr. MacDonald: On a point of order, Mr. Chairman, on a point of order.

Mr. Chairman: Point of order.

Mr. MacDonald: The minister rose on a question of personal privilege, I presume. He has not the right to make a speech.

Hon. Mr. Grossman: He was invited to engage in cut and thrust—

Mr. Chairman: Order, the hon. member for York South is quite correct. The hon. member for Scarborough West was making his speech, which was quite in order. The hon. minister did not rise on a point of order or a point of privilege, and he was therefore out of order. The hon. member for Scarborough West.

Mr. Lewis: I was astounded but pleased that the minister rose, and I am glad you have intervened in that way in the debate, and I do not know—

Hon. Mr. Grossman: Let him finish.

Mr. Lewis: I would be pleased to let him finish—and I do not know why you regard it as personally offensive when I say, and I repeat, that the actions of this minister know no parallel, no modern parallel, in the behaviour of any other Minister of Labour in this province, because—

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): You have such a wide experience of them.

Mr. Lewis: —there is not a single precedent for this kind of behaviour. It is very fashionable to stand on your chair and seat and say, "This is a complicated matter." Explain the complications to the workers involved. There is nothing complicated for them. It is the essence of simplicity itself. It means unemployment. There is nothing more compelling or simple than that, and with the greatest of respect, Mr. Chairman, for the minister it is not so difficult to proclaim your regulations.

If you did not have to whimper so delicately around the outer offices of the corporate world seeking their agreement before you pass anything, you would have brought these regulations in four months ago. You could have had them in in June, when the Act was passed, and prevented all the discomforts and in many cases, individual suffering, that occurred since then.

But you have to pay homage, you have to prostrate yourself, you have to genuflect before the corporate world. You have to seek their approval before you can proclaim one law and in the period of time that passes, all of this that I have detailed occurs.

You may take it personally. I regard it as a reflection of government policy. I see you as a minister in a cabinet implementing government policy. As the British Tories would say: "We do not see one guilty man over there, we see a guilty cabinet."

That brings me to the third point I wanted to make, Mr. Chairman. In the process of administering your portfolio, Mr. Minister, you have also allowed the destruction of a number of small plants and small bargaining units, desperately striving for some sense of free collective bargaining in Ontario's economy. You allowed this destruction consciously, and premeditatedly, and again, without so much as a twitch of emotion. Your government is emotionless in this field. You have no feelings about it. You are completely undiluted in the way in which it is approached.

You know and I know, Mr. Minister, that there exists in this southern part of Ontario an industrial ghetto, I will remind you of it, of close to a million people. In the city of Metropolitan Toronto alone there are three to four thousand small plants which employ between 70 to 100 workers each, at wage levels of which you approve, but which no other government can approve, as you indicated earlier yourself.

Again, we run through the evidences of free collective bargaining which has been maligned and violated in the conspiracy which exists between your government and the law and the managerial world: Peterborough *Examiner,* Proctor-Silex, Wolverine Tubes, North American Plastics, Hanes, Alpine Meats, Weiner Electric, Pure Spring Canada Limited, Sonar Industries, Galco, Honeywell, Affiliated Medical Products in Ajax. Again, one after another where work forces, desperately seeking certification or legitimate contracts, face the obstacles of strike-breaking, the obstacles of no bargaining in good faith, the obstacles of a Labour Relations Act which serves as a straitjacket, rather than to liberate. It has meant absolutely nothing to the Province of Ontario that these work forces, usually comprised of large numbers of recently arrived immigrants to Canada, female in composition, low wage, unskilled, capital intensive, easily vulnerable—it bothers you not one jot that these groups of workers can go down the drain without a legitimate contract while you sit idly by. Again, you have much to account for.

It might be asked, Mr. Chairman, when the Minister of Labour would find the time

to speak to the 115 or 120 women who marched outside Hanes Hosiery Limited and were broken by strike-breakers. It might be worth the minister talking to the 40 or 50 employees of Alpine Meat Products Limited who stayed outside for more than a year, many of them losing their jobs, because his government allowed, not only strike-breakers, but the sale of the products to The United States Department of Defence without even blinking an eye.

It might be asked how many jobs in the Province of Ontario in the industrial ghetto you are prepared to consider expendable in the context of the labour relations law which you administer, and we can deal with the particulars of some of those instances.

Now I have some very specific questions to ask you, Mr. Minister, through the Chairman—but again I will save them for later—in most areas of the minister's jurisdiction, whether it is a good-faith bargaining clause, the rights of the Ontario Labour Relations Board, the rights to strike over technological change, the question of cease-and-desist orders which should be given to the board, the futility and procrastination of the conciliation process in Ontario, the way in which it harasses free collective bargaining—all of these things constitute a total indictment of the department you administer.

There can be no department of government which is as vulnerable, and never more vulnerable, I suppose—I do not think I should go on—than when the minister introduced his minimum wage amendments to which he has already referred in his lead-off tonight with some pride. They are now in the Province of Ontario at $1.50 an hour. My mathematics tells me that is $60 a week. Now let me read to you from your press release. Mr. Minister:

> It is well to bear in mind the government's purpose in establishing a minimum wage. Its objective is to give to workers whose bargaining power is limited protection against exploitation.

Some commentary on the Tory government, is it not? $1.50 an hour, $60 a week, $3,000 a year. Every single family, almost without exception—perhaps there would be a few—after deductions are made from the new minimum wage in the Province of Ontario, would probably qualify for full subsidy under your own OHSIP scheme. So where are they in the income bracket and where is this that you call "limited protection against exploitation"?

It is a department without feeling. It does not understand what it means to create an exciting collective bargaining atmosphere in the Province of Ontario. It does not understand what it means to provide workers with legitimate rights and to take away from certain management areas residual rights. It does not realize that you can have a great deal of harmony and good feeling in the Province of Ontario around industrial relations if you do not treat it in such a belligerent, confronting way.

It is not a matter of trying to polarize Ontario. I do not really think that is it at all. It is just the way in which you view the work force—not as a group of working men and women who are entitled to the protection of the law but a group of working men and women against whom the law is applied for the twisted sense of Tory social justice.

Hon. Mr. Grossman: Oh, stop being so self-righteous.

Mr. Lewis: There is nothing self-righteous about it. In every single case it has been demonstrated in Ontario.

Mr. MacDonald: He is getting through to you too, is he?

Mr. Lewis: You do not get to the Minister of Correctional Services.

Mr. MacDonald: Defend that $3,000 a year. Defend it!

Mr. Lewis: Do you want to rise and defend the minimum wage in the Province of Ontario?

Hon. Mr. Grossman: Do you want some cut and thrust here?

Mr. Lewis: You can have some cut and thrust. I will take my seat.

Hon. A. F. Lawrence: You are better at cutting than at thrusting.

Mr. Lewis: Right, or vice versa. I have wanted, of course, to be charitable but it is pretty hard. I will leave it at that point, Mr. Chairman, and invite the minister's impartial reply.

Mr. Chairman: The hon. minister.

Hon. Mr. Bales: Mr. Chairman, we have reached within five minutes of the hour of adjournment. A number of points have been dealt with tonight and we are dealing with a whole range of matters.

A few minutes ago I started to speak in reference to the notice on plant closure and layoff. The hon. member obviously does ap-

preciate the difficulties that there are. I am glad that those, as I see them, have been overcome and that we can proceed with our regulations in reference to The Employment Standards Act as it pertains to notice. But I cannot forget, as I wanted to say a few moments ago, that last spring when we brought forward legislation in this field and also in reference to women's equal employment opportunities, there was derision from both opposition parties.

Mr. Martel: The minister was playing the numbers game.

Hon. Mr. Bales: There was derision to it. I do not think they expected us to bring forward any such legislation of that nature, and as a result they wanted to deride and to ridicule it all the way along.

At that time, I made it very clear we wanted the views of both labour and management in reference to those regulations as it pertained not to an individual, but to a plant, and we have received those representations, including a very large number of briefs. They raised a large number of problems. We analysed them to endeavour to find and draft regulations that would deal with the situations as they were encountered and that work has been practically finished. Now those regulations will come forward and will be of very substantial value to the individuals throughout this province.

When you talk about minimum wage and all the other things, just bear in mind that that minimum wage has been increased substantially from $1, to $1.50, to $1.65 as of next spring, and when I said in that press release that that minimum wage was to protect people against exploitation, I meant that. That is, we are not setting what the wage should necessarily be. We are setting a base from which it can be raised by the individuals, by reason of their skill.

You will find when you increase the minimum wage, it has an effect all the way up the line, that those who may be close to it are raised further up, and I am very glad, naturally all of us should be, when they are increased. But I am well aware by the representations you receive when you increase the minimum wage, that it does not suit a lot of people in this province. Nevertheless, we have increased the minimum wage from what it was in 1966; we increased it in 1968, effective to January 1, 1969; we increased it again this year—one step, and we announced the next step for next April.

Mr. Chairman, those are very substantial changes within this province in that field, and they are of very great value to a lot of people.

There are a number of other questions that have been raised, but one small matter—and we will deal with it in great detail tomorrow—is in reference to the Human Rights Code. There is no part of my department for which I have greater respect as a benefit to the people, all the people, throughout this province. It is a contentious area from time to time, but I have, throughout my ministry within this department, encouraged that commission to take all the steps necessary that they could to improve the situation for the individual in this field.

We have had many cases come before us. We have opened up an information centre in the western part, in the central part of this city, to assist a number of people. We have worked with the people in the north to change a number of practices and procedures, and I think by reason of the leadership of Dr. Hill, the director, and others within the commission, and the commission itself, that there is a far greater understanding of the extent and the merits and the basic purposes behind that Human Rights Code. Each succeeding year there has been legislation.

There was a case that came before the courts a year ago last spring here in Toronto, involving that commission. That was for me a very important case. It went to the Court of Appeal and is presently before the Supreme Court of Canada. I am sure when he referred to the Human Rights Commission the hon. member was not trying to be excessively political. I have the same concern for that commission as every member of this House. I know that in looking at that legislation we want to see what the case before the Supreme Court of Canada—what the decision there will be—because we recognize from time to time there must be a second look at legislation. But you do not do it until such time as, I think, you get important decisions on such as that which I think will be a milestone in reference to legislative matters in that area.

It is now time for adjournment, Mr. Chairman, and I presume we will proceed with the estimates at the direction of the leader of the House.

Hon. Mr. Welch moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the Chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will continue with these estimates, following which—depending on the time—we will consider legislation standing in the name of the Minister of Municipal Affairs (Mr. McKeough) and the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence), and if there is time, then resume the budget debate.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 137

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Tuesday, October 27, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, OCTOBER 27, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Today in the east gallery we have students from Bishop Ryan High School in Hamilton; and in the west gallery, from Burlington Central High School in Burlington and Nelson High School in Burlington. Later we will have students from the Owen Sound Collegiate and Vocational School.

Statements by the ministry.

Oral questions.

Mr. V. M. Singer (Downsview): Mr. Speaker, I see the Premier coming in, so I can say rather slowly, while the Premier is taking his seat—

Mr. E. Sargent (Grey-Bruce): He is walking slowly, too.

ARREST OF LORTIE UNDER WAR MEASURES ACT

Mr. Singer: I have a question to address to the Premier. Could the Premier advise us what action, if any, the Province of Ontario is taking in connection with the arrest in Ottawa of one Bernard Lortie under The War Measures Act, and his apparent imprisonment in the Province of Quebec?

Hon. J. P. Robarts (Prime Minister): No, I could not advise the member what action the province is taking. I think the member might direct that question to the Minister of Justice (Mr. Wishart) when he comes in, but I am certainly not in a position to answer it.

CASE OF DORIS HENRY AND AGNES LAND

Mr. Singer: All right, I will do that. I have another question, Mr. Speaker, for the Premier.

Further to questions that were asked yesterday about which there was no immediate information, is the Premier prepared to advise us what action the province is prepared to take in order to review and assist in the cases of Mrs. Doris Henry and Mrs. Agnes Land, who were imprisoned in Kenora as a result of the sentence given by His Honour Judge Fregeau in Kenora?

Hon. Mr. Robarts: That matter, as the Minister of Justice said yesterday, is under review.

Mr. Singer: By way of supplementary, is the Premier in a position at this time to advise us—or to bring us any further along in that process of review?

Hon. Mr. Robarts: No, Mr. Speaker, as of this moment in time it is continuing.

Mr. J. E. Bullbrook (Sarnia): By way of supplementary, to the Premier through you, Mr. Speaker: If it is found as a matter of course that nothing can be done in the ordinary legal circumstances, would the government of Ontario entertain something in the nature of executive order, or executive action, to remedy this tremendously inequitable situation?

Hon. Mr. Robarts: Is the member referring to the case of these two Indian women at Kenora?

Mr. Bullbrook: Yes.

Hon. Mr. Robarts: Mr. Speaker, we want to know a little more about it before we decide what course of action might be followed, if any course of action is indicated. All I can say to members is that all these matters are being considered.

Mr. Speaker, there is no way in which the member by cross-examining me, can force a decision out of me, or an explanation before the decision has been taken. I make it very clear we are interested and we are going into the matter. I am afraid members will have to wait for the result of our deliberations.

Mr. Speaker: The member for Rainy River —a supplementary? The member for Scarborough West—a supplementary?

Mr. S. Lewis (Scarborough West): I will wait for the regular—

Mr. Speaker: Yes. The member for Downsview has the floor.

COST OF JINGLE PROMOTING ONTARIO

Mr. Singer: Mr. Speaker, I have a question of the Minister of Trade and Development.

Is the minister able as yet to advise the House as to the cost of the Ontario jingle and the current campaign of multi-coloured advertising, and so on, that he undertook to investigate and advise us on at a later date?

Hon. S. J. Randall (Minister of Trade and Development): Yes, I think I can give hon. members some information, Mr. Speaker.

I presume the member is asking about the individual ads, correct?

Mr. Singer: And the jingle too.

Hon. Mr. Randall: Well, I can tell the House what the individual ads—

Interjections by an hon. member.

Hon. Mr. Randall: Members know the total budget—$800,000, against $450,000 domestic, and $350,000 international, and it can be switched one way or the other.

Mr. Sargent: The minister spent that in three weeks.

Hon. Mr. Randall: Oh no, we did not, it runs right through till March. Do not get excited, there is lots more to come.

Interjections by hon. members.

Hon. Mr. Randall: Members have not heard anything yet.

Mr. Speaker, in answer to the hon. member, a full colour page in the *Globe and Mail* is $4,700; in the *Star* it is $5,300; in the *Telegram* it is $4,300—

Mr. J. R. Breithaupt (Kitchener): That will bring in the tourists.

Hon. Mr. Randall: A black and white full page in the *Globe and Mail* is $3,600; in the *Star* it is $4,000; in the *Telegram* it is $3,000; and 1,800 lines in the *Globe and Mail*—

Mr. Sargent: That is what we had in the 1967 election campaign.

Hon. Mr. Randall: Just a minute now, just a minute!

An hon. member: We cannot afford not to advertise.

Hon. Mr. Randall: Members have not heard it all yet—1,800 lines in the *Globe and Mail* is $2,400; in the *Star* it is $2,700; and in the *Telegram* it is $2,000.

The television costs: A one-minute commercial on CFTO Toronto costs an average of $170. The same on CBLT Toronto costs $230.

Mr. Bullbrook: How much for the minister's picture?

Hon. Mr. Randall: I give them that for free and I have only 5,000 copies left.

Mr. Speaker, I do not have the radio costs here yet, but I would be very glad to get them for the hon. member. I just have the TV and the advertising costs.

Mr. Singer: Mr. Speaker, by way of supplementary, while it is very interesting to get the rate schedules of these various media, how much has the government spent using these various media for this series of advertisements, including the jingle?

Hon. Mr. Randall: I am telling the hon. member, Mr. Speaker, that between now and the end of March we will spend $450,000 total in a domestic campaign in the Province of Ontario.

Mr. Sargent: One question; why?

Hon. Mr. Randall: Mr. Speaker, the hon. member from Owen Sound should be the last man to ask that question, because he is a merchandiser and a promoter and he knows that if General Motors stopped advertising tomorrow, they would go out of business. We have the greatest thing in the world to sell, the Province of Ontario, and we are going to sell it to the fullest.

Interjections by hon. members.

Mr. Singer: By way of further supplementary: Could the minister advise us, medium by medium, the exact number of dollars he has spent to date in the current advertising campaign?

Hon. Mr. Randall: Mr. Speaker, I do not think that question means anything and it will put somebody to a lot of work, but I will be very happy to get it for the hon. member. I might advise him that we are advertising in, let us see, the *News Chronicle*—Thunder Bay; the *Daily Times-Journal*—Thunder Bay; the *Star*—Sudbury; the *Record*—Kitchener; the *Star*—Windsor; Chatham *Daily News*—Chatham; the *Observer*—Sarnia; the *Spectator*—Hamilton; the *Standard*—St. Catharines; the *Exposi-*

tor—Brantford; the *Free Press*—London; the *Daily Journal-Record*—Oakville; the *Examiner* in Peterborough; the *Globe and Mail;* the *Star;* the *Telegram;* the *Citizen* in Ottawa; the *Journal* in Ottawa; *Le Droit* in Ottawa and the *Whig-Standard*—

An hon. member: What in Ottawa?

Hon. Mr. Randall: I will be glad to get the member the breakdown and happy to give it to him.

Mr. Breithaupt: They will get the minister a lot of tourists.

Mr. Speaker: Does the Leader of the Opposition or the deputy leader have further questions? The member for Scarborough West.

CASE OF DORIS HENRY AND AGNES LAND

Mr. Lewis: First, Mr. Speaker, a question of the Minister of Correctional Services. Could he clear up for me whether it is in the province of the judge at Kenora to sentence the two women discussed in the Legislature yesterday to 12 months definite in an Ontario reformatory?

Hon. A. Grossman (Minister of Correctional Services): It happens I have asked Mr. Speaker to allow me to revert to the statements so I can make a statement on this. Perhaps Mr. Speaker will permit me to answer this question and deal with it at the same time.

Mr. Speaker: Would the House agree to reverting to the statement period? The clerk will note the time please.

Some hon. members: Agreed.

Hon. Mr. Grossman: Mr. Speaker, while this statement does not deal with the question directly, it has to deal with the matters which were raised yesterday in respect to these Indian women. I can answer that matter quite directly. As far as my knowledge of this situation is concerned, I am sure the hon. Attorney General will confirm it, the sentence itself, in my view and that of the people in my department, was an illegal sentence.

Mr. Lewis: An illegal sentence?

Hon. Mr. Grossman: An illegal sentence—because actually you cannot sentence any female in the Province of Ontario to a term which would mean that that person, that female, is going to a reformatory for less than two years—for a definite period. All sentences unless they are specified as jail sentences, are for indefinite periods.

Mr. Lewis: If it is in the handwriting of the judge, it says a lot about the competence of that case, does it not?

Hon. Mr. Grossman: I have found, anyway in my experience, Mr. Speaker, that judges like anyone else are bound to make mistakes every now and then.

Mr. Lewis: About sentencing people to reformatory? That is quite a mistake.

Mr. Speaker: Order! The hon. leader would—

Hon. Mr. Grossman: Mr. Speaker, yesterday in reply to a question about this case, I commented on a newspaper story which related to the sentencing of these two women to the Vanier Centre for Women. Unfortunately, making same remarks off the top of my head, I forgot one very important factor; because the newspaper article, as I explained yesterday, had just been handed to me as I took my place in the Legislature and I had not had the opportunity to look into this specific case referred to. To set the record straight, I would like to make the following statement to clarify this.

According to my department's records, these two women, Mrs. Doris Henry and Mrs. Agnes Land, were sentenced at Kenora on August 10. They were admitted to the Vanier Centre for Women on August 27. Although the newspaper article stated that there were no pre-sentence reports, we have copies of pre-sentence reports on each of the women concerned. Upon admission to the Vanier Centre and following an interview by a social worker, the assessment committee which had the benefit of studying the pre-sentence reports recommended the following for each woman:

> To enrol in a basic English course and be involved in practical aspects of the programme such as individual handwork, arts and crafts, home economics, cooking and home sewing and that they be recommended for early parole consideration.

Departmental officials have had discussions with Mr. Walter Currie of the Indian-Eskimo Association regarding these cases, and Mrs. Redmond, representative of the Canadian Indian Centre in Toronto, provides regular visiting contact to Indian women at the Vanier Centre.

I should have mentioned yesterday, if my memory had served me correctly, that I had had a discussion with both these people, Mr. Currie and Mrs. Redmond, some time ago. I cannot recall whether it was a year or two years ago in which these arrangements were made with them so that we could have the benefit of their experience and advice. In addition, arrangements have been made with the Elizabeth Fry Society for a special volunteer to work specifically with these two women. Both these women are housed at Ingleside, which is the open-setting cottage at the Vanier Centre. Staff at Vanier have continued to follow the recommendations of the assessment committee. They are both currently involved in arts and crafts classes, food preparation training in the home economics area, and sewing. When not involved in these programmes they are involved in the industrial sewing unit at the centre.

The government has held various interdepartmental meetings to discuss problems and programmes for the Indian population. Although we have an excellent programme at the Vanier Centre for Women, we recognize as I mentioned yesterday, the difficulties involved in taking women from their own environment, and for this reason a special new facility is to be built at Kenora to provide a suitable programme for the women in this area; that is what I had forgotten yesterday.

Mr. Lewis: That is what the minister had forgotten?

Hon. Mr. Grossman: The sketch plans for this unit at the Kenora jail are 80 per cent completed. It is the department's intention to employ as many Indian personnel as possible and/or individuals who are familiar with Indian cultural needs to help develop the programme in this new wing.

Mr. Speaker: We will now revert to the oral question period. The member for Scarborough West has the floor.

JAIL FACILITIES IN NORTHWESTERN ONTARIO

Mr. Lewis: First, a tag-end question to the Minister of Correctional Services: How is it that yesterday it was not possible to build such facilities in northwestern Ontario, and today we find that 80 per cent of one is built?

Hon. Mr. Robarts: Oh he said the sketch plans are 80 per cent completed.

Mr. Lewis: Well, I want to know why the flip-flop?

Hon. Mr. Grossman: Well Mr. Speaker, I would be glad to comment on that. I did not say it was not possible.

Mr. Lewis: The minister said it was not practical, it did not make sense.

Hon. Mr. Grossman: Well I have the transcript right here. I have not read it yet, but I am sure the transcript will only prove that I pointed out some of the practical difficulties. And there are some practical difficulties. While we are building one at Kenora, this will not solve the problem of the Indians in that area because it is a very large area.

What I was pointing out was that in the whole of the department in any of its programmes—and in other departments of government as well—Ontario being such a huge area it is difficult to have all the facilities in every area of the province where one would like to have them. We do what we can, having regard for the practical limitations. I am glad that we did start something sometime ago and are going to build one in Kenora, but it is not going to solve all the problems. One is going to be able to say then, why is it not practical to build one in northeastern Ontario?

Mr. W. Ferrier (Cochrane South): Good idea.

Hon. Mr. Grossman: You could build them all over the place, but there are some priorities. And we are just doing what we can to meet these problems as they arise.

Mr. Lewis: Mr. Speaker.

Mr. Speaker: The member for Scarborough West has a supplementary?

Mr. Lewis: I have a question of the Attorney General.

Mr. Speaker: We have supplementaries. The member for Sarnia.

CASE OF DORIS HENRY AND AGNES LAND

Mr. Bullbrook: Mr. Speaker, by way of supplementary to the Minister of Correctional Services. In regard to his admission that these two ladies were illegally sentenced, and having regard to the fact that the appeal period has now expired, does the minister have any executive ability to release people in his institutions who are illegally placed there?

Hon. Mr. Grossman: Mr. Speaker, it really creates no practical problem, because if they were sentenced for 12 months indefinite they would have been treated the same way as they are going to be treated now anyway. The Vanier Centre will deal with these ladies in the best way, having regard for their needs, and will release them on parole at the time when it is most suitable for the women—so the practical effect is the same.

Mr. Bullbrook: Mr. Speaker having regard to the responsibility of the minister, could he advise whether he has any concern as to the quantum of the sentence itself?

Hon. Mr. Grossman: The sentence could have been 12 months definite and 12 months indefinite. If I can recall, I think there were six months concurrent at the same time, indefinite, concurrent. I think that would have—

Mr. Lewis: How does the minister feel about those sentences on the first criminal offences?

Mr. Bullbrook: Yes, this is what we want to know.

Hon. Mr. Grossman: I will not give an opinion. I was not in court. At the moment I do not know what the background is and I would not dare to give an opinion on what the judge's position was. He knows the situation up there, presumably. He had all the facts before him. He had a pre-sentence report.

Mr. Lewis: Presumably.

Mr. Bullbrook: No he does not.

Hon. Mr. Grossman: Presumably he has done what he sees is best for the—

Mr. Bullbrook: One more supplementary, if I might be permitted: Can we, in this House, have some assurance from the Minister of Correctional Services that there is liaison taking place between his department and the Minister of Justice to look at the total aspect and impact of this sentence and the present incarceration of those two ladies, and that something will be done forthwith on their behalf?

Hon. Mr. Grossman: Mr. Speaker, something is being done forthwith on their behalf.

Mr. Speaker: The member for Rainy River has a supplementary.

Mr. T. P. Reid (Rainy River): A supplementary, Mr. Speaker: Has the minister any plans, in view of his statement, for a similar facility for the younger Indians in northern and northwestern Ontario, such as perhaps using the facility at Mackintosh, that is empty I understand?

Hon. Mr. Grossman: Is the hon. member referring to juveniles?

Mr. T. P. Reid: Yes.

Hon. Mr. Grossman: We started on a programme of attempting to solve this problem, as far as it can be humanly solved, of the long distance that some of the youngsters have to be taken to the southern training schools, and there is presently now being completed—the hon. member will recall—a training school in Sudbury, an interdenominational training school.

And I believe I announced to this House—I do not like to trust my memory because it is not too good—that the next one was going to be further northwest and we are moving in that direction. But again, you know, we are faced with certain practical problems, priorities, funds, etcetera.

Mr. Breithaupt: The government could build a good one for $450,000.

Mr. Speaker: The member for Scarborough West.

CLEMENCY TO DORIS HENRY AND AGNES LAND

Mr. Lewis: A question of the Attorney General and Minister of Justice: Since his colleague, the Minister of Correctional Services has indicated to the House prior to this minister coming in that the sentence, as sentences go, was an illegal sentence, and since the right of appeal has now passed, will the Attorney General intervene in this instance to grant executive clemency—which he has done on one previous occasion just this past summer using the authority of his office as I understand it—and have these women released immediately from the Vanier Institute and returned to their community?

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I have just come from meeting a delegation of the Union of Ontario Indians—and I note that they have just come into the gallery—in which we discussed this whole matter. I said to them today that we were looking into this whole matter. I am getting the transcript of the evidence, all the background information; including the question of sentence, whether it was illegal or wrongfully

given—which would appear to be the case at the moment. We are looking into that.

As to the matter of executive clemency or the setting aside or cutting down of a sentence, I do not believe that the province or any minister of the provincial government has jurisdiction. Once convicted on a charge laid under the Criminal Code the matter of reduction of sentence would be a matter for the parole board, which is not within provincial jurisdiction.

If the sentence was wrong and the right of appeal has gone by, there is provision in our law which we can exercise to make application to open up the case and give the right of appeal. This we are looking at and this we may very well be able to do.

The delegation was accompanied by the lawyer representing the Indians of Ontario in this, Mr. Karswick, and he was present. We suggested to him that since this would be an appeal or an action on behalf of the accused, this might be a way he could adopt and take under consideration and move. I am anxious to see that the law is administered evenly for all citizens of the province, as I have indicated.

Mr. Lewis: A supplementary: Before Mr. Karswick can launch the appeal though, is it necessary for the Attorney General to grant a specific dispensation in this case?

Hon. Mr. Wishart: I do not know that that is so, Mr. Speaker. The hon. member has mentioned granting executive clemency. The only matters in which the Attorney General or Minister of Justice of this province has powers to grant clemency, which I have exercised, are offences under provincial statutes, such as The Liquor Control Act. I have exercised some clemency there, with the approval of cabinet. And I could, I believe, in The Highway Traffic Act; I believe I have exercised that once or twice. Again, the government may grant that on the recommendation of the Attorney General. I do not believe that in a criminal conviction on a charge under the Criminal Code I have any such power and I have never exercised it.

However, we shall do everything possible to thoroughly inform ourselves of this case and to reach what we consider to be justice to these people.

Mr. Lewis: A further supplementary, Mr. Speaker.

Mr. Speaker: The member for Scarborough West has a further supplementary.

Mr. Lewis: Is it appropriate or permissible for a law student acting as duty counsel to represent citizens on a criminal charge of this kind?

Hon. Mr. Wishart: Yes, Mr. Speaker. Under The Legal Aid Act, we specifically made it possible for students to take part in order that it might increase their legal education and in order to make their services available to people. I do not want to be critical, again not knowing all the facts. Whether duty counsel was sufficiently informed or sufficiently concerned, I cannot say. I do not want to say that in a critical way, but we are looking into that, and that may be a factor in the way we should handle this matter, too.

Mr. Lewis: A further supplementary, Mr. Speaker: Does the minister feel that the Crown attorney in this case, in the interests of justice as well as of conviction, should have informed citizens of the right of appeal and the appeal procedures available under the Act?

Hon. Mr. Wishart: Mr. Speaker, the hon. member seems to be slightly impatient in that I have said that I would like to know the facts.

Mr. Lewis: I am. The women are in the Vanier Centre, perhaps inappropriately.

Hon. Mr. Wishart: I do not wish to express opinions yet on the conduct of persons involved. Perhaps I will be in a position to do so very shortly.

Mr. Speaker: The member for Grey-Bruce has a supplementary?

Mr. Sargent: Along the same line, Mr. Speaker.

Mr. Speaker: Now is it a supplementary question?

Mr. Sargent: A supplementary, yes, sir. What provision is there in the law, or what steps are being taken to guard against judges making the statements they have to people before them insofar as this judge saying: "They are a different breed of cat"? That is the sort of thing that is going on in my riding, with the judges up there and the way they are treating people. And, secondly, along the same line, if this lady got convicted of a million dollar stock swindle and served three months in jail, why did these ladies get up to 12 months? Where is the justice in this province?

Mr. J. B. Trotter (Parkdale): That is a good question.

Hon. Mr. Wishart: Mr. Speaker, up until, I think, some two years ago, when I brought before this House The Provincial Courts Act, there was no particular way of dealing with a judge or a provincial judge, then known as a magistrate, but under that Act we now have the judicial council, a very capable body of judicial people with lay representation whereby the conduct of judges can be reviewed. The judges, on complaint, may be brought before the council and they have—

Mr. Lewis: Well, does the minister think this—

Mr. D. C. MacDonald (York South): Is that being done in this instance?

Hon. Mr. Robarts: Give us a chance to find out.

Hon. Mr. Wishart: Please, if I may ask the hon. member not to ask for my opinion at this moment.

This only came to his attention and my attention, and I think even to the attention of the Union of Ontario Indians yesterday or the day before by a newspaper article. The chief of the band to which these Indians belong, although the case was heard on August 4 had made no complaint. I pointed this out to the delegation. I was not aware of it.

Mr. Lewis: I appreciate that.

Hon. Mr. Wishart: But to answer the member for Grey-Bruce, anyone may make a complaint about the conduct of a judge to the judicial council, and I am certain that—

Mr. Sargent: I have done that often but nothing has happened.

Hon. Mr. Wishart: Well, if the hon. member has made such a complaint, I would like him to let me know, let me have it. I doubt if he has sent any letter to the judicial council. I do not want to doubt his—

Mr. Sargent: I am sorry. No, not to the judicial council.

Hon. Mr. Wishart: No. I do not think that he has and he admits that he has not.

If the judicial council receives a complaint I am sure it will investigate. This is the procedure established in the law under The Provincial Courts Act to review the conduct of judges, something which we have not had prior to the coming into force of The Provincial Courts Act.

Mr. Speaker: The member for Downsview has a supplementary?

Mr. Singer: Since the Attorney General appears to think, and I think I share the opinion, that this is not case in which provincial executive clemency could be exercised, would he be prepared to urge, in the strongest possible terms, if there is no other alternative, that the Minister of Justice in Ottawa exercise the executive clemency, because he obviously has this power?

Hon. Mr. Wishart: I shall answer the hon. member, Mr. Speaker, as I have answered other questions. Until I have all the facts before me, I shall make no recommendations.

Mr. Speaker: The member for Kenora has a supplementary?

Mr. L. Bernier (Kenora): A supplementary, Mr. Speaker, to the Attorney General: Now that the Attorney General has agreed to undertake a study, would he consider the possibility of improving the quality of the interpreters used in courts of northern Ontario?

Hon. Mr. Wishart: Mr. Speaker, as I pointed out to the delegation which I just met, our courts provide an interpreter's service for persons who cannot speak English, be they Indian, Italian, French, or whatever. If that service is not adequate, I should be glad to improve it. But because it is our full policy that no one suffers from the lack of knowledge of the language, an interpreter's service must be made available to a person standing before the court.

Mr. Speaker: The member for Scarborough West.

Hon. Mr. Wishart: And that, Mr. Speaker, is in civil and criminal cases.

ARREST OF LORTIE UNDER WAR MEASURES ACT

Mr. Lewis: A question of the Attorney General and Minister of Justice: What, sir, has happened to Bernard Lortie, the Ottawa university student who, according to the RCMP and the OPP and the Ottawa city police, has disappeared? Is he being held incommunicado under The War Measures Act?

Hon. Mr. Wishart: I have never heard of him, Mr. Speaker.

Mr. Singer: Mr. Speaker, by way of supplementary—

Mr. Speaker: The member for Scarborough West has the floor.

Mr. Lewis: By way of supplementary: Was the Attorney General and the Minister of Justice not informed that a student in Ottawa was picked up under The War Measures Act over the last weekend and held?

Mr. Trotter: By mistake!

Mr. Lewis: By mistake! He had phoned in to clear up a mistaken identity and was picked up for his efforts.

Hon. Mr. Wishart: Well, being engaged with this delegation today until after the House opened, I did not have an opportunity to check with the commissioner of the Ontario Provincial Police. It has been my habit to check with him each day, just before the opening of the House. I probably would have got that information, but I came directly in because I anticipated there would be questions about these other matters, so I do not have that information. Perhaps it is available in my office.

Mr. MacDonald: It happened over the weekend.

Mr. Lewis: By way of supplementary, then, if I understand it, the minister's own regulations or letter, which is now circulating in the police forces of Ontario has not been observed in this case. As I recall, the minister's last paragraph said that the Attorney General must be informed.

Hon. Mr. Wishart: I did say that in black and white in my directive and it has been followed, as far as I am aware up to this moment. I do not know this particular case. Perhaps there are reasons why I do not, but I have required that I be informed of any detentions, especially if they were made under The War Measures Act.

Mr. Sargent: Well, he has disappeared.

Hon. Mr. Wishart: Perhaps he did. I do not know of this particular case at the moment.

Mr. MacDonald: A breakdown in communications.

Mr. Lewis: Something odd in the administration of justice.

Mr. Speaker: The member for Huron-Bruce has a question?

Hon. Mr. Wishart: Well I would like to find out and I will, Mr. Speaker, if I may pursue this. I do not know whether this man was arrested or detained.

Mr. MacDonald: It was on TV last night.

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): That does not make it true.

Hon. Mr. Wishart: Well, I know—

Mr. Lewis: I think everyone knows except the Attorney General of Ontario.

Hon. Mr. Wishart: The hon. members read the newspaper or hear other media reports. I do not know that this man was detained or arrested under The War Measures Act. If he was, I am sure I shall be informed.

Mr. Speaker: The member for Huron-Bruce.

Mr. Lewis: The minister has a large department to do it.

Mr. Speaker: A supplementary?

Mr. Lewis: No.

Mr. Speaker: The member for Grey-Bruce.

Mr. Sargent: A question of the Minister of Reforms.

Mr. Speaker: Correctional Services.

CONDITIONS AT THE DON JAIL

Mr. Sargent: Correctional Services. Has the minister read the story in the current issue of *Maclean's Magazine* regarding Don Jail entitled "Inside?" And if he has, what does he plan to do about it, and is he not ashamed of the way things are going in the jails across Ontario?

Hon. Mr. Grossman: Mr. Speaker, I read the article, and there are a couple of things—

Mr. Sargent: The minister should resign then.

Hon. Mr. Grossman: I just do not resign as the result of reading an article. It would have to be something more difficult to handle than that.

I read the article, Mr. Speaker, and there were some things in it which puzzled me, to say the least. I have asked for a report on them. If the hon. member just asked me what specifically I intend to do about a specific matter, I would be glad to answer.

Mr. Speaker: Yes. Number one specifically Mr. Speaker, the minister promised us a new jail in Owen Sound years ago—

Interjections by hon. members.

Mr. Speaker: This must be—

Mr. Sargent: There are no books for prisoners to read in the Don Jail; there are no matches—

An hon. member:- No *Maclean's Magazine* either.

Hon. Mr. Grossman: That is not true. The member had better read the article.

Mr. Sargent: I have read the article. I checked it.

Hon. Mr. Grossman: The member read it? I do not think the hon. member read it. That is not what it says.

An hon. member: Let the member tell us what it said!

Come on now!

Mr. Sargent: Mr. Speaker, I would like to ask then—I have read the article very thoroughly, and I know most of it is rugged in the Don Jail—

Mr. Speaker: If the hon. member will ask a supplementary question.

Mr. Sargent: Nothing to do with this.

Interjections by hon. members.

Mr. Sargent: What does the minister do about the grand jury reports he gets every year on Don Jail and the different jails across the province? What does he do about them?

Mr. Trotter: Ignores them.

Hon. Mr. Grossman: Mr. Speaker, they are given the very best of consideration and, in most instances where—

Mr. Sargent: No action!

Hon. Mr. Grossman: In most instances where it is possible to correct situations which have been brought out by the grand jury—where they have made recommendations—we have carried them out.

In some instances the grand jury reports' recommendations are impractical. In other instances, as I say, they make some very good recommendations. In those instances they are looked into very thoroughly, and in most of those cases, if not all of them, corrective action is taken.

Mr. Sargent: A final supplementary, Mr. Speaker. How does the minister equate spending $30 million on the Lakeshore—on Ontario Place—when he cannot fix up our jails in this province?

Mr. Trotter: Right!

Hon. Mr. Grossman: Mr. Speaker, we have spent many millions of dollars on new correctional institutions, if the hon. member would take the trouble—

Mr. Sargent: Not on Don Jail they have not.

Hon. Mr. Grossman: Of course we have. There is one just being—

Mr. Sargent: Being what?

Hon. Mr. Grossman: There is one being completed, the first regional detention centre is being completed in Quinte.

Mr. Sargent: A lot of hocus pocus.

Hon. Mr. Grossman: If the hon. member would ask me a proper question, and give me about one-half an hour, with the concurrence of the Speaker and the House, I would be glad to detail for him the very constructive measures which have been taken in my department over the last seven years.

There is an institution just being finished, as I said, at Quinte to replace four old county jails—promised; done! There is a training school now being completed; it will be completed perhaps by the end of the year—

Mr. T. P. Reid: Is that in a Tory riding?

Hon. Mr. Grossman: In Sudbury—promised; done! Also, Mr. Speaker, tenders have gone out for the new Carleton Regional Detention Centre—promised; done!

Mr. Sargent: Owen Sound? No.

An hon. member: I never heard of those.

Hon. Mr. Grossman: The Niagara Regional Detention Centre is about ready for tender, if it has not been put out already. I am not sure about that.

Mr. W. G. Pitman (Peterborough): What about Peterborough?

Hon. Mr. Grossman: That was promised and is done.

Interjections by hon. members.

Hon. Mr. Grossman: There is a new diagnostic and assessment centre being built in Oakville now, which came about as a result of the white paper on emotionally disturbed children. That is now under way. Promised; done!

Interjections by hon. members.

Hon. Mr. Grossman: Does the hon. member want any more? I think I can think of—

Mr. Speaker: Order! The hon. member for—

Interjections by hon. members.

Hon. Mr. Grossman: We promised to replace the Mercer Reformatory; it is gone. Vanier Centre has been in operation now for over a year.

Mr. Trotter: That took a long time. It took 40 years.

Mr. Pitman: It is a disgrace.

Hon. Mr. Grossman: We promised that we would do something about the alcoholics and the sex deviates being kept at the maximum security institution in Millbrook Reformatory, now plans are being finalized for new clinics at Mimico and Brampton.

Interjections by hon. members.

Mr. Speaker: Order! I think we have explored that sufficiently.

The member for York South has the floor.

Mr. MacDonald: It is obvious, Mr. Speaker, that the provincial election campaign has begun and the government is on the defensive.

I have a question of—

Interjections by hon. members.

DISCRIMINATION AGAINST INDIANS BY OPP

Mr. MacDonald: It is pretty obvious!

I have a question of the Attorney General. Was the Attorney General aware of the fact that the Human Rights Commission presented the Ontario Provincial Police with 17 documented cases of alleged discrimination against Indians at the time those representations were made in November 1969?

Hon. Mr. Wishart: Mr. Speaker, I was asked a question almost in the same terms yesterday by, I think, the leader of the New Democratic Party. I was not aware of the number being 17; I was aware that some cases had been reported.

One particular one—the hon. member for York South who asked this question, brought it to my attention at great length in the estimates—was thoroughly investigated—

Mr. MacDonald: That is a matter of opinion.

Hon. Mr. Wishart: —and almost all of the facts which he set forth as being facts at that time were proven not to be so.

Mr. MacDonald: Wrong.

Hon. Mr. Wishart: They were proven wrong, proven to be unfounded.

Mr. MacDonald: No, no; the Attorney General's statement is wrong.

Hon. Mr. Wishart: I do not know about the other 17. If the hon. member would like, I shall check. They were not, as far as I am aware at the moment, reported to me.

Mr. MacDonald: Well Mr. Speaker, I have a further question, which is very serious, that I want to put to the Attorney General. During the consideration of the estimates of his department on June 25, when I raised the conflict that appeared to exist between his department and the Human Rights Commission, the minister stated:

> If there is any case of this nature, it should go to the Human Rights Commission. If they would say, "Here's a case which needs attention, which needs further investigation," I should be very glad to look into it.

The Deputy Minister said:

> Never at any time have either Mr. Eberlee or Dr. Hill or the lawyers who are acting as counsel for the Human Rights Commission ever spoken to me about any matter relating to the affairs of my department with relation to the Indians.

Now, I could go on and give the minister six more quotes.

Hon. Mr. Wishart: What is the question?

Mr. Speaker: The hon. member will please not go on, he is asking a question; and a supplementary question at that!

Hon. W. D. McKeough (Minister of Municipal Affairs): Completely out of order.

Mr. MacDonald: Mr. Speaker, the alacrity with which you put down members in the opposition after letting that spectacle go on, leads me to believe that I have few privileges around here if I am going to be chopped down by the Speaker with such speed. This is very difficult question and I want to find out—

Mr. Speaker: The hon. member will ask his question. If he will do that he may speak —the hon. member will please resume his seat for a moment.

The hon. member is quite entitled to ask questions and put sufficient background into a question. Mr. Speaker did not interfere with the member reading a very considerable

extract from *Hansard*. When he announced he was going to read more, I felt it proper to draw to his attention that he should ask the question. Now he has the floor.

Mr. MacDonald: On a point of order, Mr. Speaker, when the minister went on with 15 different elaborations by way of a political speech, did you interrupt?

Interjections by hon. members.

Mr. Speaker: Order! I would point out that in the question period there is no discussion. If the rulings are not correct, the Speaker will do his best to see that they are corrected in future. As far as the point now raised by the member goes, the hon. minister was answering in detail the question which was asked. In this case, the hon. member is endeavouring to read a considerable amount out of *Hansard* as part of his question.

Mr. MacDonald: Well I have put my question to the Attorney General, and I invite him to read page 1138 to the conclusion of that day's hearing. How could the minister and his deputy say that they were not aware, not just of one, but of many—indeed 17—cases of alleged discrimination, and mislead the estimates committee to say if they are ever presented with evidence they would be glad to look into it? At that point they had been eight months sitting on 17 documented cases. How can the Attorney General explain that?

Hon. Mr. Wishart: What we said, Mr. Speaker, as the hon. member recites, was that when we are presented with evidence of a case which appears to need investigation, we shall do so. And the one which he presented, we did.

Mr. MacDonald: A supplementary question: What about the 17 that were presented in November of 1969?

Hon. Mr. Wishart: Who presented them?

Mr. MacDonald: The Human Rights Commission, another arm of this government with which allegedly you co-operate fully as the minister told us in the evidence, while actually you are in conflict.

Hon. Mr. Wishart: Mr. Speaker, all the assurance I can give the hon. member is, as I gave yesterday, that I shall inquire as to these cases. They have not, so far as I am aware, ever been presented to me.

Mr. Lewis: Not to the Attorney General, by the OPP? Not to the Attorney General or his deputy?

Hon. Mr. Wishart: As far as I am aware.

Mr. Lewis: Well the Attorney General should investigate the OPP.

Interjections by hon. members.

Mr. Speaker: Order! The member for Rainy River has the floor for a supplementary question.

Mr. T. P. Reid: I wanted to ask, Mr. Speaker, by way of a supplementary, what process is followed in a case like this, when these charges go to the OPP? What channels are open, or are there channels open for this kind of information which should be passed on to the Attorney General? Is this general practice that these charges die with one of the agencies within a department, rather than a serious matter of this nature being passed directly to the Attorney General?

Hon. Mr. Wishart: Matters which are referred by myself to the Ontario Provincial Police administration, generally to the commissioner, are investigated and a report is received by me. I presume there are matters of various natures, possibly referred to the commissioner by other departments, when he would investigate and make his report; not necessarily to me, but if he felt that would be wise he would also do so. But I do not believe, I am not aware at this moment, that these cases were referred to the Ontario Provincial Police.

Mr. Lewis: Yes they were, it is in the minutes of the Human Rights Commission—

Hon. Mr. Wishart: I have already said to the hon. member that I would check, get an answer and give it to this House.

Mr. Speaker: A supplementary?

Mr. J. E. Stokes (Thunder Bay): A supplementary, Mr. Speaker: Could I ask the Attorney General if the Alec Vincent case at Moosonee was one of the 17? The Alec Vincent case is one that he has personal knowledge of. Why has it taken over six months to gt a report from the OPP to the Attorney General's department and back to the band council at Moose Factory?

Hon. Mr. Wishart: I remember the Alec Vincent case. It was investigated quite thoroughly. I think it is not correct to say that it has taken over six months to get a report, because I remember receiving reports.

There were various features of it; some of it involving the treatment in hospital, the extent of injuries to eyesight; there were

various reasons why certain evidence could not be obtained, all of which took some time.

I cannot agree that it has taken over six months to get a report. There may have been some detail of it that was not final before the six-month period, but that case was investigated promptly and a good deal of the information was obtained very quickly. There were other things as to the extent, the nature, the consequence of injury, that took time to assess. That is the only answer I can give.

Mr. Stokes: Finally, when will that information be made available to the band council, as promised by the Attorney General?

Hon. Mr. Wishart: I will have to check and see, Mr. Speaker. I do not know any reason it should not be made available now.

Mr. Speaker: The member for Essex South.

CANNING INDUSTRY AND INCIDENTS AT PLEASANT VALLEY

Mr. D. A. Paterson (Essex South): Mr. Speaker, a question of the Minister of Agriculture and Food. Is the minister considering instituting an investigation into the canning industry in this province in view of recent happenings? Secodly, are the minister and the Farm Products Marketing Board giving any consideration to acting as an agency to assist those farmers involved in the happenings at the Pleasant Valley Canning Company, to assemble their products and make an orderly disposition of the same should the courts uphold their ownership of the product?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I would have to take that question under advisement.

Mr. Speaker: The Minister of Mines and Northern Affairs has an answer to a question asked by the member for Timiskaming.

VISIT TO WINDSOR BY MINES DEPARTMENT STAFF

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Mr. Speaker, last Friday the member for Timiskaming asked me to justify a trip of certain civil servants who were sponsored by the department on a one-day trip to Windsor to visit the salt mine there, and the cost of the trip. This has been a longstanding policy within the department—to try to make the junior clerical staff and others within the department who are located within this city a little bit more aware of the industry problems that they encounter day by day. If you want, it is an attempt to get them out of the ivory tower of bureaucracy around here.

In the past we have had them down to the Marmoraton Iron Mines and on this particular trip we sent them down to Windsor on a Saturday where they visited the very tremendous site of the Windsor salt mine. We chartered a Vanguard for the day. We treated them to a lunch in Windsor and the total cost for the 108 people involved was $2,608.75 which was, of course, included in the estimates of this department last year.

Mr. B. Newman (Windsor-Walkerville): How many members of the minister's department got to go?

Hon. A. F. Lawrence: They were all members of this department, as far as I know.

Mr. D. Jackson (Timiskaming): A supplementary, Mr. Speaker: How many Northern Affairs officers were involved in this trip and what relation has this trip to their job as northern information officers?

Hon. A. F. Lawrence: It had nothing to do with Northern Affairs officers. As a matter of fact, it took place at a time which pre-dated the establishment of a Northern Affairs branch. This happened last spring some time.

LOCATION OF NORTHERN AFFAIRS OFFICE IN CALVERT

Mr. Ferrier: I have a question of the Minister of Mines and Northern Affairs, Mr. Speaker.

Will the minister reconsider the decision made by his department not to locate a Northern Affairs office in the township of Calvert?

Hon. A. F. Lawrence: Yes.

Mr. Ferrier: Can we have any idea when the minister might be making a decision or an announcement?

Hon. A. F. Lawrence: Yes. I gave the undertaking to the House at the time of the passage of the legislation that this was in a state of evolution and at the end of the first year of operation we would be taking a good hard look at it to see what changes could, and should, and would take place.

Mr. Speaker: I regret the oral question period, as extended, has now expired.

Petitions.

Presenting reports.

Mr. Meen, from the standing legal and municipal committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 177, An Act to amend The Judicature Act.

Bill 185, An Act to amend The General Sessions Act.

Bill 187, An Act to amend The Judges' Orders Enforcement Act.

Bill 188, An Act to amend The Habeas Corpus Act.

Your committee begs to report the following bill with certain amendments:

Bill 140, An Act to amend The Conditional Sales Act.

Bill 183, An Act to amend The Judicature Act.

Bill 184, An Act to amend The County Courts Act.

With the concurrence of the House, the following bills were sent for third reading:

Bill 177, An Act to amend The Judicature Act.

Bill 185, An Act to amend The General Sessions Act.

Bill 187, An Act to amend The Judges' Orders Enforcement Act.

Bill 188, An Act to amend The Habeas Corpus Act.

Bill 140, An Act to amend The Conditional Sales Act.

Bill 183, An Act to amend The Judicature Act.

Bill 184, An Act to amend The County Courts Act.

Mr. Speaker: Motions.

Introduction of bills.

DEPARTMENT OF FINANCIAL AND COMMERCIAL AFFAIRS ACT, 1966

Hon. A. B. R. Lawrence moves first reading of bill intituled, An Act to amend The Department of Financial and Commercial Affairs Act, 1966.

Motion agreed to; first reading of the bill.

Hon. A. B. R. Lawrence: Mr. Speaker, this bill provides for the appointment of a registrar for the commercial registration appeals tribunal and provides the members of the tribunal with the power to administer oaths for the purpose of the proceedings of the tribunal.

Mr. Speaker: The member for Kingston and the Islands.

Mr. S. Apps (Kingston and the Islands): Mr. Speaker, before the orders of the day, I have a small presentation to make to the Minister of Transport (Mr. Haskett) and I think a word of explanation might be in order.

Last weekend the Ontario Jaycees met in Kingston; I had the privilege of attending their dinner party on Saturday evening and during the course of the evening they made a presentation to me. You know, they are most concerned with pollution and with traffic safety and this presentation had to do with traffic safety. I promised them that I would present it to the Minister of Transport to indicate to him their concern about the fact that seat belts should be made mandatory on buses that run from one city to another.

I think it is very illustrative of their concern about this and, as I mentioned, I promised to pass it on to the Minister of Transport to indicate to him that they felt that this was a very serious thing. I now have pleasure in presenting this rather small coffin to him, which I think illustrates very well what they feel.

Mr. Speaker: Orders of the day.

Clerk of the House: The 24th order, House in committee of supply; Mr. A. E. Reuter in the chair.

ESTIMATES, THE DEPARTMENT OF LABOUR
(continued)

Mr. Chairman: The hon. minister was in the process of replying to lead-off speakers. The hon. minister.

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, I believe we should proceed with the details.

Mr. Chairman: The hon. minister has no further comments. Then we will call vote 1001 of The Department of Labour. Is there any discussion? The hon. member for Dovercourt.

On vote 1001.

Mr. D. M. De Monte (Dovercourt): Mr. Chairman, are we going to take it item by item?

Mr. Chairman: I think perhaps the first vote should be taken in total.

Mr. De Monte: I did not hear you, Mr. Chairman.

Mr. Chairman: The first vote could be taken in total.

Mr. De Monte: Then I would like to ask the minister, in connection with construction safety, whether his department—I understand that he has a labour safety council—

Mr. Chairman: I think this is under vote 1002.

Mr. De Monte: I think it is 1001, is it not?

Mr. Chairman: Construction safety appears at the bottom of page 100.

Mr. De Monte: Yes, that is right, and that is 1001, is it not?

Mr. Chairman: That is vote 1002.

Mr. De Monte: I am sorry.

Vote 1001 agreed to.

On vote 1002.

Mr. Chairman: The hon. member for Dovercourt.

Mr. De Monte: I understand, Mr. Chairman, that the minister does have a labour safety council. May I ask if that is purely an advisory council, or if it does any enforcement of the labour safety laws?

Hon. Mr. Bales: Mr. Chairman, as I heard the hon. member, he asked if the labour safety council were advisory only. That is correct. They meet on a regular basis. We submit the principles of legislation to them for their views in reference to safety matters, and they give advice on a number of situations.

Mr. De Monte: The safety and technical services then, I take it, are the services that provide for safety inspection. Am I not correct?

Hon. Mr. Bales: The safety and technical services division of the department has the responsibility for carrying out the work in reference to construction safety, industrial safety, elevator inspection and all of that group.

Mr. De Monte: The point I am trying to bring out with the minister, Mr. Chairman, is this: Does the safety and technical services have any inspection personnel other than those for elevators and the boiler inspection-type operations? Do they have construction safety inspectors and industrial safety inspectors?

Hon. Mr. Bales: We have industrial safety inspectors. You will appreciate that in the construction safety field, while we have supervisors there, the actual construction safety inspection is done by the municipalities themselves. Our people work with them, and conduct seminars, and so on, to assist them.

Mr. De Monte: Could I ask the hon. minister, Mr. Chairman, if safety and technical services do carry out any of their own inspections? I appreciate that within the municipalities the municipalities have their inspections, but does his department carry out any inspections to enforce the safety laws?

Hon. Mr. Bales: They carry out many inspections themselves, depending upon the particular field. There has been a new branch added to that division, the energy branch, which was formerly part of The Department of Energy and Resources Management and they carry out direct inspection in their area. The industrial safety people do the elevator inspection, the boiler inspection and so on. In the construction safety section the inspection is done in the immediate area by the municipalities. Our staff work with their inspectors there in a supervisory joint inspection in various regions.

Mr. De Monte: Well I understand—

Hon. Mr. Bales: If the members would like to refer to the book that I had placed on their tables yesterday dealing with the matter, they will find all of the matters on page 17.

Mr. De Monte: The only point I was attempting to establish, Mr. Chairman, was that the Construction Safety Association and, of course, the Industrial Accident Prevention Association are funded, I understand, with funds from the Workmen's Compensation Board. Without getting into that aspect of the situation, I am wondering, Mr. Chairman, in view of the vast sums that are paid to these two organizations, which I understand are organizations made up of the employers—in one case inspectors are appointed by the Construction Safety Association, which is an association of companies in the construction field, and in the other case they are appointed by the industrial firms that make up the

Industrial Accident Prevention Association. I understand that in the last budget of the board these two organizations were paid something in the realm of between $2.5 and $3 million, if I am correct.

Hon. Mr. Bales: A little more but for nine associations.

Mr. De Monte: I wonder also what purpose is served by putting on TV about 1:30 in the morning, during the late show, particularly in connection with construction, advertising, the purpose of which is to create a safety concept in the minds of the construction workers. I wonder about the viability of such a thing, particularly at 1:30 in the morning. Very few construction and industrial workers see this type of advertising, and I notice that these advertisements were sponsored jointly by the Workmen's Compensation Board and the safety association.

My point is, how effective is this type of programme in reducing the amount of people maimed, killed and injured on construction? I wonder whether the minister might consider, instead of paying so much money—and I know his argument is going to be that the employers paying the money into the workmen's compensation fund will just take some back in order to sponsor a safety attitude—but the point is, would it not be more effective if that money were allotted to the hiring of safety inspectors under the safety and technical services division of the minister's department? I think, if the minister were to look at the statistics of the last year, 67 or 70 men were killed on construction sites alone, if I am correct.

Perhaps instead of paying thousands and thousands of dollars to advertise late at night or in the evening, this money might be more fruitfully used by hiring inspectors to make sure that the jobs upon which these people are working are kept in a proper condition in connection with the safety of the workers there.

I was impressed, Mr. Chairman, that the advertising is fairly effective, but at 1:30 in the morning, I think it is not effective because nobody sees it. I wonder if the minister might comment on that; perhaps the money would be better spent in hiring safety inspectors and sending them out to enforce labour safety laws?

Hon. Mr. Bales: Mr. Chairman, moneys that the hon. member is referring to are those allocated, as he mentioned, by the Workmen's Compensation Board for safety education with the nine safety associations within the Workmen's Compensation Board. That is not simply just for advertising, though I noted you said it was effective in certain areas.

Mr. De Monte: It is good advertising, Mr. Chairman, but I wonder if it is effective at 1:30 a.m.?

Hon. Mr. Bales: I have not seen it at 1:30 in the morning.

Mr. De Monte: I have. I have seen it many times.

Hon. Mr. Bales: It is safety education in a variety of ways. Not simply through advertising, it is safety education in those nine associations, so the money is spread around substantially. They are advertising to cover all of them rather than having nine separate budgets for that type of advertising. The Labour Safety Council, of course, has representatives of those nine safety associations on its council and they themselves have been discussing the effectiveness of advertising, what in their view would be the best type of advertising to carry out. Their studies or discussions on that are not complete but they are being carried on.

Mr. De Monte: Mr. Chairman, I think we in this House must remember that people policing themselves tend to favour themselves, and it strikes me that a group of construction companies hiring its own labour inspectors is not necessarily the best way to make sure that our labour laws are enforced in Ontario. I think that the most viable idea of construction safety would be if the minister set up his own department under the safety and technical services division where his own inspectors could go out to these construction jobs, enter the industrial plants and make sure that our labour safety laws are enforced.

I for one cannot see how people can police themselves. I think they are subject to abuse. I think that these people might be more interested in some cases in getting the job done rather than creating a safe environment for the worker. I for one would like to see the money that the Workmen's Compensation Board pays out—and it is a lot of money—used to hire a lot of inspectors. They should possibly be paid by the department's safety and technical services division so that this minister polices the safety laws of the province and the municipalities.

I suggest to you, Mr. Chairman, that our accident rate is fairly high; simply look at the cost of the Workmen's Compensation Board now. It is costing industry millions and millions. I think it is becoming a disgrace,

the amount of money that it is costing our industrial complex to help workmen after the fact, after they have been hurt. I think that a good safety programme with proper inspection by this department would certainly reduce the cost to industry and perhaps even to this government.

Mr. Chairman: Will this programme carry? The hon. member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I would like to dwell on that same point for a moment or two. I think the statistics that we have got, and the department's reports of activities, indicate that what we are getting are figures on what has taken place but there is no indication as to whether or not the inspections are having the effect that is most desirable. That is, to reduce a number of violations of the various Acts.

I have, in my hand, the 1969-1970 report that the minister tabled during his last estimates; it is almost identical to the one we have received in the last day or two—

Mr. De Monte: That is right.

Mr. Gisborn: —and on page 20 of the 1969-1970 report, if we just deal with construction safety branch, the fourth paragraph tells us this:

> In this first 10 months of the fiscal year, 1968-1969—

I would take it to mean from April, 1968, to January, 1969,

> —there were 82,967 inspections of construction sites which resulted in 283 charges and 203 convictions. Stop-work orders were issued in 3,302 cases where dangerous working conditions existed.
>
> Orders to correct unsafe conditions numbered 15,678. Caisson inspections were 3,190 inspections on 467 projects.

I will leave that for the moment. We turn over two pages and it gives us what happened in another area; that is, the industrial safety branch. On page 22, the second paragraph, the third sentence:

> During the first 10 months of the 1968-1969 fiscal year, industrial safety officers made 40,827 inspections and issued 35,472 directions to correct violations of the Act and regulations.

That is well and good enough, but when we take the report we received this year, the 1970-1971 report, on page 22, the construction safety branch, we read from the third paragraph:

> In the calendar year 1968—

Which would be January to December, 1968,

> —municipally appointed construction safety inspectors carried out 135,454 inspections, issued 23,591 orders to comply, 5,798 stop-work orders and laid 405 informations resulting in 222 convictions and fines totalling $25,855. In the calendar year 1968, municipally appointed trench inspectors carried out inspections on 8,334,940 feet of trenching—which equals 1,580 miles—there were 39 informations laid, 18 convictions and fines of $5,254.

So just on the point of the informations laid resulting in convictions, the convictions would work out to about a $120 fine for each conviction shown by the amount of money raised. But what we have to look at in that number of infractions is how many accidents were involved in those infractions.

If we are just going to continue with some of the scepticism and fears we had about the inspections and the finding of the infractions, if we did not increase the penalties enough that they would continue to violate the Act and they would pay their fine as a licence, then people would continue to be injured and maimed on construction jobs. At some time or other we have to deal with these repeaters or set up a class of offences in this field so that they start to reduce the numbers of violations that are being found.

The intriguing thing about the two reports is that the 1970-1971 report, which was tabled a couple of days ago in relation to the construction safety branch, gives us the figures that I just read out for the calendar year 1968 which, I would take, would be from January to December. But during the last set of estimates, the 1969-1970 report dealing with the same item, construction safety branch, gives us figures for the first 10 months of the fiscal year 1968-1969; that would be from April, 1968, to January, 1969. So in our present report we have got one more month added to the compilation of figures that we are dealing with. What kind of sense does that make? Can the minister explain, or am I wrong in this assumption?

Hon. Mr. Bales: Mr. Chairman, the information bulletin that I have placed before you was prepared in the spring in anticipation of my estimates coming forward at that time. We have other reports. For example, when you look at the number of claims in the workmen's compensation, which covers a variety of circumstances, not merely construction or industry, the claims this year are down fairly substantially. The payments are up because of costs, but the number of claims are down.

For example, there is a variety of means used—and we do not include workmen's compensation in the normal discussions on the Labour Department, but perhaps a reference to it might help at this point. There is a provision there that if you have repeating offenders, then the assessment is increased very substantially. For example, the highest assessment that was imposed in the area of increased assessment was $275,000 against a company because of unsafe practices.

Mr. De Monte: When was that?

Hon. Mr. Bales: Now, there is a variety of means used to cut down on accidents; not only inspections, but education, particularly in the construction safety field. As I said to the member for Dovercourt, we work through, or with, the municipal inspectors. There are in all about 240 to 250 of those municipal inspectors in the province each allocated to their own particular area. We have a supervisory staff allocated by region to work with those particular people and they carry out joint inspections. For example, in the fiscal year 1969-1970 in construction, the number of joint inspections was nearly 5,600. There are territorial districts as well, and there were over another 400 there. The same thing applies in reference to inspections for trenches and tunnels and so on. They are broken down into different sections through the inspections of our various people.

Mr. Gisborn: Does the minister have in front of him the 1969-1970 report, the summary of activities that he produced to us during his last set of estimates?

Hon. Mr. Bales: I did not bring it with me, Mr. Chairman.

Mr. Gisborn: I have it here. The point I want to make is why do you produce this document this week and put it on our desks, because the 1969-1970 summary, in relation to construction safety branch, tells us in the fourth paragraph, "in the first 10 months of the fiscal year 1968-1969"; which would bring us from April 1 until the end of January? This follows the report. Then we have the 1970-1971 summary of activities which was received one or two days ago, dealing with the same department, giving us figures that have increased and might add up to one month's difference, but we find in this report you are giving us figures that relate to the calendar year 1968, which would be from January to December, 1968. From what I can see—and that is the explanation I am asking for—in the 1969-1970 report that we received over a year ago we got more up-to-date information than we got in the one we received two days ago.

Hon. Mr. Bales: As I said to the member a minute or two ago, we prepared the information up to last spring, with a view to presenting the estimates at that time. When it was prepared, the final figures for 1969 were not in, but perhaps if I could just read these it might assist him.

In the construction projects, the inspections numbered 133,479 for the calendar year 1969.

Mr. Gisborn: I do not have that anywhere in the report. You have only given us a summary of one month in 1969. That is for the month of January, 1969; that is all we have here.

Hon. Mr. Bales: I think I have explained that and I am reading them to you. If you want the information you can have it. The number of prosecutions in construction was 395; convictions were 277; the fines levied were $42,170; the stop-work orders issued were 4,558; the violations were 23,373 and the fatalites were 41. I can go through that, as well, in reference to trench inspections which involve the municipal inspectors as well.

Mr. De Monte: Are the fatalities down from the year before, Mr. Chairman?

Hon. Mr. Bales: No, they are not down from the year 1968. They were up slightly; up by eight. I may say though, in regard to the fines you spoke about a few moments ago; the fines in 1968 were $24,022. They increased to $42,170 in 1969.

Mr. Chairman: The hon. member for Oshawa.

Mr. C. G. Pilkey (Oshawa): Mr. Chairman, on the question of safety; it has been talked about and called for on a number of occasions, and that the government legislate in the area of safety in particular; that we have joint safety committees on every industrial project in the country, or the province. I just want to relate to the minister one case that I think he ought to be aware of.

I want to suggest that this is the particular philosophy of most companies. This is a safety suggestion by an individual. I am not going to read the whole of the suggestion but just a very short part of it.

Mr. Chairman: Has this to do with industrial safety?

Mr. Pilkey: That is right.

Mr. Chairman: We are on the construction safety programme at the moment.

Mr. Pilkey: I thought we were on vote 1002?

Mr. Chairman: We are on vote 1002; we are taking it by programmes and we are dealing with construction safety. Is there anything further on the construction safety programme?

Carried.

Now I think that we should take these programmes in order as they appear in the reference book.

Mr. Pilkey: I thought we were discussing them by vote?

Mr. Chairman: No.

Mr. De Monte: I made that point at the beginning, and I think you said that we could take the whole vote.

M.r Pilkey: It would speed it up if we went by vote.

Mr. Chairman: That was vote 1001. We have carried that. Now we are dealing with vote 1002 which has specific programmes outlined, and I pointed out to the hon. member for Dovercourt that his topic appeared at the bottom of page 100, which is construction safety. We have now dealt with construction safety. Is there anything at the top of the page, the office of the executive director? Shall that carry?

Carried.

Moving down the page, the operating engineers. Is there anything under operating engineers? Shall that programme carry?

Carried.

Boiler inspection? Carried.

I will recognize the hon. member for Oshawa if he will rise when we come to his programme.

Is there anything on elevator inspection? Carried.

We have done construction safety.

Now industrial safety. The hon. member for Oshawa.

Mr. Pilkey: I wanted to read a couple of sentences from this suggestion and then I want to give the minister an illustration of the kind of answers that employees receive as far as safety protections are concerned. I will want to make a comment at the end. This suggestion was that the new garbage loader have a safety screen installed.

> When the garbage is being forced into the carrier, pieces can fly back and hit the operator, also anybody going down the aisle. Pieces of garbage have flown back across the aisle and there is enough height at the front of the loading bin to install an L-shaped screen.

I am not going to read it all but I wanted to give the minister the response to this suggestion. The corporation says, "The expense of doing as suggested is not warranted. With reasonable use loading garbage is not, in my opinion, hazardous."

Now here is the point—I am sorry, I should have read the last sentence in the suggestion. It goes on to point out: "This screen also would rule out any possibility of an excitable employee being injured."

This is the response: "With regard to the possibility of excitable employees getting into the machine, I think the occasion would serve as a lesson to prevent the reoccurrence."

It is just incredible that a corporation would give that kind of answer to a safety suggestion. Okay, if he gets hurt, that will teach him a lesson. I just happen to think that this is probably the philosophy of a number of corporations in this province. That is why it is absolutely essential and necessary that we have joint safety committees in this province, so that the employees have some protection in their jobs. We have thousands and thousands of workers in this province who have been injured, and then you get a callous suggestion by this corporation that if he gets hurt it will teach him a lesson.

Mr. Chairman, through you to the minister, surely this government does not support that philosophy? As I suggested, one way to head it off is to have joint labour-management safety committees in every plant in this province by statute, and not through any collective bargaining process that might be initiated. I would like to know what the minister's response is to this kind of callous attitude of the specific corporation.

Hon. Mr. Bales: Mr. Chairman, obviously the member knows me well enough to know that I do not accept that kind of callous approach at all. You may recall that in the workmen's compensation amendments that we brought in not too long ago—I think it was in 1968—we provided for the establishment at the direction of the board, of joint safety committees where they felt it would be necessary by reason of an accident rate within the plant. I think to say that there must be one in every plant under any circumstances may not be the best answer, but we

felt that by giving that power to the board to direct that there had to be an employer-employee safety council in that plant where there is a bad accident record, was an advisable thing.

It has, I think, proved of assistance and they may have been told they have to do it in certain instances. I do not have exact cases before me, but it was a means whereby we could work these things out within the board itself, because there you could particularly focus in on it, dependant upon the rate of accidents as we had seen them from the records.

Mr. De Monte: Mr. Chairman, on the same point that my friend from Oshawa brought up, has the minister considered putting on the industrial safety councils members of the trade union movement that these safety councils are working with? In other words, we have the construction safety council—I understand it is an association of construction companies, is it not?

Hon. Mr. Bales: No, it is the labour safety council and it embodies representatives from different phases of industry, construction, mines, and so on. It is a joint arrangement of an equal number of management representatives and an equal number of union representatives.

Mr. De Monte: That is the labour safety council, is it not? I am referring, Mr. Chairman, to the industrial safety—the construction safety council.

Hon. Mr. Bales: There is not a construction safety council.

Mr. De Monte: Well, a Construction Safety Association. Am I correct that there is one of those?

Hon. Mr. Bales: Well, the Construction Safety Association is one of the nine safety associations within the Workmen's Compensation Board.

Mr. De Monte: I am referring to these associations. Perhaps the minister did not hear me. I said councils, but I meant associations.

I was wondering Mr. Chairman, if the minister might consider putting labour representatives on the construction safety associations? We have got tremendous reaction to the letter I sent out to the construction labour unions, and their complaint was that these construction safety associations—they would be referred to as "sweetheart" outfits—more or less did not really take into consideration many safety factors that even the workers suggested to them.

As my friend from Oshawa pointed out, some of these associations were fairly callous, and I am wondering if the solving of the problem would not be to place upon these associations, or within these associations, representatives from the labour unions in order to, so to speak, keep them on the straight and narrow.

The other aspect of the situation—

Hon. Mr. Bales: I wonder if I could just answer that point. The construction safety association, I think it is two and a half years ago, were the first of those safety associations to establish a labour advisory committee to work with that association in reference to safety matters. Now one of the others, the IAPA, also has a labour advisory committee that has been established to work with it in reference to safety matters and that committee is comprised of labour representatives.

Mr. De Monte: The only aspect that I wanted to bring up now, Mr. Chairman—

Mr. Chairman: The hon. member indicated that it was on the same topic.

Mr. De Monte: It is on the same topic.

Mr. Chairman: On industrial safety?

Mr. De Monte: Yes.

Mr. Chairman: Right.

Mr. De Monte: The hon. minister happened to mention that there are schemes now at the Workmen's Compensation Board—and there has always been a scheme—whereby employers were levied, or had to pay more money if their accident rate was fairly high. Am I correct in assuming that that has been in existence for quite some time, and also the rate for repeaters?

Hon. Mr. Bales: For repeaters.

Mr. De Monte: Pardon?

Hon. Mr. Bales: The size of fine goes up for repeaters.

Mr. De Monte: That is right. And also, under the changes in the Act in 1968, for a company that has a high rate of repetition they establish a labour-management council. My respectful submission in that regard is that we are locking the barn after the horse has gone, in that, I think, the primary purpose of your technical safety branch is to prevent accidents. I feel that rating them

after they have had a high series of accidents and establishing councils after they have repeated accidents is wrong. I would suggest that perhaps if your department had a multitude of inspectors under your branch here, you could cut down accident rates perhaps by quite a percentage.

I think that our attitude here, Mr. Chairman, is as I said before, one of locking the door after the horse has been stolen. I think that prevention is what we should consider and the only way to prevent accidents in many of these corporations and construction firms is to put in an inspector and say: "Either you clean it up or you are heavily fined."

There was $42,000 in fines for, how many infractions? I do not know how many infractions there were, I did not get the number. But it seems to me that our enforcement is in a sense a little lax.

I think that enforcement means prevention and strict enforcement means more prevention; and I suggest to the hon. minister that he might change his whole concept in this field and instead of paying these funds out to safety associations he could probably hire enough inspectors to cut down the accident rate by at least 50 to 75 per cent.

Mr. Chairman: The hon. member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Chairman, I would like to ask the minister if the division provides the Workmen's Compensation Board with results of its investigations, and likewise does the Workmen's Compensation Board, when an accident has occurred giving rise to a compensable injury, report any unsafe working conditions to the division for its followup investigation?

Hon. Mr. Bales: There is a reporting form for the Workmen's Compensation Board and a copy of that is sent to our safety and technical division so that we have a record all the time.

Mr. Peacock: On receipt of the report, Mr. Chairman, in the event that a serious injury has occurred because of an unsafe condition, does the division forthwith send out an inspector to investigate that and enforce the regulations under them?

Hon. Mr. Bales: That is correct.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, the problem of noise and noise pollution is becoming more and more serious all the time. Surely the minister is fully aware that after a while the individual working in a noise-polluted atmosphere becomes sort of immune to noise. However it does have a very serious effect on him and it can be such that it eventually causes deafness.

Now in the course of his working where he becomes immune to the noise, he may be performing certain jobs that he may not realize are a little dangerous to him, and as a result he may be confronted with quite a serious accident. I am just wondering to what extent the department is attempting to control noise, noise pollution, likewise in-plant atmospheric pollution, throughout various industries in the province.

Quite often, Mr. Chairman, the employees are a little afraid of reporting because they are afraid of some type of action that may be taken against them. As a result they put up with it and suffer in silence, but they pay the penalty in their later years.

Hon. Mr. Bales: You are dealing with a number of matters there, but all of them are of concern to the health and well-being of the employee, particularly in the plant, because you are talking about noise and this concerns machines. This is of particular concern to the industrial safety branch in the department and our people are cognizant and go out on inspections on that. We use consultants in that field as well because we need particular advice.

The hon. member for Sandwich-Riverside (Mr. Burr) has raised this with me, as have others, and I think the member for Windsor-Walkerville did as well, particularly in reference to exhaust fumes from trucks within a plant itself, and we endeavour to control the noise situation; the volume or the extent of noise depends on the type of plant. We also endeavour to control the purity of air within the plant so that the atmosphere is such that it is conducive to health. It is a tricky situation but it is done by the department through the inspectors.

Mr. B. Newman: Do inspectors conduct regular routine inspections throughout the plants? Does management know well in advance that they are coming down or are they on the spot?

Hon. Mr. Bales: No, they do not know when they are coming.

Mr. B. Newman: Well how about the time?

Hon. Mr. Bales: They go on two bases, if I could just assist in this. They go on a basis of complaint, but they also go on a basis of regular inspection.

Mr. B. Newman: Periodic inspections?

Hon. Mr. Bales: Periodic regular inspections—but not in a regular way, not in a set pattern. We have within the department 66 industrial safety inspectors divided into different regions in the province as well as other backup staff for that.

Mr. B. Newman: With the number of industrial plants in operation throughout the province the inspectors could not really do much of a thorough investigation in all of the plants. Take a stamping operation—certainly that is a noisy operation—or a forging operation; one working at that type of occupation for even a short period of time—when I say a short period of time, I mean years—cannot help but come out of the operation with a real hearing handicap, and he does not get compensation for that handicap.

Hon. Mr. Bales: There are certain hearing aids, as you know, or at least—

Mr. B. Newman: But his opportunity for employment elsewhere is restricted as a result of that one type of handicap.

Hon. Mr. Bales: It is my understanding that on hearing matters, if it is directly related to his job, he does get compensation.

Mr. B. Newman: He does get compensation? Thank you, Mr. Minister.

Mr. Chairman: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): On the same point, about the foundries; one of the problems the residents of Riverside complain about is this foundry or forging plant; they claim that when it was originally built there were only two or three presses but now there are at least six.

This would certainly mean that the conditions inside the plant and outside the plant had been changed from the original understanding on which the plant was permitted to open.

I have been talking to the Minister of Energy and Resources Management (Mr. Kerr) about this and asked him whether he could find out whether this is true—that there used to be only three and now there are six—and he claimed that he did not think he had the power to do this. Has this minister the power to look into this aspect?

Hon. Mr. Bales: I think there are municipal matters involved here, as well as others, where they control the size of the plants. We do not necessarily do that.

Mr. Burr: Yes, but could the minister get me that information?

Hon. Mr. Bales: We will endeavour to.

Mr. Burr: Thank you.

Hon. Mr. Bales: I will endeavour to but I think the member would have to be more specific and he may wish to write to me separately about it.

Mr. Chairman: The hon. member for Dovercourt.

Mr. De Monte: Mr. Chairman, has the minister's department any in-plant environmental pollution research going on? I mean, we talked about pollution out in the open but there are many plants where sometimes the pollution inside the plant is much worse than the pollution we suffer on normal days outside. Does the minister contemplate research on the gases and noise pollution and pollution that affect the body inside plants; for instance, in the chemical plants, where a workman can have his lungs affected by taking a breath of a gas?

Hon. Mr. Bales: Mr. Chairman, regulations under The Industrial Safety Act cover situations within the plant and they are very specific in controlling the atmosphere or the state of the air within that industrial operation. Now we can provide the member with copies of those regulations if he would like.

Mr. De Monte: I have the regulations, but the point is that there are many industrial diseases that spring from in-plant environmental pollution that perhaps are even difficult to prove before the board.

Hon. Mr. Bales: Well, just to assist you, there is research going on; we try not to duplicate staff, we use the environmental health division of The Department of Health and they work with our particular people whenever we need them in this particular situation.

Mr. De Monte: But this department is looking at this very serious problem of in-plant environmental pollution and they are trying to cut it down through the regulations?

What I would like to point out to the minister is that there is in-plant environmental pollution going on all the time and new forms thereof, that by the time the workman is able

to prove that this new form of pollution has affected his ability to work, we have again locked the door after the horse is stolen.

My main question is, is the minister's department carrying on research in these types of in-plant pollution in order, firstly, to alleviate them and, secondly, to be able to cure some of the workmen who are affected by this type of pollution?

Hon. Mr. Bales: There is very extensive research being carried on, not only by our own government of Ontario but by other governments; we have access to that. The environmental health division of The Department of Health are the ones particularly qualified to do that kind of work, but we work with them. I may say that in the last year I have particularly noted the increase in inquiries and complaints, etcetera, concerning the atmosphere within a plant. We are endeavouring to give particular attention to that and are keeping in close touch with the environmental health groups; I said a minute ago that other governments, other institutions, do it. For example, the International Labour Organization is carrying on research in that and in other fields as well. Then there has been a matter that was raised by one of the members who is not here at the moment; it is asbestosis, which is a relatively new situation. There has been work going forward in that regard through the board and elsewhere; in the Netherlands particularly I have found that there is substantial concern about that matter and their research is being of assistance to us.

Vote 1002 agreed to.

On vote 1003.

Mr. Chairman: Industrial relations, the hon. member for Oshawa. I wonder if we should perhaps take this by the three separate programmes as outlined at the bottom of the page. Does the hon. minister have any preference?

Hon. Mr. Bales: I beg your pardon?

Mr. Chairman: Does the hon. minister have any preference as to how we take the vote? There are three distinct services. Shall we deal with it by the services, by programmes of activity? All right, anything under conciliation services?

Mr. Pilkey: Well, Mr. Chairman, I do not know whether the comments I want to make come under conciliation services or the labour relations board. Some time ago the Minister of Labour indicated that there was an economic imbalance of power.

Mr. Chairman: Well, for the guidance of all members then, if the hon. member is not sure which programme he wants to take, let us take them all together.

Mr. Pilkey: Anyway, the Minister of Labour indicated that there was an economic imbalance of power in the Province of Ontario. I suspect what he was really saying was that there was a shift of power to the trade union movement and the corporations of this province now find themselves in a position of not being able to compete with the trade union movement.

I want to illustrate my point. I think my suggestion is correct in as much as I have three speeches, one of which was made by a Mr. D. A. Machum, vice-president of the Algoma Steel Corporation Limited at Sault Ste. Marie. I am not going to read the whole speech. I just want to read those parts that are pertinent. He says:

> For collective bargaining to work properly the strength of the two parties, employer and union, must be reasonably equal. If one is a lot stronger than the other, real bargaining will not take place. The stronger party will simply dictate a settlement and the weaker party will agree to it or be destroyed.

He goes on to say:

> Today the strength of the two parties is again unequal. The blunt fact is that in most situations union strength far exceeds that of the employer.

That is number one. Number two is the speech made by Mr. H. J. Clawson, vice-president of the Steel Company of Canada Limited, to the 63rd annual meeting of the Canadian Gas Association at Murray Bay, Quebec, in June of this year. He goes on to make the same observations—and again I do not want to read all of the dissertation. He said that unions are no longer the underdog, and he points out that the balance of power has shifted.

Mr. H. P. Riggen, vice-president of Noranda Mines Limited, addressing the Rotary Club in Kingston this year also indicated that the whole question of labour relations is not in balance, and that the balance of power has now shifted to unions.

As recently as this morning, in a speech reported in the *Globe and Mail*, Mr. C. D. Shepard, chairman of the Gulf Oil Canada Limited, Toronto, said last night the economic

power of labour can challenge government in a way that business never could. He goes on to say:

> Government must address itself to the balance of power as it now exists between labour and management, and . . . government has a duty to redress the balance.

I want to say to the minister that these are all people in management positions in this province, and every one of them calling for specific action on his behalf by this government to correct this alleged economic balance of power. I want to suggest that that is what the minister was talking about. In other words, he is now going to make an effort through The Labour Relations Act to strengthen the hand of the employers in this province. I want to suggest to him that this in no way will create harmonious relationships, if that is what he is striving for. I want also to suggest that the balance of power is with the corporations and is continuing with the corporations in this province, and not with the trade union movement.

I want to put a question to the Minister of Labour at this time. Was this really what he was talking about when he said there was a need to correct an economic imbalance of power? Is this what he is attempting to do through The Labour Relations Act—to shift additional power to the corporations in this province, and to go along with the philosophy enunciated by the people that I made reference to in the different large corporations? These are large corporations, they are not small by any stretch of the imagination—the Steel Company of Canada, Noranda Mines, Gulf Oil. All of these are large corporations. It appears to me that what the minister has done—and he can correct this statement—is to make or attempt to make an effort to shift the balance of power, as he calls it, to the employers in this province.

Hon. Mr. Bales: Mr. Chairman, I think this is really something that should be discussed in committee, but I am intrigued when the hon. member refers to certain speeches by a number of management people. There are also a number of statements by union officials. Some of them, I admit, are discussions they have had with me, telling me how management is far too strong, and they are creating difficulties this way. In their view, it is not a case of unions, but of management being far too strong.

I think it is a case that you get the best bargaining actually where you find both groups are of relatively the same strength. When you look at the situation here in Ontario and take it in its broad context, over half of the collective agreements every year are negotiated directly between the parties themselves, and agreements are arrived at. That indicates very clearly to me that in many cases you are dealing with groups of comparable strength or resourcefulness within their collective bargaining relationships.

If we did not have that kind of situation it would be very serious, and indeed I often wonder how we would assist them by way of conciliation service when we have the volume we do. But fortunately, we have the kind of climate here in industrial relations where, by and large, in many cases unions are very strong, or management is strong or they are of comparable strength and they can work out their problems.

In the case that you know so well, the UAW and the auto plants, I am sure that you would concede today that those groups are both strong, and that there is tough bargaining going on in reference to the auto agreement that has not yet been finalized or perhaps nearly finalized. But there are changes that are needed from time to time and it is that kind of situation that we are endeavouring to deal with in the amendments to The Labour Relations Act.

Mr. Pilkey: Let me follow up then. In these speeches that were made by all of these corporation heads really they are saying that in the Province of Ontario industrial relations is in a state of chaos. This is what they are saying.

Let me finish. What they are saying is that industrial relations is in a state of chaos.

As a matter of fact, a couple of them point out, particularly, that in 1969 there were in excess of seven million man-days lost as a result of strikes. If any citizen of this province picks up the newspaper and reads that strikes have resulted in seven million man-days lost, this sounds like a fairly astronomical figure, and any intelligent person, I suppose, would assume for a moment that there was chaos in the industrial relations field in this province. I think it is incumbent upon this minister to lay that charge aside, because he knows it is not quite true. The seven million man-days lost, as he pointed out in 1969, are about 0.5 per cent of the total man-days worked in this province.

Hon. Mr. Bales: You are quoting my figures.

Mr. Pilkey: Half of one per cent.

Hon. Mr. Bales: You are quoting my figures now.

Mr. D. C. MacDonald (York South): He even gives you credit.

Mr. Pilkey: Right. I even give you credit for the figures. A half of one per cent. I think it ought to be pointed out to the minister that, using today's figures on the question of unemployment there would be probably 120 million man-days lost as a result of unemployment.

But I do not see—you know, I am really concerned about the question of plants being moved from one location to the other, plants being totally redundant in the Ontario economy. At least this is what the employer is saying, that they should be able to arbitrarily close them out. As a result of that, I want to suggest to the minister that there are millions and millions of man-days lost which are irretrievable. There is on way of getting them back and yet we do not see these people saying too much about that.

My point to the minister is that it seems to me it is incumbent upon The Department of Labour in the Province of Ontario to get this story across to the people as forcibly as they can. It is not good enough for them to print it in a booklet for the members of this assembly, without making this public knowledge in this province—that we are not in a position, the labour relations is not in such a chaotic situation that there is going to be total reformation of the industrial relations in the province.

That is the kind of thing that the Chamber of Commerce and the other so-called enlightened managerial people are spreading across this province. I just do not happen to think that The Department of Labour is telling it as it really is.

Hon. Mr. Bales: Mr. Chairman, I have said repeatedly that the ratio holds; I have said this on a number of occasions, changing the figure year by year, but the same ratio is there. We have settlements in nine out of 10 industrial relations situations. I know what the number of strikes and the number of man-days lost may change, but the hon. member is quite right that it is a comparatively small percentage of the total man-days worked, and is certainly far less than the man-days lost through injuries in this province. I would suggest he look at the situation in this year, 1970. Incidentally, this year I have been putting out through the department—we have endeavoured to do it about every three months—a statement as to the current lock-out and strike situation, man-days lost, etcetera, for that portion of the year to date.

The latest figures are those from January 1 to September 30—nine months. In that period, there were 177 strikes and lockouts involving some 63,000 workers. That number was not significantly less in strikes or lockouts, it was only six less than the year before. But the real significance of it is this—that the number of workers involved decreased this year for those nine months, from 109,000 for the same period in 1969. The number of man-days lost through strikes and lockouts decreased 72 per cent for the same period of time, from a figure in 1969 of 4,012,859 to 1,116,215 man-days—a very striking and significant change from the previous year.

You have to recognize this—you and I, as members here, would. Last year, in the summer of 1969, you had large industries involved in strikes—International Nickel, Steel Company of Canada, Falconbridge and Algoma were all at some time, for a considerable period of time, at the same period during the summer. This year, and I give credit to the mediation system that we have been experimenting with and have been developing within The Department of Labour, we have had a substantial decrease in the number of man-days lost. I point out, as I said earlier, there has still been about the same number of strikes.

You have to recognize that there have also been settlements in some very large industries that otherwise would have substantially increased the number of man-days lost. But the point you raised about making this clear, trying to get the right information across to the public, is very true. The public tends to recall the strikes and so on; but when a strike is settled, you know, there is not too much mention made of it after the settlement goes through.

Mr. MacDonald: Would the minister permit a question on that?

Hon. Mr. Bales: Yes, I will just finish what I am saying and then I will come to you.

There is not too much mention made, you know, when the settlement is reached and the ratification comes about. We are all thankful they are back to work and so on.

Mr. MacDonald: If the percentage lost on strikes is one-half of one per cent as compared to six or seven per cent on unemployment and so on, has the minister given any consideration to having a heart-to-heart talk with his colleague who is now in the process of spending half a million dollars on publicity

to point out the good things in the Province of Ontario, so that instead of having general blurbs about a good educational system and the magnificent government we have, you will undercut some of this misrepresentation of the facts of labour-management relations in the Province of Ontario? Has the minister made representations to the government as a whole or to his colleague who normally sits on the minister's immediate left there, to tackle this issue with some public education?

Hon. Mr. Bales: I make it a point in our meetings within cabinet and individual meetings, to point these things out to my colleagues.

Mr. MacDonald: I meant through the media—you know, these jingles.

Hon. Mr. Bales: No, we do it ourselves, and also through our own information branch. But we provide that same information to my colleagues in the various branches. I think it is very significant and important that they should realize that there is that ratio of settlements to strikes and lockouts in the industrial relations system.

Mr. MacDonald: I am sure if you challenge the fertile brain of your colleague, he would come up with a jingle that would captivate this nation in terms of how little time was lost in strikes as compared with unemployment, and so on and so on. And I suspect it would be a greater contribution to the public welfare than some of the jingles we are now being subjected to.

Hon. Mr. Bales: Well that is true, but just bear in mind as well that an organization we both know well, the Ontario Federation of Labour, conducted a campaign in 1969 in reference to a better communication about the settlements that were taking place. They are doing their part.

Mr. Gisborn: Mr. Chairman, in this theme of friendliness, in agreement with the minister on the proposition put forward by the member for Oshawa, I think we can indulge a little bit away from the estimates on this important question of the opinions of those spokesmen for industry.

Now there is no doubt that the pamphlets he has referred to have been reprinted from speeches made and given to the press over the last 18 to 20 months with regard to the chaotic situation in industrial labour management in this province. I know the trade union movement and the public also feel that it is this kind of reaction, this kind of information put out by the spokesmen for industry, that has given the minister the initiative to bring in his amendments to Bill 167.

The minister has agreed that the number of man-hours lost through strikes is insignificant when we relate them to those lost by unemployment, where a man is willing to work and cannot find a job, sickness and injury in the plants, and the shutdown of plants. It is insignificant, and these spokesmen for industry do not relate to these problems. The minister has agreed, and in some sense he has agreed with the member, that the situation is not a chaotic one in the Province of Ontario.

So I wish he would tell the members, and I am interested, what initiated him and his department to bring in these amendments in Bill 167 which are as a pretence to correct an imbalance in industry. I am sure the spokesmen for the corporations had something to do with the initiation of the amendments in The Labour Relations Act. I do not remember any document or brief presented by the trade union groups asking for the amendments that have been brought in.

They have got briefs to the minister that relate to policy changes in his department, but we have never been able to get from the minister what he is doing about some of the policy issues—reducing the maximum hours of work from 48 to 40, bringing in the check-offs, the revocable compulsory checkoffs, and these sorts of things. What initiated the minister, if he agreed so quickly with the member for Oshawa, to bring in Bill 167 amendments?

Hon. Mr. Bales: Mr. Chairman, I am sure the member remembers very well there was a royal commission in Ontario which brought forward a report in reference to proposed changes or suggested changes in the labour relations field. There was a federal report made available to us with a number of suggestions. There is the report by Mr. Goldenberg and Dr. Crispo in reference to the construction industry about changes that were needed there. There have been submissions from a great number of people, from many unions. Some of the suggestions and proposals in Bill 167 emanate from briefs sent to us on behalf of the labour unions of changes they require.

Let us recognize that there have not been major changes in The Industrial Relations Act since, I believe 1964 when the last major ones were made. Then there were some in 1966. There are changes that are certainly needed today. While the man-days lost may

not be large in reference to the total man-days worked, I cannot use the word "insignificant." A million days per nine months or two million days per year certainly are significant and it causes disruption and causes loss of pay for workers, and so on. From time to time we require changes in the industrial relations pattern of this province and it is as a result of all of those studies that those things come forward.

The member has cited four gentlemen who made strong statements in reference to changes in the industrial relations field. That does not weigh heavily with me. There are a great many company spokesmen and there are a great many union spokesmen. Certainly every year I receive a brief from the Federation of Labour and invariably they have recommendations for change in those briefs along this line as well as in other areas. The same holds true for a number of other unions, from a number of unions themselves. So there are the reasons those changes have come forward. I think when they are adopted they will be for the betterment of the work force and the industrial relations system in this province.

Mr. Gisborn: Mr. Chairman, just to finish this theme, I will apologize to the minister for any imposition upon his attitude, if he will send me three or four submissions of the trade union movement, that is, a federation or a legitimate trade union movement, that are included in his amendments in Bill 167.

Hon. Mr. Bales: The member usually sits in when the brief is presented by the OF of L to the cabinet. I think he has been there on those occasions. He has heard some of them.

Mr. J. E. Bullbrook (Sarnia): Mr. Chairman, in connection with the last comment made by the hon. member for Hamilton East, I want to say that I, of course, do not have knowledge of the attitude of the construction unions throughout the province, except, I suppose, a peripheral knowledge, but the concept of accreditation was one voluntarily entered into in many regions of this province by trade unions and some of the aspects concurrent therewith are heartily endorsed by reasonable trade union people in the construction industries. The key, I would suggest to labour relations is the word "reasonable".

I want through you, Mr. Chairman, to convey something to the Minister of Labour and perhaps get a response from him. That is the concern that I expressed about two weeks ago in this House in our deliberations on, I think it is Bill 183, The Judicature Act, that has the effect of amending certain procedures relative to ex parte injunctions.

I expressed at that time, Mr. Chairman, the fact—we all expressed—that this type of amendment was sorely needed. I went further and expressed my distaste for the fact that, I believe—well I forget the exact date—but there had been inserted previously—specific provisions in The Judicature Act with relation to injunction proceedings as they obtain to labour-management relationships.

Secondly, under subsection 8, I think, of Bill 183, we now have for the first time, as I have been able to see it, a codification of what constitutes contempt of court. What I want to convey to you is that this minister's brother in the cabinet, the Minister of Justice (Mr. Wishart), and many other people in government, insist that there be laws of an equitable nature that relate only to labour and only to management. I find this most distasteful. I found throughout that the enactment of statutes to enable management to take peremptory proceedings against trade unions or their membership is absolutely distasteful. And again, why do we insist on always bringing into our legalistic machinery special words and special sections relating only to labour-management relationships?

Why do we constitute a codification of what constitutes contempt of court under that subsection? I suggest to you that you should resist this type of thing. As the proper intermediary, as the representative of the public good in what, I agree, was your concept on the essential equation in collective bargaining between labour and management, you should not permit the Attorney General to bring in a statute like that with a section like that.

As a matter of fact, I do not think it is necessary, Mr. Chairman. The type of misrepresentation in affidavits that is referred to in that subsection is clearly a contempt of court. But why must we insist always that there be additional punitive measures in relation to labour, in relation to trade unions and for that matter, I suppose, concurrently in relation to management? The fact of the matter is that the people who bear the burden are the trade unions in connection with this.

So I exhort you, if you are going to carry forward what I consider to be a reasonable attitude in connection with collective bargaining, deter as much as possible the Minister of Justice from putting into his statutes sections that are peculiarly referable to labour-management relationships.

Mr. Chairman: The member for Oshawa.

Mr. Pilkey: Mr. Chairman, I would just like to make a short comment on this. I recognize why the member for Sarnia, being a lawyer, would like to have these things in the courts. That is understandable.

Mr. Bullbrook: Mr. Chairman, on a point of order, that is highly unfair. How can the member infer from what I said, in any reasonable approach, that I want the matters in the courts at all? In point of fact, Mr. Chairman, if the member for Oshawa understood what I said, I am attempting to keep them out of the courts.

Mr. D. A. Paterson (Essex South): That is right; he does not understand again.

Interjections by hon. members.

Mr. R. F. Ruston (Essex-Kent): The member had better talk to the member for Riverdale (Mr. J. Renwick). He will wise him up.

Mr. Pilkey: Maybe so, but I just happen to think—I still think—the member for Sarnia would prefer to have a lot of labour relations problems handled in the court. I am of the opinion—and I want to reiterate my position—that I agreed with the bill that the Attorney General presented, except I did not think it went far enough. As I said at the time, injunctions have no place in labour disputes. I would urge upon the Minister of Labour to discuss that with his colleague, that injunctions have no place in labour disputes. That is the position that I took and I think that the minister ought to be talking to his colleague about that. But let us see what the Ontario Chamber of Commerce says about the injunctions in labour disputes. They go on—

Mr. Bullbrook: I do not give a tittle about what they say.

Mr. Pilkey: Well, maybe you do. Maybe you are echoing the Ontario Chamber of Commerce. They go on to say: "Since we have recommended for some time that injunctions granted by court should continue to be available in labour disputes in Ontario—" Who is echoing the sentiments of the chamber of commerce in the Province of Ontario? The member for Sarnia keeps echoing that kind of garbage.

Mr. Bullbrook: It is indeed unfortunate that he is that narrow.

Mr. Pilkey: I want to urge upon this minister to talk to his colleague and never mind, dismiss, the remarks of the Ontario Chamber of Commerce and support the labourer's position because injunctions have no place in labour disputes. They act as a detriment to harmonious relationships in this province and they ought to be eliminated. As long as they prevail—

An hon. member: That gets him back on our side.

Mr. Pilkey: —workers are going to be jeopardized time after time in terms of legitimate collective bargaining in this province, and yet the member for Sarnia would like to continue that. He wants the workers to be jeopardized in this province and the illegal—maybe not the illegal—legal use of injunctions—

Mr. Bullbrook: Are you going to permit that, Mr. Chairman?

Mr. Pilkey: But nevertheless, injunctions are being used. I want to urge once more that this minister ought to talk to his colleague on the basis of injunctions being eliminated entirely from labour disputes.

Mr. Bullbrook: Mr. Chairman, if you will permit me, and you, Mr. Minister, before you reply, in view of those misleading comments it is essential that I set the record straight. Our attitude is this: We believe that there should be no special remedies available in the court that have a deterring effect on the labour-management relationship. Understood, Mr. Minister? This is the belief in our party.

We believe however, that the labour-management relationship should be subject to the same legal strictures that you are, Mr. Minister, in your private life, and I am. That is all we are saying: no greater equitable remedies to bring against trade unions, but no lesser. And I suggest to you, Mr. Chairman—

Mr. Pilkey: To destroy the unions.

Mr. Bullbrook: Mr. Chairman, let me suggest that if you do have representatives of the trade union movement—

An hon. member: You mean the vice-president.

Mr. Bullbrook: —taking an unreasonable attitude such as that that they should not be subject to the very same laws as every other

private citizen, then that does a greater disservice to the trade union movement in Ontario than any injunction ever could—

Mr. E. W. Martel (Sudbury East): He hit it right on.

Mr. Bullbrook: —because it is only through a reasonable and logical attitude on the part of trade unionism that they are going to get the public acceptance that they must have. This member for Oshawa spent 20 minutes exhorting us to spend public funds to show the public that trade unions basically are reasonable and responsible, with which we entirely agree. But concurrently they must take a reasonable and responsible position on balance. That is all this party has ever asked for, a balanced position. And, of course to attempt to subvert the comments that I made initially to his own partisan advantage is beneath the dignity of this chamber.

Mr. MacDonald: Has the member listened to the member for Downsview (Mr. Singer) every night for the last three or four nights?

Mr. Bullbrook: And to say, for example, that for one moment I, representing a magnificently oriented industrial and trade union riding such as Sarnia, echo the Ontario Chamber of Commerce—

Mr. Pilkey: The member echoes the needs of the Chamber of Commerce.

Mr. Bullbrook: —is itself a travesty.

Mr. Pilkey: That is what is says.

Vote 1003 agreed to. On vote 1004.

Mr. M. Gaunt (Huron-Bruce): Put that in your pipe!

Mr. MacDonald: He sounds like somebody whose virginity has been violated.

Mr. Chairman: The member for Windsor West.

Mr. T. P. Reid (Rainy River): It is a wonder you remember the word.

Mr. Peacock: On vote 1004, Mr. Chairman—

Mr. Chairman: The member for Windsor West has the floor.

Mr. Peacock: —I would like to ask the minister on what date the office of executive director of the manpower services division became vacant.

Hon. Mr. Bales: Mr. Chairman, the one who held that office was named to be the Deputy Minister in The Department of the Provincial Secretary and Citizenship. I think that was about March 1, as I recall. In the duties and responsibilities of his office, he continued to be of assistance for a period of time to tidy up the matters that were particularly under his control. The man working with him has carried on many of those responsibilities and, of course, the deputy minister has assumed some of the overall direction. We had a number of sections within that manpower services division coming under him and the branch heads there have assumed for the present those responsibilities that pertain to their particular field.

We have not found a person we feel would do the best job there and for the present time those duties are being carried on satisfactorily by other people.

Mr. Peacock: Mr. Chairman, I presume that we are asked to vote moneys for the salary of tihs position in the estimate that is now before us. I wonder why the minister has included it if he does not intend to fill that position. The position became vacant in March; we are now into the period of the year in which the estimates for the next fiscal year are probably under preparation, and yet that post remains unfilled. Is it the minister's intention, since the position has remained unfilled all this time, to dispense with that position of executive director and assign the present sections or branches of the division to other division heads?

Hon. Mr. Bales: I am sure the member appreciates that the estimates we are dealing with now are for the fiscal year starting April 1, 1970, to March 31, 1971, and naturally there was an allocation in there for that position. The moneys though allocated have not been spent. I think we have to bear in mind that this is part of the deputy minister's responsibility and when there is a vacancy of that nature we look to see who should fill it. We also look at the whole situation and decide what is the best kind of arrangement to serve that particular branch and carry out those responsibilities. We are giving consideration to this and we will make our decision and it will be shown in next year's estimates if it is necessary; if not, it will be deleted.

Mr. Peacock: Mr. Chairman, I just do not understand the minister's diffidence in telling us why the post has remained vacant so long or what his intentions are with it, because it would seem to me to be one of the key posts

in The Department of Labour in respect to the operations of The Employment Standards Acts and most recently, the requirements of notice to be given by employers to employees who are to be laid off.

The minister's report, which he gave to us in introducing his estimates, describes the work of the manpower development division as apprenticeship training, short-term training in industry and the certification of journeymen. The industrial training branch is "primarily concerned with tapping the training potential of one half of Canada's industry located within this province."

We have been discussing in recent days, and in the session during the spring of this year, the number of plant shutdowns, transfers and extended layoffs, and unless there is a full-time director heading up the manpower development division of The Department of Labour, we are simply not going to be able to use, in my judgement, Mr. Chairman, this training potential that the minister speaks of in dealing with such plant shutdowns and transfers and long-term or indefinite layoffs.

Unless you have the capacity to identify the persons who are to be laid off, identify the skills that they already have or the work experience that they already have, to identify their potentiality for training and where the job vacancies will be found to provide them with employment with their existing skills, or with new skills, the manpower training programme itself and the whole thrust of The Employment Standards Act will simply fail because it is cardinal that the role of training is, or should be, given as much emphasis as possible in dealing with these kinds of adjustments in the work force that this division is supposed to be coping with. I suggest to the minister it cannot really commit itself to a full-time job of dealing with the dislocations that we had listed for us here yesterday —CGE and the plant in Hamilton, Westinghouse and the move to Orangeville, and Honeywell Controls and so on, right back to instance after instance that the minister and his leader have had ample discussion about.

The Studebaker shutdown, the move of Ford from Windsor to Oakville and Rexdale—there are numberless instances where massive dislocations in the work force have occurred and neither the federal Manpower centres nor the industrial training programmes of the Province of Ontario have been really able to cope with them. I simply do not comprehend why the minister has such diffidence toward this position in his department and why it should have remained vacant for so long.

Hon. Mr. Bales: I have no diffidence toward the position at all. We want the best type of person to fill that particular responsibility. But bear this in mind: There are directors in charge of the different branches within that area. For example, there is the director of industrial training, who has carried on his responsibility; he had much of this previously, and he is carrying that through; the director of employment standards is a different person, entirely in charge of that area, and the deputy minister and I have been dealing directly on these matters.

We carried on a competition in that field. We did not find the particular person we wanted, and I think that when an opening of that nature develops you are wise, particularly in view of the changes that we are foreseeing, that you may look at a slightly different structure to deal with some of these problems in the future. Frankly, when the competition was completed and we had not felt that the person best suited for it was there, we felt that we should look at the whole structure and see what we would best require to meet the changes that we knew then were coming about in reference to new provisions in employment standards, the equal employment opportunity legislation, and so on.

Mr. Peacock: Coming back to this, Mr. Chairman; on this matter, the minister says that the directors and other staff have been on the job. Can the minister tell me how long one of his officers in this division was given leave of absence to work in the United Appeal campaign in Metropolitan Toronto?

Hon. Mr. Bales: He will be assisting for a period of about three months part-time. He is one of the assistants within that area; he is not a director.

Mr. Peacock: As a special projects officer? Is it in the department of the executive director? He was given time to spend on the United Appeal campaign over a three-month period?

Hon. Mr. Bales: I may say to you I pay tribute to that person because he has assisted in that capacity not for the first time this year. It has been done every year since I have been with the department.

Mr. Peacock: I recognize the necessity and indeed the importance of participation by government employees in the united fund, but I think it is unusual that the position of executive director should remain open for so long and that a key officer in the executive director's own office—the special projects offi-

cer himself—should be assigned at a time when the office of executive director has been vacant for so long. I find that very unusual. Without in any way being critical of the officer, I think I can maintain my criticism of the minister for this lax attitude toward an extremely important position in the department and one which I think is essential to complement the work of the employment standards branch.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I want to ask several questions of the minister. The first is that according to reports submitted by various associations, by the year 1975 there will be an acute shortage of certain skilled trades. For example, there is mention that we will be approximately 800 plumbers and 300 sheet metal workers short by 1975. They anticipate such shortages taking into consideration the number of apprentices they have now in the programme. What is the department doing in an attempt to overcome this type of anticipated shortages?

Hon. Mr. Bales: We have been assessing this matter and that report came to light very recently. We are looking at the situation because I think we have to have special allocation and programmes to meet this shortage which we foresee in the space of a few years in this particular trade. Through the deputy minister we are considering programmes to recommend for additional moneys and so on, but those will have to be developed to meet those needs.

Mr. B. Newman: I have only mentioned two of the skills. I would assume that that same shortage would probably be true in any number of skills not mentioned so far by me. Surely the department would have statistics or figures or projections showing the numbers that would be needed in the various skilled trades.

I would ask of the minister at this time if the community colleges are being used in any fashion in an attempt to overcome some of these anticipated shortages?

Hon. Mr. Bales: Incidentally, that report was done, you know, through our department.

Mr. B. Newman: I have not read the report. All I have in front of me is the press clipping.

Hon. Mr. Bales: The report was done through our department, through the research branch. Some trades, you will appreciate, become somewhat redundant; in other trades there is greater expansion and greater need for people. You have to look at them on a regular basis. In reference to the community colleges, a very large percentage of those who are in the colleges are there under the industrial training programmes of The Department of Education. I am sure that this may have been dealt with at the time of the Minister of Education's (Mr. Davis) estimates. The allocation of funds for those attending community colleges was increased last year so that the number of students could be increased, and I think this year will come to some 28,000—a substantial increase over last year. In industrial training in the province we have used the community colleges very extensively.

Mr. B. Newman: The minister's research would also indicate that certain types of skills would become obsolete within a given period of time? I would like to ask of the minister, then, what liaison is there between his office and The Department of Education informing them of the anticipated needs, as well as the fact that certain skills will no longer be needed so that they do not develop and train and educate in the schools of Ontario skills that will be obsolete.

Hon. Mr. Bales: We have a permanent interdepartmental committee that meets regularly to deal with all of these matters.

Mr. Chairman: The hon. member for Hamilton East.

Mr. Gisborn: Mr. Chairman, I have the information release No. 70-75, released on October 22, 1970, giving information regarding the apprenticeship training programme. In the third paragraph it tells us that during September, 229 apprentices completed their apprenticeship, bringing the number who have acquired journeyman status in the first nine months of the year to 2,794. I have raised this question as many times as we have had the opportunity since we started our training programmes, as to whether the department has been able to have a followup check on the men who reach their journeyman status through their apprenticeship programme; whether they follow the trade they have graduated in.

The purpose is to know what happens to the people who were trained in the province. Is the programme effective? Is it necessary? Are they going into the occupation that they are trained for? If we talk about those that take apprenticeships in the building trade—and we know that there has been a surplus

of building tradesmen for the last two years in various areas—we should have some idea whether we should continue the programmes and whether the people are using the knowledge they have received or whether they are going off in another direction.

I think, as well as a projection of needs, we should be able to tell, sometime or other, whether or not our programmes are effective and necessary. I do not know how you could do it without, maybe, infringing upon the apprentice's rights and asking him to keep in touch periodically with the department for a number of years to tell you what he is doing; or whether it could be made a mandatory part of the training programme that he contact the department at certain times to let you know that he is in this trade. I have raised this at different times and I think it is an important point to tell us whether or not programmes are effective and are necessary at the cost we are faced with.

Hon. Mr. Bales: Mr. Chairman, there is some check on this when they come back for renewal of their certificates. With the previous speaker, I referred to a report and it is a report on the mechanical trades which does provide information as to the work experience following certification and so on. If the member would like, I will arrange to have one sent to him. I think he would find a good deal of the information he requires in that report.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: Mr. Chairman, last week I questioned the Minister of Labour on a situation which prevails in the Sudbury area, namely, at Inco staff village. The minister at that time indicated that that was not the responsibility of The Department of Labour; that the union could, in fact, go through the collective agreement to try to improve the situation for these 900 men—which, by the way, Mr. Chairman, will be raised to 1,500 by the end of the month, I am told. I want to know how you go through the collective agreement when, in fact, Inco denies any responsibility for the camp, but says it is being contracted by Crawley and McCracken and the union does not have a collective agreement with Crawley and McCracken. How, therefore, can a union go through its collective agreement to improve the conditions for the men?

An interesting side note, Mr. Chairman, is that I received a letter from the minister's colleague, the Minister of Mines and Northern Affairs (Mr. A. F. Lawrence), who denies any responsibility, but on Thursday of last week I received a letter from the Attorney General, who in fact states it is the Minister of Labour's responsibility.

Mr. Chairman: Order, please. This seems to be out of order.

Mr. Martel: Under industrial relations.

Mr. Chairman: Industrial relations has passed. We are now on manpower development.

Mr. Martel: All right, we will bring it in under manpower, because Canada Manpower was responsible for the advertisement which led to the men coming to the Sudbury area; it was a phoney advertisement in that it indicated to the men that they were coming to an area wherein there was a good deal of housing, and in fact there is a shortage.

Mr. Chairman: This has nothing to do with manpower development, vote 1004.

Mr. Pilkey: It should be under labour relations.

Interjection by an hon. member.

Mr. Chairman: No, in no way does that matter refer to manpower development, vote 1004. Anything further under vote 1004?

Vote 1004 agreed to.

On vote 1005.

Mr. Chairman: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): I wonder, Mr. Chairman, if the minister would do us the favour of reading us the memo which he presented, oddly enough after the question period was over, to the Attorney General and Minister of Justice on the various Human Rights Commission interests in alleged Indian mistreatment. Does he have the memo?

Hon. Mr. Bales: I have no memorandum. I have a note which he read. Is the member talking about the 17 cases, is that what he is referring to?

Mr. Lewis: Yes.

Hon. Mr. Bales: The 17 complaints? That was simply a notation that I showed to him in reference to that matter; in essence it says that these were not complaints presented to them, but were complaints—

Mr. Lewis: Who said that? I am sorry I did not hear.

Hon. Mr. Bales: It is a personal memorandum between us.

Mr. Lewis: Was it the commission that said it was not?

Hon. Mr. Bales: No, this is a memorandum from myself.

Mr. Lewis: To the Attorney General?

Hon. Mr. Bales: Yes.

Mr. Lewis: I am sorry.

Hon. Mr. Bales: It is not an official document; I have no document of that nature.

Mr. Lewis: The minister sent him a little note on scrap paper saying, "Arthur, this is to bail you out"?

Hon. Mr. Bales: No, it did not say that. Not at all. I just told him that I had a small memo if he cared to read it, but that is all.

Mr. MacDonald: Talk about people writing their wills on toilet paper.

Mr. J. Renwick (Riverdale): Is that the smallest memo pad the minister has?

Hon. Mr. Bales: No, it is the most colourful one. Is there anything further the member wishes on it?

Mr. Lewis: Yes.

Mr. MacDonald: What have we got so far?

Mr. Lewis: I would just like a little more from that conclusive document the minister is holding, that official memorandum to his colleague outlining the views of the Human Rights Commission and his department on the 17 cases. Let me perhaps briefly refresh the minister's memory. He will recall that there was a buildup of complaints in northwestern Ontario emanating from the Human Rights Commission office at the Lakehead.

Through the early, middle and latter parts of 1969, the human rights officer, Mr. Bruce Lenton, received more and more evidence which caused him considerable concern about the relationship between the OPP and the Indian community. The whole judicial process was called into question in his mind. He expressed his views in rather strong language to the Human Rights Commission and to others, for instance, Mr. Allen Clark of the Indian-Eskimo Association, to whom Mr. Lenton conveyed some of the material.

So strong was his language that the head of the commission, Dr. Hill, sent a memorandum to a Mr. Gerald Piper in July, 1969, saying he was "greatly concerned about the emotional terminology" that Mr. Lenton had used; he called it intemperate, said that it might undermine the educational work with the OPP and the other organizations. Dr. Hill said,

> Our stand should be objective and professional at all times and this is especially true in those cases where we lack formal jurisdiction. I would ask that you immediately assume the Little Current file and carefully supervise the work in the future.

And the Little Current file was the file that the member for York South raised at such great length in the estimates last June.

Mr. Piper then took over the purview of Indian complaints about OPP and the judicial administration in northern and northwestern Ontario and then prepared for this department the dossier of 17 cases. The minister may call them 17 complaints, Mr. Chairman, but I have those 17 complaints. I have them all. I am very chagrined to say that I do not have them with me at this moment, but I will find them before this session is over, let it be said, if I have to ransack every inch of my home and my office. I know they are there.

I recall them rather explicitly; they were in the form of individual cases, some of them fairly carefully documented, some of them rather more cursory, all of them raising significant areas of concern about the relationships between the police and the Indian community and the judicial process generally.

Let me continue the review just a little further, Mr. Chairman. On Monday, November 17, 1969, in the minutes of the Ontario Human Rights Commission, the last item is under the heading, Ontario Provincial Police, and I am quoting now from the minutes of the commission—

> A report is being prepared by the commission's Port Arthur office in respect to complaints that have come to our attention regarding the Ontario Provincial Police. The report should be ready by the time of our next meeting.

That is the first reference to it—November 17, 1969. On November 27, 1969, in the minutes of the commission there is the following under the head, Ontario Provincial Police:

> The director tabled for discussion at the next meeting a chronological report prepared by Mr. G. A. Piper in regard to complaints that the commission has received against the OPP.

Then on Friday, December 19, 1969, from the minutes of the commission under the heading of Ontario Provincial Police Report:

> The commission discussed a report that was forwarded by the Port Arthur office regarding 17 instances of alleged mistreatment of the Indian people by OPP personnel. It was agreed that Mr. Eberlee would approach Mr. Eric Silk, QC, Commissioner, Ontario Provincial Police, and discuss the possibility of initiating human rights programmes with OPP officers and agreed to it December 19.

On January 16, 1970, under Ontario Provincial Police report, from the minutes of the Human Rights Commission;

> Mr. Eberlee stated that he would soon be speaking with Mr. Eric Silk regarding the educational implications of a report tabled at the November 27 meeting of the commission, dealing with complaints of Indians against the OPP.

My question then follows, Mr. Minister. Did Mr. Eberlee speak to Commissioner Silk? If so, what was the content of the discussion and what is the practice of the Human Rights Commission when it has in its hands, compiled by its own officers, 17 instances of alleged mistreatment? And finally, while the minister is reflecting on it, how in God's name is this beyond the rights of the Ontario Human Rights Commission to pursue? I would like to know what happened to the 17 instances after the commission had its January, 1970, meeting. I am sorry I do not have further minutes of the commission but it was a long session.

Hon. Mr. Bales: Mr. Chairman, surely the members appreciate that in the Human Rights Commission they receive a great many enquiries, perhaps you can call them complaints. They are not necessarily cases and these must be confined to that category of complaints. They are complaints as to situations, not necessarily as claims or cases as to discrimination. I think it involves situations more than anything else. We have had people in the Lakehead area working for some time, long before these gentlemen to whom you refer, and they have been endeavouring to work out the situations and to provide a better relationship as between authorities and Indian people and others in the particular area.

I go back to a situation which is somewhat analogous, in reference to Amherstburg which was some time previous, and there they had a mayor's committee for greater reconciliation of the situation for various pepoles within that particular municipality.

Now the same thing developed to a degree in Kenora. Our Human Rights people endeavour to work with others in the community to create an area of greater understanding. These matters, we say—what did we do about the cases, or the situations—they had been investigated. We felt we should draw it to the attention of the OPP and this was done. It was referred to the deputy minister and he did raise it with the head of the OPP—

Mr. MacDonald: What happened.

Hon. Mr. Bales: —but let me point this out. He raised the situation. He was not going to them on the basis and saying, "We have 17 cases." No, rather, "There have been 17, or a number of, complaints"—and perhaps the number 17 was referred to or not, I do not know. But nevertheless they involved a number of people within the community, and some of them involved the OPP, So the deputy minister, as natural, with Dr. Hill of the commission, communicated this to the head of the OPP, as they should.

So—and I come back to the Amherstburg situation—we believe we should find a committee to be established to create a greater understanding of the situation on behalf of the authorities on one hand, on behalf of perhaps the Indian bands on the other hand and on behalf of the public at large. Having been in Kenora on a number of occasions, it seems to me we need understanding in the community. You do not just need understanding between the authorities and the Indian band people who happen to be in the community; it is the whole community combined.

So this is the kind of situation developed not with a view to trying to persecute or prosecute anybody but rather to create a better understanding for the future. The deputy minister has worked with Mr. Silk on this. There have been communications and I am hopeful that—certainly we are seeing the development in some areas and it will be done in others more extensively—that we can create these regional committees which I think will eliminate some of the problems that are there today.

It is not a case of trying to exaggerate these things. We know the significance and seriousness of it, but I think it takes some understanding on both sides to ameliorate the situation and to bring a better atmosphere.

Mr. Lewis: Right! Well it certainly takes a good deal of understanding on the part of the two women who are presently in the Vanier Institute to comprehend what is happening, and I am glad that the departments of government are equally solicitous. I would like to pursue your solicitude a little, if possible. What did you mean when you said the cases had been investigated?

Hon. Mr. Bales: Well, they have been investigated by officers within the Human Rights Commission. Mr. McPhee who was previously there, Mr. Lenton and Mr. Piper.

Mr. Lewis: Right. Well those complaints were not in the traditional nature of complaints that come from individual citizens to the commission. You can go back through the commission's minutes for two years. The commission can be presented with copies, as I have them, of the extended reports which the commission prepares on individual complaints.

The commission shows an alacrity and a feeling for individual complaints around all other parts of the province that one would wish were duplicated in northern Ontario. These complaints did not even come through the normal channels. These were complaints which were documented by your human rights officers. Your human rights officers who felt sufficiently concerned about it themselves to put to the commission this dossier of mistreatment.

Hon. Mr. Bales: We have dossiers of a great many complaints.

Mr. Lewis: Well, you know it is not a frivolous matter. It is a great many complaints. It is not lost in the morass of complaints. It is 17 cases where you sit down at your commission meeting and you make a specific undertaking to deal with the OPP about it. I do not for a moment understate the seriousness of it. Your own officers at the Lakehead were persuaded of the substance of much of the complaints. Nobody can interpret Bruce Lenton's remarks in any other way than that. And indeed when—if I may go back to the Hearst case which my colleague raised again and again in the House a number of months ago—Dr. Hill asked for a report from Mr. McPhee about the Hearst case and Lenton's involvement, and McPhee in replying to Dr. Hill said:

> As you are aware, the commission has received numerous expressions of concern from Indian people of northern Ontario regarding an alleged unsatisfactory relationship with the police and courts because of an expressed lack of confidence that their grievances would be properly dealt with, cultural and language differences and geographical isolation, few of these complaints have received official and public recognition.

So what has happened? Your northern affairs officers, Mr. Linten, Mr. McPhee and Mr. Piper, have come together in a very considerable effort to persuade the commission that these complaints are reasonably well founded. They submit them in the form of a document to your commission, you decide that it should go to the Ontario Provincial Police and then it drops. One hears no more of the matter. Now, can you stand and tell the House what happened to the individual disposition of the 17 complaints?

Hon. Mr. Bales: I could go into each one of them—

Mr. Lewis: Well, I wish you would.

Hon. Mr. Bales: —in some detail, if you wish.

Mr. Lewis: I wish you would. I would like to know—

Hon. Mr. Bales: I do not know whether you would believe it or not.

Mr. Lewis: —what Commissioner Silk said about each of the complaints which were registered and whether or not he is satisfied with the Human Rights Commission.

Hon. Mr. Bales: We raised the matter, as I said earlier, with the head of the OPP, in general terms, with reference to these matters. We did not go to him in reference to individual matters treating them as cases; rather they were complaints of the general area of difficulty.

Mr. Lewis: Just a general feeling of anxiety which you conveyed to them?

Hon. Mr. Bales: I will just read, if it will assist you, a letter which was addressed to Mr. Silk.

Mr. Lewis: Sure.

Hon. Mr. Bales: I happen to have it here. It is addressed to Mr. Silk.

> We have had a word or two about instances of apparent conflict between Indian communities and law enforcement agencies in northern Ontario. In addition I realize that this has been the subject of discussion during the absence of the Ontario Provincial Police.

I aw writing to you to suggest that the Ontario Human Rights Commission might be able to assist with the problem and I would like very much to meet with you, at which time Dr. Hill and I could outline to you one or two things that we have in mind.

It has been suggested to us that consideration might be given to the establishment of regional committees composed of OPP officers, representatives of Indian Band Councils and Indian organizations, along with representatives of the Human Rights Commission.

It would be the purpose of these committees to exchange experiences and ideas and generally to serve as a medium of communication. This suggestion has certain appeal for us because of the success of a somewhat similar committee that functioned in Thunder Bay for a year.

Robert McPhee, who was in the Commission office in Thunder Bay, worked closely with Superintendent Gary and representatives of the local Indian groups. The Indian people had an opportunity to state their grievances frankly and the police officers were able to respond with specific problems, as well as to make the Indian people realize just what their responsibilities are as law enforcement officers.

And then it suggested that they could meet and subsequently they had conversations about that.

This is the area where we are trying to deal with this matter, bring a better understanding. As I said to you before, it refers here to a committee in Thunder Bay, that there was previously one in reference to Amherstburg some years ago.

I believe this was really about the time I came to this House or earlier. But this is the kind of situation we are developing. We are establishing liaison committees in the north in various localities to deal with this kind of situation. We are not trying to make out of these 17 cases specific causes. We are trying to look on a broader picture, and ease and correct the situation for all involved.

Our first committee actually is very close to being set up, and it has been established. We will be making an announcement about it very shortly. But this is not action for the future. This is action we have already taken.

Mr. Lewis: So be it. I understand your general wish to improve the climate in northern Ontario. I want an answer to this specific question. What happened to the 17 instances of alleged mistreatment documented by your Human Rights Commission officers and presented to the commission? What happened to them? You work with such vigour on all the other complaints you receive. What happened to those 17 complaints involving the Indian community?

Hon. Mr. Bales: Those cases really have all been dealt with—

Mr. Lewis: Oh, come on!

Hon. Mr. Bales: —before they came to the commission. They had been dealt with by the officers themselves, as it is their responsibility to do. They deal with the many complaints—

Mr. MacDonald: What do you mean by dealt with?

Hon. Mr. Bales: —informally—informal cases.

Mr. Lewis: What do you mean, the officers—please explain to me, Mr. Minister—"the officers felt uncomfortable enough with the way they were dealt with that they submitted it by way of formal report to your commission"? Why did the submit it if it is not dealt with?

Hon. Mr. Bales: They were concerned as to the pattern.

Mr. Lewis: As to the pattern?

Hon. Mr. Bales: As to the situation and they brought it, quite properly, to the commission. But they were dealing with the individual cases, and having dealt with them on an individual basis, they brought them as a group, as a pattern of situations that were developing and a difficulty they could foresee. They brought that group and that kind of situation to the Human Rights Commission.

Mr. Lewis: What then did the Human Rights Commission do? Write a letter to Commissioner Silk saying we have exchanged a word or two before and we would like to set up a committee? Was that the passion which the Human Rights Commission invested in the solution?

Hon. Mr. Bales: The committee looked at the whole matter. They had discussions with the OPP commissioner. They have followed those through. As a result we have already set up one regional group, which we will announce very shortly. We will be setting up more of them, all which should bring a

greater degree of understanding in various parts of the north where situations have developed. It does not erode in an isolated area. There is enough of a pattern if we think it should be dealt with on a broader basis.

Mr. Lewis: I just have one more word, Mr. Chairman. It really is something that I am trying to see: the way in which the commission works. I understand how sensitive the commission is to treating these things frontally. But here you have your human rights officers who are on record with language as pungent and feeling as has come from them on any other matter, expressing concern for the way in which the Indian people are treated by the courts and by the OPP. They then deal with, to use your language, 17 individual cases.

Mr. V. M. Singer (Downsview): Incidents!

Mr. Lewis: Incidents. Alleged mistreatments, complaints. Call them what you will. They are sufficiently concerned by what they find in dealing with them that they discern a pattern and they present that pattern and the 17 documented complaints to your Ontario Human Rights Commission. You go cap in hand to the OPP—

Hon. Mr. Bales: No cap.

Mr. Lewis: —and ask them to take a look at themselves. As you well know, the best way of reform is asking the body responsible to engage in its own self-analysis? Then you leave it. Then you drop it while you are setting up a committee in northwestern Ontario.

Hon. Mr. Bales: I am not setting up a committee.

Mr. Lewis: You know it grieves me to say this but I am developing some concern as I listen to you about the way in which the Human Rights Commission functions. I do not know whether it means that you have to expand its frame of reference, or whether it means that it has been stymied somewhere up the bureaucratic ladder. But the Human Rights Commission has no right in this province to abdicate its responsibility when 17 documented cases are presented to it from his own officers; no right at all!

Hon. Mr. Bales: But many of those complaints were not under the code.

Mr. Lewis: Well—

Mr. T. P. Reid: Then widen the code!

Mr. Lewis: What do you mean, many of them? One of them? Two of them? How many of them

Hon. Mr. Bales: We have a Human Rights code. Granted? Surely we must act within the limits of the law in dealing with this kind of situation. There were various complaints. Some of them may have been—Dr. Hill just advised me that not one actually came within the provisions of the code itself.

Mr. Lewis: What do you mean by that?

Hon. Mr. Bales: But nevertheless, whether they come within the code or not, we still endeavour to deal with complaints that come before us. We cannot always apply all the provisions of the code. But we can alleviate and assist people in a number of ways with their particular problem.

This is what is done here, for example, in these particular cases and not because they involve the Indians. But you have to recognize that the commission, through its officers, is working very closely with the Union of Ontario Indians on this kind of thing—these kinds of situations that develop, the kind of complaints they had made—so that we can bring about understanding and alleviate the situation. Those may sound like general words to the member—

Mr. Lewis: Yes, but this is not a subterranean exercise. This is the way people are treated by departments of government. It is a real occurrence, not some vague feeling.

Hon. Mr. Bales: It is no vague feeling. This is why—

Mr. Lewis: When you are roughed up, it is not a vague feeling.

Hon. Mr. Bales: This is why the human rights commission and its officers frequently spend a great deal of time listening to individuals and their complaints—to get to the real nub of the matter, to assist them. It may be that we cannot always take all of the procedures that are provided under the code because the complaint may not be within the code. But nevertheless many of the complaints are resolved in a variety of other means—by reason and by the work of the human rights officers. In this instance there was a pattern behaviour that involved the police so we pursued it. We went to the OPP and the commissioner. We took it up with him. We have established one area committee with the same people to get them talking around the table and get their complaints before each other and understand each other

just as frequently we have to do in collective bargaining.

Mr. Lewis: The minister has lost his crusading zeal.

Mr. MacDonald: Mr. Chairman, I have listened to this debate with great care and I was as puzzled as my colleague as to exactly what was happening. Perhaps I am wrong, but I think I now see the problem.

The Human Rights Code was not drafted to deal with possible abuse of powers by police. This is the problem the Human Rights Commission is now grappling with. If I grasp the significance of Dr. Hill's assertion that one of the 17 cases was within the confines of the Human Rights Code, what in effect I interpret that to mean is that each one of them abuses police power, discriminatory exercise of police power.

Surely we did not frame the Human Rights Code to be able to cope with the police. Surely we do not have to use the Human Rights Code for that. So it seems to me that what the minister is saying in this delightful blunting of the whole thrust of the 17 cases—which he says are not cases but just sort of situations and complaints—is that you are mixing up the educational process, which is a very basic facet of the whole Human Rights commission approach, with the rare, periodic occasions when you say, "Look, we have passed the stage for education; we have now reached the stage for action." In the instance of an individual that means prosecution under the law.

But how are you going to prosecute the OPP? As a matter of fact, that is a very nice point. I wonder whether you should be prosecuting the OPP. I wonder if the Human Rights Commission, instead of working through the minister and presenting 17 cases in the hope that you can educate the OPP, should not be laying charges against the OPP and taking them into court. They would then smoke out the kind of action that is sometimes very frequently being engaged in by the OPP.

I want to go back just a bit, Mr. Chairman, because when we were dealing last June, with the estimates of the minister's colleague, the Minister of Justice, I made a pretty solidly documented case to the proposition that what we have now—and I paraphrase a rather famous comment in Canadian history—is two departments warring in the bosom of a single government.

You have the Human Rights Commission, and all commendation for its work, particularly the extension of its work in northwestern Ontario, championing the downtrodden and protecting the few civil rights of the Indians. What you have is police reacting in a counter-offensive even to the point of investigating the Human Rights Commission. This is the incredible part of it. I wonder what in heaven's name the minister is doing when the OPP is taking action to investigate some of his own Human Rights Officers.

You see, the interesting thing — and just let me nail this down solidly. I am not exaggerating when I say that you have two departments warring in the bosom of a single government. Just earlier this afternoon the Attorney General got up and tried to make the case that much of the information that I had presented earlier this year with regard to the Bird-Stevens case in Kapuskasing and subsequently in the estimates in June with regard to the Little Current situation—

The fascinating thing, Mr. Chairman, is this: Every bit of information which I put on the record was out of the official documents of the Human Rights Commission, every bit of information.

In short, what I was contending during all that running battle that went on literally from last December until the end of the estimates in June, was that one minister, the Attorney General, denied the validity and the veracity of evidence that I was submitting to him—not as my evidence, in fact I deliberately withdrew and said I am not presenting any evidence of my own, I am presenting evidence that had come to me primarily from the files of the Human Rights Commission, on odd occasions supplemented by the Union of Ontario Indians and the counsel that had been hired by the Union of Ontario Indians.

And let me give you one example where the Attorney General triumphantly says he has proven I am wrong. Just the one instance. He had written me a letter, and I have a copy of the letter right here.

I raised in the Little Current case the widespread allegations of a woman who allegedly had been put into the jail in Little Current so brutally by the police that in the process her skull was crushed and she died. I said: "What about this?" I presented reports of Human Rights Officers who went in and talked with the United Church minister and innumerable Indians in the area, contending that this is what has happened. So I said, "What is the story?"

The letter I got from the Attorney General points out that as far back as October 2,

1968—perhaps I should put this in sequence. This woman had died on October 21, 1968. On October 2, 1968, a coroner's inquest was held. A pathologist was brought in and the pathologist's testimony denied the allegations that the woman in Little Current, who was acting as an undertaker and who had prepared the body for burial and claimed that the skull of this Indian woman had been crushed. The report was that unfortunately none of this was true, that the Indian woman had committed suicide by hanging herself in the cell with a bedsheet.

The Attorney General says he has no reason to disbelieve that this is the case now and he thinks it is closed. He has no reason to investigate it further.

The thing that really buffaloes me, Mr. Chairman, is this: May I remind you that the inquest was October 2, 1968. I have a couple of reports here from the Human Rights officer when he investigated the situation in Little Current under written instructions of Dr. Hill, the director of the Human Rights Commission. Let me read them to you. This one is dated June 8, 1969. Now just let me pause there.

That is eight to nine months after the inquest was held, and presumably all the doubts, all the rumours, had been dispelled.

This woman had died by hanging from a bedsheet in the cell. She had not been brutally treated by the police or something of that nature. And yet what is in the report of Bruce Lenton? Let me read a couple of paragraphs:

The officer mentioned the alleged killing—the officer being Mr. Lenton himself. He is speaking to Rev. Sam Oliver of Whitefish Falls, Ontario, with regard to the case of Mrs. Grace Pitawanakwat versus the Ontario Provincial Police at Little Current. Let me read these two paragraphs:

> The officer mentioned the alleged killing of an Indian woman by OPP Officer Crowe. Rev. Oliver stated that the incident occurred last fall in the Little Current police station. He claimed that Officer Crowe arrested the woman for being intoxicated in a public place. Rev. Oliver alleged the Officer Crowe forced the woman in the cells in such a manner that her head struck the wall. He claimed that she subsequently died of the injury.
>
> Rev. Oliver stated that the matter was covered up by the OPP, who apparently claimed that the woman hung herself by tying a blanket around her neck to the cell bars and then jumping into the cot.
>
> He stated, that it was impossible for an individual to hang oneself in that manner, especially when that individual was inebriated. He stated there was no doubt as to the cause of death, for the woman who prepared the body for the funeral noted that the skull was caved in.

Without going into the details of it, what really buffaloes me Mr. Chairman, is this: Why would a human rights officer, if he had any communication with the rest of the departments; why would a minister in the community, Rev. Sam Oliver—the hon. minister gets so startled, he thought I was referring to him again—why would these people in the community, eight months after the inquest had been held, still be persuaded that this is the case? Or why would there not even be some acknowledgement by the human rights officer of the fact that an inquest had been held?

If my comment appears to be critical of Bruce Linten, whom I have never met—all I know is that by reputation he has been a valiant champion of the civil rights of the Indians in northwestern Ontario, I am just a little bit puzzled as to what in heavens name goes on. This I know for certain. There is no communication between the minister's department and the Attorney General's department, other than on a sort of a superficial level. I tried to quote earlier, and got into some difficulties with the Speaker, when we were on the questions before the orders of the day, but when I raised this whole matter in the estimates on June 25, to be found on page S-1139 of the *Hansard* record of the estimates committee, Mr. Wishart intervened. He said, for example—this is with regard to the Little Current thing:

> No one has sent a file from the Human Rights Commission. This should, I think, perhaps go first to the gentleman who calls himself the officer. It should go to the Human Rights Commission. If they would say, "Here is a case which needs your attention, which needs investigation further," I should be very glad to look into it. But I did not learn of that under the present system.

The minister has impressed upon us the extent to which his deputy and others have been talking with Eric Silk, the commissioner of the OPP, but the word has not gotten through to the minister. He has not even heard about it. He says, "if I am told about it I will investigate it further".

A little later, on page S-1141, he is responding to an exchange I had with him and he said—he is now referring to the Hearst case, the Bird-Stevens case—he said:

> I have a feeling that in the Bird-Stevens matter, he—

that is the Human Rights Officer,

—sent his reports to various other people and not to the Attorney General. In any event, I can pursue this and arrange through the Human Rights Commission, or through The Department of Labour, that there should be no oversight of it in the future so that I may know about it and look into it.

What has happened—the lines of communication have broken down—the AG last June was taking refuge in the fact that "if I had known about these things I would have done some more investigating."

Finally, let me put on the record the comment of the Deputy Attorney General. He said:

Of course, I personally have had contact from time to time with Dr. Hill. Never, at any time, have either Mr. Eberlee or Dr. Hill or the lawyers who were acting as counsel for the Human Rights Commission ever spoken to me about any matter relating to the affairs of my department with relation to the Indians.

Now does the minister get that?

Mr. Lewis: Absolutely incredible!

Mr. MacDonald: Did he really get that? Here is the Deputy Attorney General saying:

Never, at any time, has either Mr. Eberlee or Dr. Hill or the lawyers who were acting as counsel for the Human Rights Commission ever spoken to me about any matter relating to the affairs of my department with relation to Indians.

Well look—

Hon. Mr. Bales: You do not have to start at the top always and work down. Surely you can go direct to the OPP Commission?

Hon. Mr. MacDonald: Mr. Chairman, for reasons that I gave earlier, I am not so certain that the answer is to go direct to the OPP. Because, I think, quite frankly, the OPP is our problem. And if anybody is going to deal with the OPP, it is not going to be the Minister of Labour. You go and try and bother them and they will thumb their nose at you and tell you to go home. If anybody is going to deal with the OPP it is going to be the Attorney General.

Your problem is that the Human Rights Code is really not framed to deal with the abuse of power by the OPP, that is the nub of it. Then you have got to change the Human Rights Code.

You have got to respond to his plea that he made in the estimates committee: "Let me know and I will be glad to look into these things," so that he can go down to that agency, the OPP—which has been revealed to be something less than competent in the last few months—and see what is necessary to change it, so that the civil rights of any citizen in this province, including the Indians, are not going to be violated.

I am sorry, I have passed the point where I am asking the minister any particular questions because I have come to some rather hard and fast conclusions. But I just want to document, finally, this proposition—that the warring between these two departments has reached really incredible stages. When the OPP found out that the real job—the persistent thrust of the human rights officers in northern Ontario was to track down the conduct of the OPP in Hearst, in Little Current and now in Kenora, what did they do? They actually went and visited the office of the Human Rights Commission in the Lakehead to investigate Bruce Lenton, the human rights officer.

Let me put it on the record. Suddenly there appeared at the human rights office at the Lakehead—Well, I will quote into the record the report that was made by G. A. Piper, the regional supervisor of the northern regional office. He said:

> The following is a report from Mrs. McLeod regarding an incident which occurred in the Port Arthur office of the Human Rights Commission on Wednesday, June 11, 1969.
>
> The OPP officer, in plain clothes, showed Mrs. McLeod his warrant card and asked her if there was a private room available for discussion. Mrs. McLeod directed the OPP constable to a private office of the commission and he proceeded with the following questions:— Do you have a Mr. Bruce Lenton working for you? Reply: Yes.
>
> How long has he been working for the commission Reply: Approximately one year.
>
> What is his title? Reply: Human Rights officer.
>
> Do you have his address? Reply: Yes, 707 McLaughlin Street.
>
> That is in Fort William is it not? Reply: Yes, Fort William.
>
> What are his duties? Reply: He enforces the Ontario Human Rights Code and The Age Discrimination Act.
>
> Is that all? Reply: Yes.
>
> The OPP officer proceeded to go out the door and then returned and, as an afterthought, asked Mrs. McLeod to keep the matter quiet, as Mr. Lenton was not in any trouble or anything. The OPP officer did mention earlier in the conversation how-

ever, that his inquiries were in connection with the case in Little Current.

Now, Mr. Chairman, what in heaven's name is going on?

Hon. Mr. Bales: Do you want to know the aftermath of that?

Mr. MacDonald: Just let me finish, if I might.

That the law enforcement agency of the Province of Ontario, under the direction of one minister, the AG, is turning up and harassing, and intimidating—each person can use his own word—another civil servant hired by the Minister of Labour in the Human Rights Code—what is the net result of it?

I hope I will not embarrass Dr. Hill unduly—the whole thing has been a bit embarrassing—but I have another little memo —a memorandum to Mr. T. M. Eberlee—

Hon. Mr. Bales: About that interview in reference to Mr. Linten?

Mr. MacDonald: What about it?

Hon. Mr. Bales: They were told to mind their own business, in much stronger language than that too.

Mr. MacDonald: As a matter of fact, I appreciate that interjection, because I just want to conclude with some comment on it. But I want to first put on the record here Dr. Hill's memorandum. It is to T. M. Eberlee, the Deputy Minister of Labour, is signed by Daniel Hill, and is dated June 20, 1969. It says:

> I am extremely concerned that the OPP would walk into The Department of Labour's office unannounced and without consulting anybody in the Toronto office and proceed to interrogate Mrs. McLeod of our staff. Please note the attached memo from our regional supervisor, Mr. Gerald Piper. I would very much appreciate discussing this matter with you at your earliest convenience.

Now the minister has explained it. Apparently what happened was, that somebody—you, the minister on behalf of the deputy, or the deputy on behalf of you, all of you on behalf, I trust, of Daniel Hill—said to the OPP, "Go and mind your own business."

Hon. A. Grossman (Minister of Correctional Services): Pistols at 10 paces!

Mr. MacDonald: But, Mr. Chairman, that does not solve the problem! You were—ironically, incredible as it is—you were using the educational process to further a respect for civil rights and you are forced to use it with the people who should have the greatest respect for civil rights, the police.

I suggest to you, if this is your problem, you should be bringing legislation in here to expand the human rights code. Amend it so that, whenever there is documentation, by the Human Rights Commission, lay charges against the Ontario Provincial Police and bring them into the courts and convict them when they are guilty of that kind of thing. On the basis of your whole Act as it now operates you will reinforce the educational process with a little bit of muscle. And I think, by heavens, if our problem is the OPP, that is where we should start with the muscle right now, without wasting any more time.

Quit playing footsie. Speak to your colleague the Attorney General and see that he works with you in grappling with the situation before we drift with it any longer.

Mr. Chairman: The hon. minister.

Hon. Mr. Bales: Just very briefly. I have followed closely what the hon. member has said. Bear in mind in these matters that many of them were unsubstantiated complaints. But more than that—I come back again to these liaison committees or committees that we are establishing. These are committees that the Indians themselves want. We reached agreement with them, with the OPP, with the Provincial Secretary's (Mr. Welch) department—because they are now in charge of Indian affairs—and with the Union of Ontario Indians. We want to see, and endeavour to make this system work, that we have a forum locally, not just one kind of committee in a remote area, but somebody in a much smaller locality whereby these things can be thrashed out and dealt with there.

The greatest problem, I think, was that there was no communication between those who felt they were injured and those who were theoretically enforcing law.

Mr. MacDonald: And even within your own government, even more greatly.

Mr. Lewis: That is a complete cop out. It means nothing.

Mr. Chairman: Vote 1005.

Mr. Lewis: I just want to point out that with respect to the draft legislation, Mr. Chairman, of this minister, to amend the

human rights code which you may bring in in the session of 1971, incorporating all the amendments you would like to make, that nowhere in his draft legislation within your own department is there the slightest clause which would deal with the actions of the OPP. What you have done in your answers this afternoon is to demonstrate that you have completely abdicated responsibility where the police are concerned as far as the Ontario Human Rights Commission goes and as the Minister of Labour who is responsible for the code, you have washed your hands of it. The Indian people in the Province of Ontario can be discriminated against, abused, treated arbitrarily, and have a sense of perpetual grievance in relation to the courts and to the police. Your Human Rights Commission is impotent and what is more, it has surrendered. It is just not playing the role of the Human Rights Commission in the Province of Ontario, not for the moment.

You have lost all the zeal you had to ferret out injustice. You have lost any zeal you had to alter the code so as to incorporate the kind of amendments which would allow you to move in.

And what have you done? You have reduced your Human Rights Commission to a mockery. You have 17 cases, substantiated or unsubstantiated. How would you ever know as Minister of Labour? Commissioner Silk will never tell you about the behaviour of his own men. And in all those cases we have no replies, nothing on the record except what you call a pattern.

There is not another area in the Province of Ontario where you would deal so cavalierly with the rights of the citizens. I pointed that out to you last night, in the face of the complaint at the Ford Motor works in Oakville, even though Horace Krever wrote a report which said that it lay outside the rights of the commission because it lay outside the provisions of the code.

You mourned the loss but the commission felt strongly enough about it to bring it to a hearing, to demand a full inquiry and to have a full report. But where is that spirit of the commission where 17 Indian citizens are involved? Where is the same animation from the commission in this case, except for some educational provision for the OPP? You cannot run a commission that way. You reduce it to a level of ridicule that will undermine its work.

Mr. MacDonald: You are shackling it.

Mr. Lewis: You are just binding it. You refuse to take your colleague on.

Hon. Mr. Bales: Oh no!

Mr. Lewis: Well what do you mean, because you tell some officer or visit—

Interjection by an hon. member.

Mr. Lewis: —to mind his own business.

Mr. MacDonald: For eight months your own colleague has been dismissing the evidence gathered by your Human Rights officers.

Mr. Chairman: Vote 1005?

Mr. Lewis: I want to know if you will amend—

Hon. Mr. Bales: You do not even know what the matters are. You have some material there before you which—

Mr. Lewis: I have the draft Act.

Hon. Mr. Bales: Oh no, you have not! You may have some things that you think are the draft Acts, but you do not have that. It is interesting that you found so many papers.

Mr. Lewis: Interesting that I found so many papers?

Hon. Mr. Bales: You have not got all of them.

Mr. Lewis: I would not imagine so. Your files are not privileged to the opposition—just parts of them. The parts that relate to Indian affairs in the Province of Ontario have traditionally been shared with the opposition. That you will recall.

Hon. Mr. Bales: Not that part.

Mr. Lewis: Because the Indian community has no confidence in the government and so it has to go outside.

Hon. Mr. Grossman: Where did you get that?

Mr. Lewis: Where did I get it? I have not the faintest idea.

Hon. Mr. Grossman: Oh come on. You know that is a falsehood.

Mr. Lewis: I looked through a file of papers and found it there and it said an Act to amend The Ontario Human Rights Code, March 12, 1970. This is the draft copy including everything, from discrimination prohibited in public places, through to the employers not to discriminate in employment practices, through to membership in trade

union or self-governing professions and employment agencies. It covers the whole gamut of amendments which you would like to make and, I assume, will make, in advance of the next election.

The one thing that it omits, interestingly enough, is any reference to the area of single greatest weakness on the part of the commission, namely, dealing with law enforcement and alleged discrimination against Indians in the Province of Ontario. Of that, you have washed your hands. Well, some commission and some code!

Mr. Chairman: The hon. member for Hamilton East.

Mr. Gisborn: Mr. Chairman, I would like to solicit some information in regards to a happening that took place in Hamilton over the last week or two.

It became prominent last Thursday, October 22, on page seven of the Hamilton *Spectator*. It was in regards to a beer tavern on Beach Road that has been employing female waiters for some time in both the ladies-with-escorts room and the men's room. I understand from the press report that the proprietor has been somewhat harassed by the Liquor Licence Board in that he is in violation of The Liquor Licence Act in using female waitresses to serve beer.

I would like the minister to explain if there is any conflict here with The Discrimination in Employment Act and, if not, if he could use his office to draw together the strings that seem to be in conflict of rectifying this situation. Apparently the proprietor wishes to continue the employment of women in this trade. Apparently the clients of the beverage room enjoy the service of the female waitresses.

There is a question of the women's equal opportunities Act, propounded by your women's bureau. There is the proposition of the Provincial Secretary's department, who had promised that shortly they will have legislation to bring about the integration of drinking by men and women in beverage rooms.

I wondered if the minister can intervene in this case, either with actions from his department or the Human Rights Commission. If they have not the power to intervene directly, then would he use his influence to bring these three departments together to leave this matter in abeyance until the various pieces of legislation are introduced or proclaimed in the next few months to allow these women employees to continue their employment?

Hon. Mr. Bales: This comes primarily under my colleague the Provincial Secretary's responsibility. I have asked for a report in reference to the matter, but my view is that when the employment opportunity legislation comes into effect, as it does on December 1, this would apply in this kind of situation. Certainly, on the reports that we are obtaining, I have already been in touch with my colleague and we are endeavouring to work the matter out.

Mr. Chairman: Vote 1005.

Mr. Gisborn: Mr. Chairman, did the minister infer that he might be able to work the matter out so that these employees do not lose their jobs in the meantime?

Hon. Mr. Bales: I do not know.

Mr. Gisborn: They have only got a month and a half to two months to wait.

Hon. Mr. Bales: I would hope they would not lose their jobs.

Mr. Chairman: Vote 1005 carried? The hon. member for Oshawa.

Mr. Pilkey: Mr. Chairman, in the *Labour Gazette*, dated November, 1969, just about a year ago, a Mr. George McCurrdy who is the human rights administrator in the Canadian Department of Labour, stated in an article after his examinations and findings, that there was discrimination in employment in the Province of Ontario. It goes on to say that he was speaking to a human rights workshop in the Steelworkers Union Centre in Sudbury. He went on to outline some examples in the Province of Ontario, and I might just read a couple of paragraphs from this document.

> Mr. McCurrdy said that teachers from India, for example, were told that they could not be hired in a city in Ontario because they had no Canadian experience. But even after they had resumed studies to improve their qualifications, they were told there was no place for them until all Ontario qualified people had been absorbed.
>
> In briefs that they had submitted, Indian spokesmen, as well as some of the European immigrants, said that although they had their jobs lined up before they left home, these jobs were not available when they arrived in Canada.

Mr. Chairman, I want to suggest to the minister that there are a number of complaints in this area when immigrants come to Ontario under terms of employment and it is not available.

It might be argued that this is not relevant to the Ontario Human Rights Commission, but it seems to me that it is one of the roles that they could play if, at this point in time, they are not functioning in this specific area. Not only teachers, but other professional people as well, are not allowed to practice or are not given recognition here in the Province of Ontario. He went on to point out that the problem of discrimination seems "to be most acute concerning this city." He does not make reference as to which city it is. I only suspect that it was one of the larger communities in the Province of Ontario for he said that it was most acute amongst the city's black community.

He went on to point out that the committee learned that negroes were not randomly distributed in the socio-economic structure, and that the vast majority occupy a position at the base of the occupational and economic pyramid. This was Mr. McCurrdy's remark in relationship to the employment here in the Province of Ontario, and obviously it must be factual because I understand that this was actually an examination and his findings. He asked the question: "Is Ontario big enough for everybody?" And pointed out that there is a certain amount of discrimination in the province. I wonder if the minister could enlighten this assembly in regard to the report in the findings of Mr. McCurrdy.

Hon. Mr. Bales: That particular report, I think, concerns an area in the north—Owen Sound. It was done through the federal people; the Mr. McCurrdy that you speak of is a federal person, but—

Mr. Pilkey: Yes, I recognize that, but we are speaking about an Ontario committee.

Hon. Mr. Bales: All right! Our people have worked with him, but it was not prepared through out Human Rights Commission. Our people are working with that same group in Owen Sound. We have an information centre. The point you made about the discrimination in employment—we recognize it is there. We not only recognize it but are endeavouring to do all we can to correct this situation.

We have the information centre on College and Major Streets. The inquiries there, the reports we receive each month, show that the largest area of complaint is in reference to discrimination in employment. In establishing that office we have not been able to correct the whole problem by any means, but we have brought direct information to a very large number of people there, rather than leaving it necessary for them to find their way to head office. One of the reasons, of course, for bringing in The Women's Equal Employment Opportunity Act was that we knew and we had found evidence of discrimination in employment. It is the intent behind the Act to correct some of those kinds of situations.

Mr. Chairman: Vote 1005. The hon. member for Scarborough East.

Mr. T. Reid (Scarborough East): Mr. Chairman, I would like to just ask the minister if the commission has any evidence that the employees of the Loyal Order of Moose in the various lodges around this province have to sign a form which states that they are members of the Caucasian white race and not married to a person of some other race?

Hon. Mr. Bales: There has been a complaint in this regard. Again, I say it does not come within the code itself because it is a private organization.

Mr. T. Reid: For employment. I refer to the employees.

Hon. Mr. Bales: —all right, I am sorry. The membership within the organization does not come within this, but we have made it clear to them that there must not be any discrimination in reference to employees of that group, because that does come within the Human Rights Commission, and if there is any evidence of discrimination, we will proceed with the cases in that regard.

Mr. T. Reid: No, it is not the membership.

Hon. Mr. Bales: They have been notified of our views in this regard.

Mr. T. Reid: They have been notified in writing?

Hon. Mr. Bales: Yes, they have.

Mr. T. Reid: If I could follow up, Mr. Chairman, on this, I suppose this is in the area of speculation, and it should be stated as speculation, but suppose there was a case in which an employee had to sign such a racist form, would it be possible for the minister's cabinet to take away their liquor licences which are granted by the government?

Hon. Mr. Bales: I am sorry, I do not know about that. But so far as employment is concerned, it would be entirely illegal.

Mr. T. Reid: I will just pursue this briefly, Mr. Chairman.

Perhaps the minister could help me on a point by way of information. There are lodges of this particular American organization that operate in Ontario which, as all their lodges do, state as a condition of membership

that a person must sign a form stating he is a member of the Caucasian white race and not married to a person of another race, and yet this government givs those lodges liquor licences. I mean surely this government should not condone this type of racism in our society by giving them liquor licences? Would the minister care to comment?

Hon. Mr. Bales: It is outside this matter particularly, but I appreciate the point you make. I do not sympathize with them.

Vote 1005 agreed to.

On vote 1006.

Mr. Gisborn: Mr. Chairman, I have just a brief question of the minister. I think we can finish up as far as I am concerned before 6 o'clock. The last time I raised the question of policies with the Department of Labour was, I believe, in 1964 or 1965 with the previous minister, in relation to the hours of work. I put forward what I thought were reasonable reasons to change the maximum hours of work from 48 before overtime, to 40. The minister, at that time, gave as the reason for not moving in that direction at that particular time—that we were in a high economic growth and a high employment period. As soon as that situation changed, he felt it would then be a proper time to consider a reduction in hours of work. I wondered if the minister is aware of that position of that minister, and now that we are in a high unemployment period, that it might be time to consider reducing the maximum hours of work in this province to 40 from 48.

Hon. Mr. Bales: As you recall, a year ago we brought in a provision for time and one-half for all work beyond 48 hours. I appreciate the point you are making there, but those are permissible hours. In many cases, particularly under collective agreements, the hours are not 48; they are substantially less, and negotiated that way. That is the way they should endeavour to work these things out. We have set those maximum times subject to permits, but everything beyond 48 hours, as the member knows, carries now the arrangement of time and one-half. That has had a deterrent effect on too long hours. There is no question about that, and we see evidence of that in the various reports that come forward to the employment standards branch.

Mr. Chairman: Vote 1006.

Mr. Pilkey: Yes, Mr. Chairman, I just want to ask a question, and then I want to make one short comment. In the Province of Ontario is there such a thing as a fair wage contract? Has the province a fair wage contract?

Hon. Mr. Bales: Yes.

Mr. Pilkey: They have? Is it possible to get a copy of the province's fair wage contract?

Hon. Mr. Bales: Yes.

Mr. Pilkey: Could I get a copy of it?

Hon. Mr. Bales: I will make a note.

Mr. Pilkey: Right! Thank you.

The only other point I wanted to make—and I feel it could be incorporated in The Employment Standards Act, if the government saw fit. I think, in The Public Service Act, which is applicable to the civil servants of this province, there is a mandatory check-off. It seems to me that philosophy should be now carried to all workers in the Province of Ontario. What I am really saying is that the voluntary, revocable check-off should become mandatory. There are some strikes that have taken place in the Province of Ontario over union security and I think it is archaic. We have now come to the point in industrial labour relations where the union security should not be a collective bargaining item any longer. I think the government came to that recognition, at least partially, when the Provincial Secretary presented a bill to this House making it mandatory for civil servants to pay dues to the Civil Service Association of Ontario.

Surely that is the minimum, the very minimum of union security, that could be made mandatory by statute in the Province of Ontario. I want to suggest to the minister if he would bring in that kind of legislation, then he would be making a substantial step towards industrial peace in Ontario and particularly on first agreements. It seems to me to be where we have run into considerable problems with management in this province is in first agreements and, specifically, on the point of union security. I urge upon the minister at least to provide in the statutes of this province the check-off and we will eliminate those archaic negotiations for union security that have been taking place up to now.

Mr. Chairman: The hon. member for Timiskaming.

Mr. D. Jackson (Timiskaming): The minister says that under The Employment Standards Act hours are averaged out at 48 hours a week, or after 48 hours they pay time and a half, but is it not true that under the fair wage contract, as applied to The Department of Highways, that it is averaged on a much

longer period? In fact, some people work in excess of 50 hours a week without getting overtime pay?

Hon. Mr. Bales: They average the time over two weeks because on Department of Highways contracts you are working outside, and you may have weather that prevents you from working at certain periods.

Mr. Jackson: Even in that situation, Mr. Chairman, where it is averaged over two weeks, is it still not true that they can work in excess of 50 or more hours a week and still not even with the average receive overtime?

Hon. Mr. Bales: In that case, it is limited to that and you will find that it averages out.

Mr. Jackson: Could the minister tell me what the fair wage hourly average is under a government contract? How many hours in a week or in a two week period can a person work?

Hon. Mr. Bales: It is slightly complicated because it depends on the zones wherein they work. In certain areas, for example, on bridge abutments and so on, it does not apply, but in other types of work it does apply.

Mr. Jackson: I would appreciate it if the minister would send me a copy of the fair wage contract, because I certainly do not understand why it should apply to bridge abutments and not to highway paving, let us say, if they are both done in the same area and as he says, the reason is weather conditions.

There is one other question I would like to ask. The minister in a report of some months ago stated that there was, I think, in excess of 2,000 wage collections on behalf of individual employees from employers who had not paid the minimum wage or had not paid vacation with pay.

Could he tell me how many charges were laid under the same statute and how many convictions were?

Hon. Mr. Bales: I cannot give you that at the moment. As you know, this year in the changes in The Employment Standards Act we imposed a penalty in cases where we had to collect arrears on behalf of employees, because we felt that those who were in default should bear some of the cost of having to make those collections on behalf of employees. I do not have the number of complaints, but again I can get it for you and provide it.

You may have heard me say last night that in the first 21 months of the operation of The Employment Standards Act, since January 1st, 1969, we have collected some $3 million on behalf of employees in the various categories of minimum wage, vacation pay and so on.

Mr. Jackson: Well Mr. Chairman, I just have one point to make. I realize there is a 10 per cent penalty against the employer who does not make payment and is forced to make payment through The Employment Standards Act. However, the way I see it, in the meantime the employee—who in many cases does not have the money to carry on from week to week—will end up going to the bank or to a finance company, and borrowing money to look after his personal debts at upwards of 18 per cent. At the same time the employer, if he is smart, will hold back on wages, as many of them have done in this province, and the penalty is only 10 per cent, whereas if he borrowed that same amount of money from the bank in order to pay his employees he would be paying upwards of from 14 to 18 per cent.

There is also another bonus if the employer gets away with it. He ends up with the total amount of money that he has been able to cheat his employees out of, so he ends up with a bonus on his contract or a bonus on his product. Surely in this situation there is going to have to be a higher penalty, which I would prefer rather than a charge laid in the court — a higher penalty that would just take the profit out of it, so that the employer would then feel if he is going to pay 25 per cent on the money he had better pay the wages or there is going to have to be some charges and convictions.

Hon. Mr. Bales: Since we have acquired the authority to collect those moneys under the Act, we have found that there is a, I do not say a decreasing rate of breaches there, but we are finding a good response from individuals making the payments when we draw it to their attention. Sometimes when you draw their attention to the provisions of the Act they make their own retribution without having to go through our department. We check back to see that it is done, but it is handled directly by them.

Mr. Jackson: Well I agree with the minister but—

Mr. Chairman: Order please. Does the hon. member have very much more to say?

Mr. Jackson: Just about two minutes.

It being 6 o'clock, p.m., the House took recess.

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No. 138

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Tuesday, October 27, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8:00 o'clock, p.m.

ESTIMATES, DEPARTMENT OF LABOUR
(concluded)

Mr. Chairman: On vote 1006. The hon. member for Timiskaming had the floor.

Mr. D. Jackson (Timiskaming): Mr. Chairman, during the supper hour I dug out the press release from The Department of Labour. It is dated September 15, 1970, and it actually points out that the problem is even worse than I thought it was. It says that in an eight-month period this year they collected $1,542,000; this is $758,000 and some change more than last year.

It also was collected on behalf of a total of 1,481 additional employees this year, in that eight-month period, which indicates that either the branch is becoming a little more efficient in collections and in detecting these people or actually the violations of the Act are on the rise.

There is something that bothers me in this press release. It says that approximately 70 per cent of the investigations were instigated by the employee. In other words, the branch was acting on a complaint from an individual employee. If this is true, I am just wondering how many of the employees in Ontario are short-changed in their pay cheques and do not really know they are being short-changed. If 70 per cent of them are instigated by the employee, it indicates to me that a great number of them are escaping detection altogether.

It also indicates to me, Mr. Chairman, that the branch is not doing an educational job; it is not telling the employee his rights under The Employment Standards Act, and it is not telling the employer his obligations under the Act.

Surely there are two things he has to do in order to correct it: First, to educate the employee by maybe spending some of the $450,000 they are spending on jingles to educate the employee and let him know what his rights are under The Employment Standards Act. And second, to make the penalties such for violation of the Act that the employer would think twice before he withholds wages from any employee in this province.

I pointed out before the supper hour that the employer stands to gain both ways. First of all, he is using money that rightfully belongs to the employee at a very low interest rate, if he is only paying 10 per cent as a penalty. He might have this for many months before he is finally brought to task by the department and made to pay it, so while he is running a business and using that money to finance that business, the employee is actually financing it. And second, if he is not detected, he stands to gain a great bonus by withholding that money. And if he is detected, he still only pays 10 per cent on the money.

So surely the present penalty of 10 per cent is not sufficient to convince employers that they should pay the wages properly. I would suggest to the minister first of all that he gets busy and educates the employees as to their rights under the Act; and then gets busy and does something about those employers who violate the Act in the face of the law, maybe through ignorance—but I do not think that would hold up in any court and it surely does not hold up when they charge a man for income tax evasion. I think he is evading the law not paying that extra money that he knows rightfully belongs to the employee.

He is evading it and taking a chance on being caught. And unless the penalties are severe enough that it is going to cost him a lot of money to withhold that, then he is going to continue to withhold it. I would suggest to the minister that he upgrade the penalties according to the severity of the crime, you might say, and I would urge him to do it without too much more delay.

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, I am sure the hon. member will recall that in the amendments to The Employment Standards Act of last spring we included a penalty clause of 10 per cent. That penalty clause came into effect on October 1 this year. So it has really not had time to operate for us to see the effect. But I am sure it will be a beneficial one.

We operate on the basis of complaint but also investigation. When the branch receives a complaint from an employee in a particular industry, we do not just stop there investigating that one complaint in that particular industry. When our people are there, or the inspectors are there, then they make a check of all the employees within the plant and see that proper moneys are being paid to them. Because we can readily do it at that point.

Frequently, and some times inadvertently, there are moneys due employees that have not been paid to them and we find it at that time and can correct the situation. That is why I think that press release you were referring to is perhaps in the statement of mine last night that I stated we had assisted some 39,000 employees in the collection of wages.

When you are dealing with wages, you will appreciate that under collective agreements there is some protection and there are not as many cases in those areas as there are in cases where they are not covered.

In this year we have begun a quarterly bulletin to be sent out to all employers, setting out changes and regulations under The Employments Standards Act so that employers are well aware of the provisions and the regulations and any changes in the Act.

You mentioned advertising. You may have seen at the end of September and just the beginning of October we published advertisements in all daily papers in the province and a representative group of weeklies, notifying them as to the change in minimum wage but at the same time pointing out other changes in the Act that had come into effect.

For example, a protection in reference to garnishees, etcetera. We made reference to those in that same ad so that the employees would have information and notification of the changes.

The point you have raised in reference to penalties is a good one, but I think it is the same argument that was in our minds when we brought in the new legislation last spring, including a penality. We will see how it works and appraise it for the future.

Votes 1006 and 1007 agreed to.

On vote 1008:

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I want to make a few comments and ask the minister if his department intends to act at all on the suggestion and recommendation that I had put forth both on the floor of this Legislature and also by letter to the department. Originally I received a communication on April 4 from a gentleman by the name of Hector Robert, who is the chairman of boxing for southwestern Ontario, and in it he made some suggestions that I thought deserved more consideration than was being given by your department.

One of them was that it be compulsory for all boxers—that is, amateur boxers we are referring to; if the others wish to knock their heads off I am not in the least bit concerned at all—that all boxers wear headgear and mouthpiece dental protectors. And likewise that a permit for a boxing show not be issued up until the time sanction was obtained from the Canadian Amateur Boxing Association.

As the minister knows, there is an attempt in Canada to standardize boxing rules and regulations so that when our amateur boxers fight internationally they are fully familiar with the rules of the game. Ontario seems to be one of the provinces that is a little backward in the adoption of international boxing rules.

Being one who has had some experience with amateur athletics, I know that it is extremely important that any competitor go into international competition at least being on par with his opponent as far as the knowledge of the rules of the game is concerned.

However, in boxing we find it completely different. The Ontario department seems a little backward. They are still not interested in protecting the boxer and if they maintain that type of an attitude then it is only natural that boxing will be downgraded to the point where it will be completely outlawed. Now I am not saying that it should or should not be outlawed. I am not one that is taking any side, but as long as we are having boxing and recognizing it as an amateur sport I think we should go all out to protect the amateur, especially since the boxer is the younger individual, has a fairly long life to lead after he leaves the boxing game and we would prefer to see him in the latter years of his life at least have full control of his senses and not become a pug.

On May 14, I had written to your department—well I should not say to your department, but I wrote to the Minister of Citizenship (Mr. Welch) whom I understood was going to assume this branch of activity as his responsibility. The letter naturally was for-

warded to Mr. MacKenzie, who I understand is in your department up until the time the changes are made.

Now Mr. MacKenzie did reply to the letter, but in his reply made a whole series of, I could almost say accusations, that the gentleman involved making the suggestion does not know what he is talking about.

I was most disappointed in such comments from Mr. MacKenzie. So disappointed that I wrote to him sometime in July and I outlined a whole series of points that I thought he should answer for me. In fact, I outlined 13 different questions. To date I have no reply from him. July 6 was the original date of the communication. This has been shuffled between your department, Mr. Minister, and The Department of the Provincial Secretary.

Mr. MacKenzie maintains that we should not have headgear compulsory in the boxing game. Likewise he is a little hesitant to change the Ontario rules to have them conform with those that are used Canada-wide.

This, Mr. Chairman, is a real backward step. When we are going to be competing in the Canada Games this coming winter, Ontario boxers will not be familiar with the Canada rules and as a result are going to be at a distinct disadvantage.

I think, Mr. Minister, it is incumbent upon you to straighten the man out. See that Mr. MacKenzie becomes a little more informed as to what is actually going on in the boxing world. There are four countries now that make the wearing of the headgear compulsory. He may come along and tell you that the United States and other countries do not do this. That is no reason why we should not go all out to protect our young boxer in the Province of Ontario.

We should be leading the way. Canada, in its national role, is attempting to do this. Ontario seems to be bucking them all the time. Surely they should start having a new look at this and fall in line with the Canadian and international thinking. I would sincerely ask you, Mr. Minister, to be in touch with your athletic control commissioner, ask him to reply to my letter of July 6 and likewise to reconsider his decision concerning the compulsory use of the headgear.

In international circles, as soon as you mention it as an eye protector they accept it; but when you mention it as a headgear! It is to prevent the fellow from having his brains knocked out. Well it may be so, but we know that in all other activities when you use a headgear you are affording some protection to the amateur. But apparently in boxing your commissioner does not look upon the need for protecting the young boxer.

I hope, Mr. Minister, you have some comments concerning this, and likewise see some type of action. And after you finish I have one other item I would like to bring up with you.

Hon. Mr. Bales: Mr. Chairman, I was made aware of the communication from the hon. member to the athletic commissioner. The commissioner had some views on it, as to the necessity or otherwise of the headgear, but I think it is something that we should look into and take under consideration and I will take it up with the athletic commissioner. I am not sure exactly where it stands at the moment, but I will find out. You will hear from us on it.

Mr. B. Newman: Thank you very much, Mr. Minister. I would likewise also request that you ask him to look into the Canadian Amateur Boxing rules and see if he cannot adopt them for Ontario so that we likewise have standard boxing rules in Ontario as in the rest of Canada. An illustrious gentleman such as Magistrate M. E. Ferguson of Vancouver writes in a communication to the Provincial Secretary and Minister of Citizenship—I do not imagine that a copy of that letter was sent to you, but he says:

> It was most gratifying to see the new rules adopted by all amateur boxing organizations in Canada. I am sure you will agree the compulsory use of headgear, heavier gloves, mouthpieces and so forth was a real step forward in amateur boxing.

He is talking about Canadian rules, whereas Ontario does not seem to see the light of day and does not want to fall in line. It looks kind of phoney, Mr. Chairman, that your athletics control commissioner cannot see the value of the suggestions by a magistrate and others concerning this type of activity.

Now the other point: I would ask the minister if he has ever gone into a complete study of the boxing and wrestling picture in the province of Ontario to see if it is a monopoly; to see if there are restricted practices; to see if it is controlled by one individual; likewise to see if there is some type of hanky-panky going on in the game.

Hon. Mr. Bales: There was a study underway earlier—I think it began before I came to the department. It carried on and it was finalized some time later. Subsequently, we brought in new regulations with reference to those matters. Since then they were reviewed

—last year—to see what changes were necessary. We made no changes at that time.

I am well aware of the kind of situation that can develop, that you have referred to. I do not think it has developed here, at least from any information that I have, but I think it is something that should be watched carefully and we endeavour to do that through the athletic commission office.

Mr. B. Newman: I also do not like to think that there is anything wrong in the game, but I think if we had a watchful eye on the whole activity, we would prevent anything from ever happening that might be unsavoury.

Mr. Chairman: The hon. member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Mr. Chairman, I was going to plead with the minister to increase his estimated budget for assistance to amateur sports this year, but I notice that there has been an increase of some $35,000 from last year. I do not know whether or not this is enough. It does not seem to be enough in regard to the question I want to raise.

I wonder, first, would the minister tell me how he has, up to date, attempted to dispense with the $175,000 that is directed specifically under assistance to amateur sport.

Hon. Mr. Bales: I am sorry, I did not hear the last part.

Mr. Gisborn: I wonder if the minister could tell me just how the $175,000 that he has in item 4 for assistance to amateur sport is distributed.

Hon. Mr. Bales: The breakdown of that for this fiscal year is: Financial assistance $38,000; sports equipment $130,000; awards and prizes $7,000; totalling $175,000. You may be interested in the distribution. For the fiscal year 1969-1970, financial assistance totalled, in distribution among quite a number of groups, $17,950; sports equipment totalled just under $113,000; awards and prizes $7,000; totalling $138,000 last year.

Mr. Gisborn: The point I want to make is I appeal to the minister to transfer as much as possible from the awards amount to the supplying of equipment, particularly to the community councils' junior and juvenile sports groups.

Hon. Mr. Bales: You will appreciate that by far the largest amount goes to sports equipment and that is intentional. We appreciate the need for allocating it in that way.

Mr. Gisborn: Yes, I appreciate that. Nevertheless, if the largest amount is spent in that manner, the point I want to make is that not enough of it is spent; or at least, if the other areas have just as much priority then we have to allow more money in the overall budget. I pay particular attention to the needs of the area community recreational groups, and I find that they are short of equipment. What the department supplies, of course, are the helmets, protectors, shin pads, balls and bats, catchers' gloves and that sort of thing. It is hard to judge just what one particular community group will need. But what happens is that it depends on the area that the group is in as to their ability to raise extra funds. We find a sort of a discriminatory position, where some of the groups will have sufficient pieces of equipment to equip their whole teams, and others will have only enough to equip half a team. The youngsters feel badly when they have to go on the field and play with a borrowed glove, or play without the headgear, or play sometimes without shin pads or the chest pads.

The other groups, of course, supplement the equipment they get by their ability to raise moneys in their particular community. All communities do not have the same ability to raise extra money. There are some sections of the city where the people in the community are in a higher wage bracket. The recreational development group are able to raise more money and supplement their equipment. Therefore when they go on the field with teams from other areas, who are not as fortunate, some of the youngsters feel that they are discriminated against. They feel put out that they have to operate with a lack of equipment and sometimes pretty shabby equipment.

I think in this area we should see to it that we develop a formula where they all get sufficient equipment. The sponsors usually supply the uniform, the sweater or the cap that is used as the symbol of their team. But when it comes to the actual equipment to be used in playing, there seems to be a problem. I would ask the minister to recognize that and try to develop a means whereby this equipment is distributed so that the applications are reviewed by a request to know how many teams they have under their jurisdiction and what kind of equipment they would need to see that a team is equipped as sufficiently as the other teams may be. Many of the things are left to their own fund-raising methods, such as giving the boys a little treat after each game or a roundup treat at the end of the week, or a banquet at the end of the

month. Some of them go short of that, but that is their own problem.

Mr. Chairman: Order please! I must point out to the committee that the time allotted for discussion of the estimates in committee of supply has now expired. According to the standing orders, there are three concurrence debates for those estimates which have been referred to standing committees. Each debate would consist of a sitting of two and one-half hours, or its equivalent. If there is to be any further debate, in committee of supply, the time for any such debate will be deducted from the concurrence time.

Mr. C. G. Pilkey (Oshawa): Just when the minister was enjoying it. Look at that, a smile on his face!

Mr. Chairman: I am guided by the rules of the House and I simply must point out to the committee that if there is further debate from this moment on, the time will be recorded and deducted from the time provided for concurrence debate in the House.

Mr. Gisborn: Mr. Chairman, I speak to support your ruling. I think that is proper and I hope the minister gives all our appeals consideration.

Mr. Chairman: Vote 1008. Is it the intention of the committee to continue with the discussion?

Mr. J. E. Stokes (Thunder Bay): As far as I am concerned I have got about two minutes.

Mr. Pilkey: All right, go ahead!

Mr. Stokes: We had agreed to give unanimous concurrence to the report on the estimates of The Department of Treasury, so any time expended will be taken from that.

I would like some assurance from the minister in connection with the activities of the athletic commission, that he pay particular attention to the needs of sporting groups of all ages in northwestern Ontario. We are appreciative of what assistance is being given to amateur sports, particularly the juveniles and those under junior age. We do appreciate the help that is being given for equipment.

I am wondering if the minister can give us a breakdown at a later date of the amount of money actually given by way of assistance to northwestern Ontario, and if he would not consider approaching Treasury Board for additional funds to assist in a meaningful athletic programme in northern Ontario. I think it is common knowledge that it costs so much more to carry on a meaningful programme because of the great distances between communities who would like to compete with one another, the high cost of transportation under adverse weather conditions.

It is one of the most troublesome aspects of carrying on a sports activity, an athletic programme, in north-western Ontario. I am wondering if the minister will indicate that he will be attempting to get more money from his colleagues on the Treasury benches to not only subsidize activities such as wrestling and boxing but go into other areas of athletic endeavour to assist those people in northern Ontario to carry on a meaningful athletic programme.

Hon. Mr. Bales: Mr. Chairman, if I may, I will be very brief. I appreciate the points you have made. If you just bear in mind that this year we have increased the budget from $140,000 to $175,000; and I would certainly recommend another increase if we can manage it.

The other point is, the athletic commissioner is endeavouring to give particular attention to the matters in the north, particularly the Indians; and there is certain help that you may well be aware of in that regard.

They have been trying to train coaches and others so that they can help other people in their amateur sports programmes up there. You have asked for some specific information about the area. I am not sure if you mean your own riding or not.

Mr. Stokes: No, the north in general.

Hon. Mr. Bales: I will endeavour to get you some information about it.

Mr. Chairman: Vote 1008. The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, I want to find out from the minister what steps he has taken to ensure that he does not get any more of those special deals where the department pays $23 for stop watches and the retail price is $16. He explained to me last year, very carefully, how a company did rebate when a situation was brought to his attention, where they had been overcharging. But I am anxious to know what sort of precautions the minister has introduced to be sure that the prices that are being paid by the department, by the athletic commissioner, are fully competitive with what should be paid under such mass buying arrangements?

Hon. Mr. Bales: When the member raised the question with me I admit I did a good deal of calculation to see what was going on. It seemed to be a terribly fine line that The Department of Education would not be charged the extra but The Department of Labour, because it was not educational, should be charged.

Incidentally, we obtained a refund in that regard and having found the instance where that situation occurred then it was checked through on other matters. And once alerted you are able to take care of those kinds of situations. I do not think there are any others at the moment, but our people are on the lookout for it. I hope, with your assistance, we have been able to overcome that problem.

Mr. Deacon: What I am saying Mr. Chairman, is, that I am hoping the minister will have the prices that are being paid checked with prices being paid, by say department stores. I am not talking about The Department of Education. It happened to be a price catalogue that I showed him where the price quoted was some two-thirds of the price paid by the department. I think it is important that the department prices be checked by the Provincial Auditor or someone to be sure that we are getting equipment at good competitive prices and that nobody is getting a special deal, as apparently was the case there.

Hon. Mr. Bales: Mr. Chairman, just so this is clear, because it was education there was a rebate in tax that would not be charged, whereas in our case it was not for education and they imposed the tax. This is the money we were able to recoup.

Mr. Deacon: Mr. Chairman, the price I showed the minister was that in a price catalogue available for retail purchase of $16. I think the department was charged $23. It was that discrepancy that was bothering me.

Vote 1008 agreed to.

Mr. Chairman: This completes the estimates for The Department of Labour.

I must point out to the committee that there are several other smaller estimates which have not yet cleared the committee of supply; that is, the Lieutenant-Governor's department, the Prime Minister's department, the Provincial Auditor's department, and the Treasury Board.

Is it the wish of the committee that we deal with those four departmental estimates as provided by the rules at the present time; that is, to put the votes and carry them, so that the remaining time is available for the concurrence debates. Is this agreed?

Agreed.

Mr. P. D. Lawlor (Lakeshore): May I speak to the point? As far as Treasury is concerned, we were not going to bring what we had done downstairs back up again; but we had left Treasury Board specifically over and intended, as I understood, to spend some time debating it.

Mr. Chairman: The only way, of course, that this can be done would be to take time in committee of supply and deduct it from one of the concurrence debates.

Mr. Stokes: Right, that is the intention.

Mr. S. Farquhar (Algoma-Manitoulin): Mr. Chairman, it was my understanding that following the passing of this estimate we would proceed with budget debate and it would not be necessary to make this kind of arrangement until after caucus has met tomorrow.

Mr. Chairman: The only thing that I am faced with as Chairman is that when we go back into the committee of supply if the order is called then that time, again I point out, will be deducted from the concurrence debate time, and that the only matters before the committee then will be the four remaining small departments. Is this understood?

Mr. Farquhar: We understand that, Mr. Chairman. We understand that we only have a certain amount of time left for supply, including concurrence.

Mr. Chairman: Well, you now have 10 minutes less than you did have on concurrence.

An hon. member: Seven minutes.

Mr. Chairman: Ten minutes.

Mr. Stokes: In total time, seven hours and 23 minutes left for supply to use as we see fit.

Hon. Mr. Grossman moves the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report it has come to cer-

tain resolutions and asks for leave to sit again.

Report agreed to.

Clerk of the House: The third order, resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the Chair and the House resolve itself into committee on ways and means.

ON THE BUDGET

Mr. T. Reid (Scarborough East): Mr. Speaker, I would like to continue my remarks from last Friday. I had expected to be on at 4 o'clock this afternoon, but there were people who felt they had more to say on the labour estimates.

I would like to deal with three things. First, I would like to continue my discussions in this House concerning the decline and fall of the Canadian publishing industry. I have some new information on that issue. Second, I would like to deal with the issue of the discrimination against Canadian Indians in the education system of the Province of Ontario, and I have documentation on that. Third, I would like to put into the record of this House the views of some mothers who live in property in the city of Toronto concerning the education system. I think it is only right that the poor people in this province should be able to have their voice felt in this place directly.

Turning to those three issues, I would like to start with the continuing decline and fall of the Canadian publishing industry. My information is that virtually the one remaining Canadian national magazine is about to go bankrupt, and I refer to *Saturday Night*. My understanding is that very shortly *Saturday Night* will no longer be on the news-stands of this nation, that probably the editor is just about to resign and the financial resources that have enabled *Saturday Night* to continue as a Canadian national magazine over the past six months are probably going to dry up.

Regardless of what one thinks about the publication itself we will be left, if this state of affairs comes about, with a nation, so-called, without a national magazine. We will be left with a nation where people who wish to write about national issues and to have the magazines on the news-stands across the nation for wide distribution will not have a forum any longer.

I think we must realize that *Maclean's* magazine is basically a subscription magazine whereas *Saturday Night* is basically a news-stand, popular type of magazine. I say this with regret, and I am not too sure what this government can do about it, but certainly in this nation there ought to be some government that ought to do something about it.

The real problem, of course, is with *Time* and *Reader's Digest*, and I think there are two options here—firstly, that preferential treatment within the Canadian market should cease in terms of their advertising revenues or, secondly, that the national government should consider imposing a tariff, if you like, on those magazines to make them more expensive to the Canadian consumer, thereby encouraging the financial ability of Canadian magazines owned by Canadians, with the decisions made by Canadians, such as *Saturday Night*, by having a national market. That is part of the overall mosaic of the publishing field in Canada at the magazine level.

Let me return now to the question of what I call book publishing and provide the members of the House with the next serial part, if you like, of that unfortunate drama.

The background is very simple. I have put it on record in this House before that the book publishing industry in Canada is at least 90 per cent alien owned and controlled and this also has repercussions in terms of our national heritage and national culture. The most insidious part of it, of course, is the long-term predictions one can make for the 1970s and 1980s in terms of the educational materials that are going into our schools and into our post-secondary institutions of higher learning.

With the growth of the international conglomerate, the decision-making being made more and more in terms of international profits, from a basically American basis, I think it is predictable to say that the national interest of this country will be found to be incompatible with the international profit maximization of the international publishing conglomerates over the next 20 years.

The new information I have on this has to do with the smaller publishing houses in Canada which are Canadian-owned and Canadian-controlled and their relationship with an organization called the Canadian Book Publishers Council.

The Canadian Book Publishers Council is the national organization of publishers who are located in Canada. Ninety per cent of the members of The Canadian Book Publishers Council are wholly-owned foreign or alien subsidiaries operating in Canada. There are only a very few Canadian members of the Canadian Book Publishers Council. One can name them on one hand. For example, McClelland-Stewart and Clarke-Irwin. Of

course, there used to be Gage but now it is American-controlled. So, we have this Canadian Book Publishers Council which surely should have a function in a pluralistic society of urging upon governments legislation which would improve their industry.

But the letter I am about to read into the record, Mr. Speaker, shows that some Canadian-owned and controlled houses in this country are rejecting membership in the Canadian Book Publishers Council because it is basically an alien organization within our national boundaries even though it is called the Canadian Book Publishers Council.

The letter I am going to refer to is by Dennis Lee of the House of Anansi which is a wholly-owned Canadian publishing house—a small one. And here is what Dennis Lee has said in this letter that is being distributed to the Canadian-owned and controlled publishing houses in Canada. I will try to read it directly into the record without commenting on it. Dennis Lee says:

> We have concluded that there is no way we can join the Canadian Book Publishers Council in good faith. Two things preoccupy us:
>
> First, it is clear that what is in the best interest of foreign-headed offices which operate branches in this country and what is in the best interest of indigenous Canadian publishing, writing and reading are two distinct things. At times in the past, they may have overlapped. At present they do not.
>
> While no one denies that some of the branch plants are good citizens, the majority are part of an occupying force whose aim is to dump foreign books in Canada and take as much money out of the country as they can.
>
> At Anansi we would favour respecting the ones that have been responsible citizens, repatriating some of the others and throwing the rest out of the country. This is hardly a promising basis for professional association.

Dennis Lee continues:

> Our second preoccupation should be working for reform from within the Canadian Book Publishers Council. Well, we have no illusions about the amount of reform we are likely to accomplish and in the last few weeks—

I should point out, Mr. Speaker, this letter is dated October 15, 1970:

> —and in the last few weeks we have come to wonder quite seriously whether there is going to be anything left to reform. It is a pessimistic, but not an unrealistic projection, to speculate that two years from now the University of Toronto Press, might be the only indigenous publishing house in the Canadian Book Publishers Council.
>
> In that case, to join the council now would be to lend a minor but very unfortunate appearance of legitimacy to the thing. It represents American and British interests far more than Canadian and will soon do so even more. Why help them pretend any different? And if one's sober aim is that the council in its present form should be destroyed on the grounds that it works against the country's interests, one really has to stay out.

Dennis Lee continues:

> At the point when the Canadian Book Publishers Council urges legislation which discriminates in favour of Canadian houses, tries to break the American monopoly in mass paper-backed distribution and generally carries on the way any sane Canadian association would, at that point, we would like to belong, but not before.

He continues in his letter:

> The Gage business, and a series of discoveries and conversations since then, are what have pushed us over the edge in drawing this conclusion.

Then he concludes his letter by saying, Mr. Speaker:

> The obvious follow-up would be for the houses that do not want to be part of the Canadian Book Publishers Council to start their own organization now.

It is signed Dennis Lee, House of Anansi.

That is clear evidence, Mr. Speaker, that the Canadian or indigenous publishing houses in this country consider the Canadian Book Publishers Council really to be a front organization for American and other alien interests in this country—an organization that will not fight for an indigenous publishing industry in this country because 90 per cent of its members now are representatives of wholly owned alien subsidies operating in Canada.

To show Dennis Lee is not alone in his view concerning the Canadian Book Publishers Council, I would like to quote a short letter which is receiving circulation within the industry and which arrived in my hands. It is by M. G. Hurtig of M.G. Hurtig Limited, booksellers and publishers, in

Alberta. Here is what Mr. Hurtig says in the letter dated October 20, 1970, just a few days ago. Mr. Hurtig says:

> I have for some time considered the Canadian Book Publishers Council to be an organization quite incapable of acting in the best interests of the citizens of this country. The fact that it is essentially a branch-plant organization makes it impossible for it to push for the proper legislation needed relating to the questions of book tariffs, manufacturing, copyright, etc.

And Mr. Hurtig concludes his letter by saying:

> I will not be interested in joining the Canadian Book Publishers Council and thoroughly endorse Dennis Lee's suggestion that we should investigate the possibility of forming our own Canadian organization.

I thought that information should be put, for the first time in the public forum such as this and placed in the record, again, if you like, as part of the continuing drama of the American take-over of our country.

I would like to say, in concluding this section of my remarks, Mr. Speaker, that I have had the honour—I suppose I should use that phrase—of having been a guest speaker at a private closed seminar of the Canadian Book Publishers Council about a week ago at a retreat in Muskoka.

I spoke at that time about the need for this government and The Department of Education to insist that by 1972 and 1973 that public funds which come through The Department of Education and which are spent on textbooks—the public funds under the control of this government—should not be spent on textbooks and other learning materials from firms that are not at least 51 per cent Canadian-owned.

I said this at this private seminar where the presidents of these alien subsidiaries were, and for three hours, literally, I was the only Canadian in that room. I guess that has branded on me a complete endorsation of the views that Dennis Lee and Mel Hurtig have expressed in this correspondence that is receiving circulation in an underground way in Canada.

I guess I should keep my remarks just at that, Mr. Speaker, but I can tell you that I was the only one in that room who made statements like that, who saw the long-term implication—among anyone who spoke up that is—except for the last five minutes—who spoke about the need to maintain in our publishing industry Canadian value, Canadian identity and, if you like, Canadian human values in our society particularly as they relate to the content of textbooks.

I guess I will leave my remarks at that, Mr. Speaker. I will say that Marsh Jeanneret, of U of T Press, did stand up toward the end of the meeting—and I wish the Canadian press could have been there—and basically stated here—I do not think I am breaching confidence here—if the economics of the publishing industry are allowed to go their present way over the next five years there will be no Canadian publishing industry or magazine industry in this country. He stated that unequivocably.

It was interesting, Mr. Speaker—I will try to cut this short—that the second to last speaker stood up and defended some of the views I was expressing about why I am a Canadian and why it is necessary that the books Canadians can read have a Canadian tradition and value. It is interesting, and perhaps ironic, that the man who stood up and said that what I was saying about the international conglomerate development over the next 20 years, was an American. He stood up and said: "What Mr. Reid says about the international conglomerates centralizing its decision-making more and more in New York or in the American head office over the next 20 years is correct."

More and more, the presidents of wholly-owned alien publishing houses located in Canada will simply have no decision-making function, Mr. Speaker. He said, that that is correct and that is what is happening and that is the trend.

I must say that if it had not been for those two men standing up at that meeting I suppose I would have walked out of there and called a press conference and condemned that so-called Canadian Book Publishers Council as simply being a front organization for the economic interests of the American conglomate enterprises. I cooled out of that.

These two people did speak up. But today, sir, I thought it my duty to put this correspondence on the record of this House so that Canadians can see that there are publishers in this country who are publishing books like Harold Cardinal's book about Indian poverty, and so forth, who are concerned that it is important to own and control the decision-making in publishing houses in Canada.

I find a ray of hope here and hope that this government, particularly the Minister of Education (Mr. Davis) will not let this issue die as he tends to let many other issues die.

The second item I wish to draw to the attention of the members of the House, Mr. Speaker, has to do with the debate we have been discussing a great deal today concerning discrimination against Indians in our society.

I listened with great interest as I am sure most members of the House did to the statements by members on this side of the House concerning the possibility of racial discrimination by the OPP and the judicial system against those of Indian descent in this province.

I would like to put into the record of the House tonight, Mr. Speaker, the documented proof of discrimination against Indian young people in the school system in this province. I think this is just as important because if there is a continuation of this type of bitter racial discrimination against Indians in the public school system of this province then there is no hope, there is no hope in our society.

Before quoting from this report and putting it into the record of the House, Mr. Speaker, I would like to conclude some remarks I tried to make during the estimates of The Department of Education, concerning what I consider to be a fraudulent document put out by the Minister of University Affairs (Mr. Davis). The document I refer to was put out by his so-called research branch, and the gist of it was that in this great province of opportunity, if you were born into poverty or near-poverty, you have just as much likelihood of getting into the post-secondary institutions of this province as if you were not born into poverty.

I tried to document then, before the minister cut me off by saying I was out of order, that that was a fraudulent document, that it did not deserve to have the minister's endorsation behind it, that he should fire the people who put that document together and who had the gall to call themselves a research branch of The Department of University Affairs. I think that the case study that I am going to put into the record of the House now, having to do with the poor people who are Indians in our society, and who are not getting out of high school and into post-secondary education in this province, will show what a fraudulent statement that minister allowed to be published in his name. Of course, I should add that John Porter, professor of sociology at Carleton University, the author of "The Vertical Mosaic," also joins with me in condemning that attempt to try to convince the people of this province that if you are born poor you have equality in education in this province.

So let us just turn to a case study, and I will do a second case study shortly of the simple fact of what happens to Indian children in this province in a particular school system. I am going to quote from a study entitled, "A Study into Indian Dropouts in Wallaceburg Schools." It is dated September, 1969, and the authors are Lionel Orlikow and Mike Lourim of the Ontario Institute for Studies in Education. I would like to put this into the record of the House as damning evidence that that statement the Minister of University Affairs put out is really a pack of lies. I will try to quote again, Mr. Speaker, without imposing my personal views.

I repeat, this is an independent study by two qualified researchers in the Ontario Institute for Studies in Education. It is dated less than a year ago and, surely, it can be considered objective analysis of discrimination on a racial basis against young people in this province. I quote directly:

> Current responsibility for Indian pupils in integrated schools is shoved back and forth among The Department of Indian Affairs—federal—The Department of Education—provincial—and many boards of education. Frequently decisions are made without consulting Indian band councils. During the winter and spring of 1968 a small team from the Ontario Institute for Studies in Education visited classrooms, talked with pupils and teachers, distributed a questionnaire, read newspapers and school records.

Then, Mr. Speaker, the researchers have a heading called "relevant questions", and then they answer the questions themselves on the basis of their research findings.

> Question: Where can one find a statement of policy dealing with Indian education suitable for Kent county needs?
>
> Answer: Nowhere. Policy in education is shared among three levels of government. Furthermore general statements applicable to broad sections of the country are non-applicable to the inmate situation of Walpole Island.
>
> Question: What is the meaning of school integration?
>
> Answer: During the 1950's integration simply meant the establishment of a radically mixed school where each group received similar facilities, texts, teachers, tests. A more sophisticated definition is required now, one which includes frequent social contact of the two races within and outside school hours.

Question: Is there an Indian problem in Kent county?

Answer: No, if one attempts to find agitation for the claims of "Red Power". Yes, if one examines problems of lack of equality of treatment at stores, recreation centres, job opportunities. Since the school cannot be divorced from other parts of daily living, one can see a spillover of the external issues in the schooling.

Question: Are Indian people on the whole less intelligent than whites? Evidence on their placement in the less academic streams would suggest such a conclusion.

Answer: Intelligence and race are not connected. The three criteria for placement into streams—intelligence tests, past school achievement, pupil demand for a particular course—each discriminates against a large percentage of pupils, white and Indian.

Question: Is there an Indian problem?

Answer: Perhaps much of the problem is the frequent attempt by many school people to stereotype the Indian. The Indian pupil that does not perform in accepted ways — enthusiastically, verbal, open — frequently is labelled as hostile to school norms—sullen, dull, obstinate. Since the child is frequently treated as being incapable of high quality effort then little teacher effort is expended to encourage him.

Final question asked by the researchers: Should schools provide the same courses to all?

Answer: Undoubtedly there must be a redefinition of what is the basic education for all pupils. A more immediate problem is how to help Indian pupils overcome the "who-am-I" problem of adolescence; his heritage is ignored now.

Then, Mr. Speaker, the report by these two researchers from the Ontario Institute for Studies in Education discussed the problem of dropouts, programmes and placement, and I quote directly, to try to assure the members, if you like, of a credible source of information:

> Of the 1,408 students enrolled in Wallaceburg district secondary school during the 1968-1969 school year, 96 were Indian and 1,312 were white. Ninety-seven of the white students retired by the end of the school year. This was 7.9 per cent of the white enrolment.
>
> In contrast, 37 per cent of the Indian students dropped out in the same period. This is a drop-out rate 4.6 times greater than that of the white students. To state the situation in another way, Indians were 6.8 per cent of the school's total enrolment, but they were 26.5 per cent of the total number that retired during the year.

This objective research report continues, Mr. Speaker:

> Attempts to explain this difference in the usual terms of membership in a minority group, poor home situations, lack of motivation and feelings of inferiority, did not meet with much success, mainly because such explanations did not correspond to the complex reality on the reserve and in the school. Preliminary examination of interviews with white and Indian students showed no appreciable difference and levels of aspiration, vocational goals, attitudes towards education and schooling between the two groups.

Mr. Speaker, that is a very important point, because all too often we hear from officials concerned with this area of social policy that it is the aspirations of the Indian young people which are at fault, that they do not wish to achieve, and so forth. Well here is the opinion of objective researchers that states that in this particular school in which they conducted this intensive case study that—and I quote again:

> Examination of interviews with white and Indian students showed no appreciable differences in levels of aspiration, vocational goals, attitudes towards education and school, as between the two groups.

In other words, that myth as judged in terms of this case study, that the difference in aspirations is a causal factor, is dismissed by these objective researchers in this case.

The report by these researchers continues:

> Several striking facts emerged when enrolment and dropout figures were broken down by students programmes, that is, by enrolment in five-year, four-year and two-year streams. The five-year stream had 764 students, 54.3 per cent of the total enrolment. Only 26 students, or 3.4 per cent of the programme, dropped out. The programme with more than half of the total school population accounted for only 19.7 per cent of the total number that dropped out.

And then they turn to the question of the two- and four-year programmes. Quote:

> The two- and four-year programmes together enrolled 644 students, 45.7 per cent of the student body. Of that 644, however,

106 dropped out, 16.5 per cent of those enrolled in the two streams. Of all the students that dropped out, 80.3 per cent had been enrolled in the two- and four-year programmes.

The report continues:

The four-year stream had 563 students, 39.9 per cent of the total enrolment; 82 students retired, 14.6 per cent of the programme, and 62.1 per cent of all those who dropped out. The two-year occupational programme enrolled 5.7 per cent of the student body, 81 students of whom 24 dropped out. The 24 were almost one-third of the whole programme, 29.6 per cent, and were 18.2 per cent of the total number of retirees.

Well, Mr. Speaker, what do those figures mean? Here we come to some very simple statistical results. Quote:

Eighty per cent of dropouts came from the two- and four-year streams. The breakdown of enrolment by race offers some interesting clues to the origin of the Indian dropout problem at this school.

Mr. Speaker, here are the two basic facts that emerge from this type of analysis. I think it is the first kind of analysis of a case study nature that has been done on the question of racial discrimination within an Ontario high school. The report continues:

Indians are about seven per cent of the total enrolment in this school, but they are concentrated overwhelmingly in the two- and four-year streams. This over-representation can also be shown by indicating the percentage of each group in each programme.

And here it comes:

Over 55 per cent of the non-Indian students enrolled in the five-year programme, but only 18 per cent of the Indian students did so. While only 43 per cent of non-Indian students chose the two- or four-year stream, over 80 per cent of the Indians enrolled in the two- and four-year streams.

Mr. Speaker, the conclusion is a very simple one, in that if you are an Indian in this school, two things happen to you.

One, for a number of reasons that I will get to in a second, you end up in the two-year programme and the four-year programme. That is 80 per cent of the Indians in that school are in the two-year or four-year programmes. You look at who dropped out and you find that the dropout rate is in the two- and four-year programme, and the conclusion is a very simple one. That the dropout problem at this school is disproportionately an Indian dropout problem because the dropouts come out of the two- and four-year programmes.

Then the report gets into the question of why this is so, and I quote:

Peer-group influence was mentioned by some teachers as a reason for the Indian students' choice for the two- and four-year courses, and it probably plays some part. Lack of parental encouragement was another frequently mentioned factor.

Indian parents, however, felt that very little effort was made by the school to provide them with the information necessary to properly advise and encourage their children. Without the active support of the school, parents felt naturally reluctant to advise their children on their own. Teachers and guidance personnel also felt the lack of contact with Island parents—the Indian parents—but thought that the parents should take the initiative.

The report continues:

Without any great encouragement from the home to choose a certain programme, Indian students, it appears, relied on the advice of the guidance department. Minimal expectations on the part of the school for Indian students seem to be an important part of any explanation of why so many Indian students choose the two- or four-year programme.

Then the report turns to student observations, and asks:

Who is at fault, white or Indian, for the problems listed? Both. Some random unedited comments made by the pupils reveal their explanation of the situation.

And I just choose a few of these, Mr. Speaker.

Mr. Speaker: I wonder if I might interrupt the member for a moment. I would like to refer to the standing rule 16 of the House, subsection 4, which states that a member shall not read unnecessarily at great length from any document.

The member has now been, for 20 minutes, reading from a document, and I would suggest that he might be able to put his comments in his own words and perhaps give the same impression as a lengthy reading from a document.

Mr. T. Reid: Mr. Speaker, I appreciate the ruling. I would like to state, sir, why I felt it was necessary to quote directly at some

length from this document. The point is a very simple one—that when one is a member of the official opposition, one has a certain role and function to play in this House. And, perhaps, in terms of public credibility, one's own arguments and one's own facts and research are dismissed as simply being the research of a partisan, critical politician.

The point which I am trying to make, conclusively, sir, is that this is a report by two independent researchers from the Ontario Institute for Studies in Education, who have gone into a particular school as researchers. They have not gone with a conflict of interest or a vested interest, as say I have. If I do research it can always be dismissed by my enemies as being politically oriented research, and therefore I am not reading my own research report into the record of the House.

Why I have done this, sir, is to try to prove to the public and to the members of this House, and to you, sir, that there is a private case study on the extent of racial discrimination against Indian young people in the integrated high schools of this province that come under the direct supervision of The Department of Education.

In other words, the Minister of Education will not be able to stand up in this House and say: "Well, the member for Scarborough East, of course, has a role and function to play as the opposition spokesman for education, and you know we really cannot trust his research, he exaggerates", and so forth. In other words, I have put into the record independent, outside research concerning racial discrimination against Indian children in this province, and if I am—

Mr. Speaker: I would certainly leave it to the member's good judgement, but I would suspect that the same effect could have been reached by a much shorter quotation. However, the members knows the rules as well as Mr. Speaker, and he can carry on.

Mr. T. Reid: Mr. Speaker, I will try to conclude this—

Interjection by an hon. member.

Mr. T. Reid: It is very difficult, but I will try to do it. There were some students who made taped observations concerning what amounts to *ex post* racial discrimination in the public school system of this province. In view of this, I will give a few examples to illustrate the general point involved, Mr. Speaker:

The first one is from a student who obviously is an Indian student and this is his perception, and to him it is reality. He says:

> Well, I know one teacher who just does not like me and like whatever I do. Like every little thing wrong that I do they holler at me. They just look and pass it by with the white people.

So the point there is that it is not really necessary whether that is actually true or false, but that is the Indian child's perception of what happens to him and that to him, is the essential reality, and this is demoralizing.

Another student said:

> Perhaps the situation at home.

and this is a white student speaking:

> They do not live in a plush district, it is not a rich district in the community and maybe their own lack of initiative. I hate to brand a group for lack of initiative, but very few of them seem to persevere through high school.

Another example—and this is an Indian student, obviously, Mr. Speaker, a young Indian teenager in this so-called integrated school who says:

> Even if I want to succeed in school, I still could not get it. They think you are really dumb when you sit there and do not answer anything.

That, sir, is an example, if you like, of cultural conflict within the school system. The white man's culture basically stating that one is dumb unless one participates in a verbal sense.

Another student says this—again an Indian student speaking and this is reality to him. This is his perception of the school:

> I cannot talk to the guidance teachers about my personal life. I just cannot go in there and tell them why I cannot study—why things are like that at home. I just cannot say anything. I just cannot say I will try. I will not tell them why. I just cannot talk to them like that.

The conclusion one can draw from that, Mr. Speaker, is that in this school there should be at least one guidance counsellor who understands the cultural life on the reserves.

Another example of the general problem of discrimination against Indians in this province in the public school system under jurisdiction of that minister is this. Again it is an Indian student speaking, again it is his perception of reality as opposed to the teacher's perception of reality. The Indian student says:

> I think I really did beat the girl, you

know, but I beat her in two averages, in the last two anyway—maybe they just that—well, maybe it is wrong, I should not say it—well, it just might have been that, you know, that they preferred a white girl to have it.

The report concludes with some recommendations, Mr. Speaker, and these recommendations I highly endorse.

The first one is—and I will put this in my own words, but relying heavily on their text—that it is absolutely essential—and remember they did this on the basis of objective research over a long period of time—that the parents of the Walpole Reserve be involved in some form of continuous contact with the Wallaceburg schools. Indian parents, I think, desire that their children should do well in school and certainly this report substantiates that. But some parents do not know how to support the objectives of the school.

Further I endorse the view of the objective report that personal contact initiated by the school frequently does not make the parent feel that he or she is welcome. So this goes back to our earlier discussions about education generally. For Indian students in particular and their parents it is absolutely essential that the cultural gap be narrowed.

The other thing that must happen if we are to create the type of society in which the OPP do not think Indians are inferior—because a lot of Indians will have had good education and so forth—is that integration must be redefined to go beyond the mere physical mixing of white and Indian pupils.

Finally, I conclude this part of my remarks, Mr. Speaker, by asking a few questions which the researchers also asked—and they set out broad areas of study. These questions are as follows, and I think the Minister of Education of this province must be responsible for answering them.

Does streaming into programmes set too early limits on pupil aspirations? What are the criteria for placement in the various groups? Is there a place for courses relevant to Indian interests, say Ojibway, for an anthropological approach to race? Which effective learning programmes related to inter-racial undertanding can be fostered by the school?

Will Indian pupils relate more closely to a counsellor of Indian background? Could an adult education programme initiated in co-operation with the Walpole education committee have more impact upon children than say the appointment of supplementary school specialists?

That concludes the close reference to this objective research study, Mr. Speaker, but just to underline the essential point again, to make sure that it is clearly understood in the record, it is this: That in this so-called racially integrated high school in which there now is thorough independent, long term—in terms of six or eight months—research done, the conclusions cannot be refuted. They cannot be dismissed as the rantings of some opposition politician. They have to be dealt with and answered factually, and I just go right down to these two points again.

Eighty per cent of the drop-outs in this school in that particular year, 1968-1969, came from the two- and four-year streams. Eighty per cent of the drop-outs came from the two- and four-year streams.

Indians, while only being seven per cent of the total enrolment in the school, are concentrated overwhelmingly in the two- and four-year streams. That is 80 per cent of the Indians in that school are in the two- and four-year stream.

So there you have evidence, Mr. Speaker. Factual evidence, positive evidence, if you like. Evidence that enables you to ask serious questions of this government concerning their mouthings of racial integration of the Indian into our school system.

In a sense it is a form of discrimination that is worse than simply bussing the Indians to a white man's school. They go to that school. They end up in the two- and four-year programmes, and they are the ones that make up the drop-outs out of the school. I think the minister has an obligation to all the people of this society to answer the accusations of Lionel Orlikow and Mike Lourim in their detailed case study of racial discrimination against Indians in the schools of this province.

Mr. Speaker, keeping in mind your comments about the rules of the House, I was wondering if I could have your permission, sir, to attach as an appendix to *Hansard* a particular report?

Mr. Speaker: That is a custom which was adopted here and which we find to be very satisfactory.

[See appendix]

Mr. T. Reid: Thank you, Mr. Speaker.

The document which I would like to have attached to *Hansard* as a report is a slightly edited brief to the Board of Education of the City of Toronto by a group of mothers from Trefann Court in Toronto. It is a brief that has to deal with their perception of the

opportunity classes – so-called opportunity classes—in the elementary schools in the city of Toronto. It is a brief, Mr. Speaker, which is dated February 10, 1969—less than a year ago—and signed by seven mothers from Trefann Court.

Let me make it quite clear, Mr. Speaker, that these mothers are, if you like, mothers who are poor in the economic sense. They live in the inner city of this city, and their children are in the education system of this city. It is their brief, if you like, the voice of the poor, the politically disenfranchised in this city, in this metropolitan area, in this province and indeed in this country.

It is their perception of reality that I want to attach to the *Hansard* of this House. I think it is time that the poor were able to get their voice right into the official record of the Legislature of the Province of Ontario.

So this brief, Mr. Speaker, deals again with many of the things I have been talking about in this House for the last three years concerning the incompatability of the public education system in this province to meet the needs of the children of the poor in our society. Again, for the reasons I mentioned earlier for quoting at length from a research brief, Mr. Speaker, I think it is important to have this in the record, particularly in light of the Minister of Education's fraudulent release of a document that stated the poor had equal access to post-secondary education in this province compared to the non-poor.

This is another case study if you like, not done by qualified researchers, but done by mothers, parents, who find that the education system as they perceive it is not serving the needs of their children.

The background of the opportunity classes in the elementary schools of the city, Mr. Speaker, is this: There are, or were a year ago, 1,750 pupils who were in these so-called opportunity classes. The question these mothers were asking had to do with who gets into those classes. They make points like—it is a very sort of gutsy thing—they say that they are citizens and parents of children in downtown Toronto, the area that provides most of the city's opportunity class children in elementary schools. They say that time after time they have seen their children come home from these classes in elementary schools feeling humiliated and ignorant. They go into an analysis of how they see children being admitted into these opportunity classes that are packed with the children of the poor. They said the process of admission, of decision-making, of how these children get into these so-called opportunity classes, is degrading to the children. It is humiliating to them in front of their schoolmates and in the community at large.

They state that their perception of these opportunity classes is that they are a harsh statement of inadequacy. They say that the children in the opportunity classes are constantly mocked as dummies or retards, and are excluded from the basic social life of these elementary schools which have such classes.

They say what happens to their children who get into these classes is that they are told that you are very dumb and that you can stay on the bottom of society, both economically and socially, forever.

In other words in such a situation in this province, Mr. Speaker, the children who are seven, eight and nine are condemned as dummies. That is very serious, because most of those children tend to be children from low income homes, and these mothers call these classes, so-called opportunity classes, the "dead-end division" in these elementary schools in this city.

Here is a quotation I think should get on the record.

It says that the mothers say:

> What we are increasingly led to think is that the school system whose opportunity class is a dead-end division just is not set up to be meaningful for our kids. It does not relate to things they know about and care about. It does not touch the world as it is experienced by people who do not have much money, who are forced to take society's hard and boring jobs, who are constantly threatened by unemployment, who are harassed by welfare officials or the police.
>
> The school system does not understand what it means to be a person with integrity under these circumstances or where to find life and friendship. So the kids slide away and turn their minds and their hearts off and many of these who turn off the most end up in opportunity class.

Mr. Speaker, it seems that the voice of these mothers must be heard in this place. This is what they are saying about the education system which receives funds from this budget. It seems that their voice must not only be heard, but their complaints must be looked into. Their complaints must be looked into seriously and not simply dismissed.

They state it very bluntly and very clearly. They say:

> To put this another way: It appears as if

> the school system directly discriminates against children from poor families and also from immigrant families in such a way that the kids drop out of the more substantial programmes into the dead-end stream.

And then the report, Mr. Speaker goes on and analyses where these opportunity classes are located. They are located south of Bloor Street, seven of them. All the elementary schools with this opportunity class stream are located where new Canadians and poor Anglo-Saxons live. Not one of these schools with an opportunity class is north of Bloor Street.

Just a few hard statistics, Mr. Speaker, to cement the case that others are making, and remember they researched these. They looked them up. They go into the teacher qualifications and they take a look at the schools in the poor areas of the city and they say they tend to have less experienced teachers and then they document this.

They then go into very specific programmes. Let me just give an example. They compare the percentage of students in non-academic courses in the city of Toronto with North York and they find that in the city of Toronto over 53 per cent of the students are in non-academic courses compared to only 30 per cent in North York. The percentage of families with incomes under $3,000 in Toronto is 22 per cent compared to North York, which is only eight per cent. Conversely, the percentage with incomes of $7,000 or more in Toronto is 24 per cent, and in North York it is 42 per cent.

The correllation is a very simple one. In the higher income school board areas of Metropolitan Toronto there are more kids proportionately in the academic courses. In the lower income areas the kids end up in the non-university geared courses. The mothers go on and they quote social planning council area statistics, and so forth.

The mothers say very clearly, Mr. Speaker, that what all these figures say to us is that the school system directly discriminates against the poor and the immigrants and that the streaming of children into technical and special education is part of that discriminatory process.

The report concludes with this—and I will put this in the record. They ask the questions:

> How many kids currently in opportunity classes are slightly below average and how are they distinguished from the children of very limited ability and those unable to function as part of a larger group? These questions are crucial to our understanding of the opportunity class situation now.

Further they state:

> If self-contained opportunity classes are not considered a good idea for kids who are slightly below average, what about the whole system of self-contained special education high schools. Are they a good idea? Is it any more harmful for children to go to special schools for dummies and retards than to go to special classes for dummies and retards? We do not think it is any more helpful, and we suspect that a whole lot of other people agree.

The mothers conclude:

> The question is if opportunity class is not good for some, why is it good for any kids at all?

It is signed by Mrs. B. Dawson, Mrs. N. Gaudette, Mrs. E. Guerin, Mrs. S. Hayward, Mrs. M. Lemay, Mrs. S. Livingstone, and Mrs. P. Tomlinson.

Mr. Speaker, in concluding my remarks on the budget debate—

Interjections by hon. members.

Mr. T. Reid: Just for that I have another couple of remarks to make. If the members to my left were not so vociferous in the labour debate, I might have finished much earlier.

In conclusion—I apologize to my hon. friends on the left for imputing motives which I thought were characteristic—the Minister of Education issued a press release which stated that on the basis of the data he had put in that report the poor in Ontario, the Indian particularly, but the poor generally, the lower economic groups in this province, were getting into post-secondary education in proportionate numbers to their numbers in society.

I have put on the record of this House one case history of the way in which there is racial discrimination against Indians in our education system; and secondly, a perception of the school system by a group of poor people in this city—and they do not jibe with the minister's manipulated statistics.

I think this should be there in the report. I think it is important. I hope the minister will listen, but particularly that the people of this province will listen and realize that this is not the "province of opportunity". It is not "a place to stand" for at least 20 per cent of the people of this province; and this government should do something about it.

Thank you.

Mr. Speaker: The member for High Park is continuing his budget speech, I believe—

Mr. M. Shulman (High Park): Beginning it.

Mr. Speaker: Oh, I thought you did part of it the other night.

Mr. Shulman: I was waiting patiently, Mr. Speaker.

Mr. Speaker: The member for High Park has the floor.

Mr. Shulman: Mr. Speaker, tonight I would like to discuss with you and some of the eavesdroppers the role of organized crime in this province. It is a problem which has been overlooked by government; in fact, ignored; in fact, denied by government for many years. It is a problem which has grown as a result of that denial by one Attorney General and its ignoring by two Attorneys General who followed him.

One area in which the government is fully aware of the problem of organized crime is in the construction industry. I would like briefly to deal with that matter before going on to the more general problem. In 1968, three police forces, Metro intelligence, the OPP intelligence and the RCMP intelligence, set up a special task force to investigate violence and organized crime in the construction industry.

The representative for Metro intelligence was a gentleman named Roy Soplet. The man from the OPP was a Mr. Grice. They, together with an RCMP officer, prepared four separate reports. The last was prepared in February, 1970, and each of these four reports was passed on to the Ontario Police Commission. In turn, the Ontario Police Commisison passed these reports on to the Attorney General (Mr. Wishart).

The final report—the one in February, 1970—requested a royal commission to look into the problems of organized crime in this province. Messrs. Lee and Thurston of the Ontario Police Commission have been working very hard on this problem, doing the research for this past year, preparing for a royal commission to look into the problem and they are now prepared to proceed with the royal commission, if and when the government ever gets around to ordering it.

Now the government had three courses, or I should say, the Attorney General had three courses possible that he could follow when he received these reports. He could have released the report to the public to let us all know what is going on in this province; he could have ordered the royal commission that the Ontario Police Commission officials have requested or he could have suppressed the information. He chose the latter course. We had no royal commission. We have not seen the report, or at least the public has not seen the report. The information has been carefully suppressed.

And this is how I happen to have the information which I am about to give to you, and I think it is important to bring this out at this time because we have heard a great deal here in this House and in committees and in royal commisisons set up by this government, about the duties of judicial officers and how terrible it is to give information to members of the Legislature.

And I want to pose to you, Mr. Speaker, the problem of a police officer, or judicial officer, perhaps a member of the Attorney General's department, who has worked very hard, who has discovered all the information about organized crime in this province or in one sector of this province, who brings that information to the Attorney General and the Attorney General decides to do nothing about it.

What is that officer to do? Is he to say, "Well, he is the Attorney General, he knows best. We will just forget the whole thing and carry on. I will let the Papalias and the LeBarres"—and the others who I am going to name—" we will let them have their way. The Attorney General knows best." Or is he then to give up his job and quit, give up his livelihood and release the facts, or is he to send the facts to a member of the Legislature so that they can be brought out here?

I submit to you, Mr. Speaker, the choice is very clear. And when people criticize those officers for doing that they are really criticizing the officers for carrying out what is in effect their public duty. Well, what is in these reports? What is in the final report, which is the important one?

By coincidence, some familiar names appear in the report. Two of the names are the same ones that were looked into in the royal commission that we just went by. The one that strikes me, of course, is Papalia, Johnny Papalia. His name is always there, Johnny Papalia of Hamilton fame, of Mafia fame. We will discuss him in some detail a little later. But in summation, the report states as follows:

> 1. A phoney union, the Canadian Concrete Formers Union, Local number 1, was set up through intimidation and coercion by the employers—

and I say employers not employees:

> —in co-operation with a few unscrupulous, renegade so-called labour representatives.

This union was set up in order to prevent the employees being represented by a real union which would act for their rights and which would assert those rights.

The extremely upsetting thing about this whole story of the setting up of the sweetheart union is that this was fought only by labour unions with no help from the labour board, with no help from the OPP, with no help from the government. Whatever was done was done by the labour unions alone and they had a very difficult fight, and I will tell you about it in some detail later this evening, I hope.

2. The front for this union was one Bruno Zanini.

3. The brains, and the man immediately behind Zanini, was Charles Irvine.

4. An honest labour leader, Mr. Gus Simone had his life threatened when he refused to go along with the orders given by Irvine.

5. Contractors who did not sign up with the new union had their equipment damaged and had fires set on their jobs. Some contractors were threatened bodily, and in one case an incriminating lewd picture was used to blackmail a builder.

6. Certain union leaders travelled to the U.S. during the wave of sabotage to consult with unionists boards in the United States who were closely associated with known Cosa Nostra figures. These same union leaders recently met with their Metro counterparts at a large Metro hotel.

7. Bruno Zanini told wavering followers that they had better stay in line because he had a rough friend in Hamilton by the name of Johnny Papalia who would come down and do what was necessary if they did not.

8. Illegal strikes were organized, not by the employees but by the employers themselves. And the reason that these employers ordered or arranged that their employees go out and get on strike against themselves sounds strange to begin with, but the reason is very simple. After these employees were ordered to go out on strike and they stayed out for two weeks, these contractors then went to the builders involved, after organizing this phoney strike and said, "We will have to have more money in our contracts otherwise these people are going to stay out forever." And the builders coughed up.

Crooked employers, crooked construction employers, set up a crooked union to set up a crooked strike, a phoney strike, and it was used for the benefit of the employers. It is in the report. And I should point out—and I think this is important—that Bill 167 that the government is so proud of has now brought the construction employers into an association so that they can more effectively counteract the work of the unions in that industry protecting their workers.

The government just either is unaware or does not care about the role of the working man in this field. Finally, although all of this began in 1968—and when I say all of this I mean the investigation, because the trouble began in 1965—but although all this investigation began in 1968 and the last report was handed to the Attorney General last February, the surveillance by the intelligence of these three police forces has continued and they find it of great significance.

They have informed me, that the meetings of these people have continued. On Friday, April 17 last, there was a meeting that took place at the 300 Club on College Street in Toronto. Present were Charlie Irvine and Bruno Zanini. They met with the representative of the Mafia from Montreal, and a fourth man who was present; his name was Danny Gasbarrini.

I am going to give all the details of this matter as available to me from information taken from the report later tonight or tomorrow. But I wish to digress just for a moment to discuss the known members of the Mafia, the ones who we have had a great deal of information about, before this last royal commission was set up. Primarily Johnny Papalia and Donald (Red) LeBarre, who have been active in organized crime all of their lives. And they were called in front of this royal commission headed by Judge Campbell Grant.

If you will recall, Mr. Speaker, I guess the most serious allegation that I made in the Attorney General's estimates which led to the royal commission, was that these men were deeply involved with the Mafia and that they had connections with a man who was friendly with OPP senior officers. And the commissioner and the commission counsel, for reasons that shall forever remain a mystery, decided that this was not to be looked into, although they looked into the relationships of OPP officers very carefully, those relationships were looked into with perhaps greater than necessary care.

And we cannot blame the commissioner or the commission counsel for this, because the terms of reference drawn up by the Prime Minister (Mr. Robarts) and that crew over

there, were drawn so carefully that the commission counsel and the commissioner did not, according to the wording of the terms, have the right to look into the workings of the Mafia. They could not even inquire whether Johnny Papalia and Red LeBarre were members of the Mafia. The results were that when these men were brought into the stand, they made fools of John Robinette and everybody involved in that commission.

Any question that was directed to them which had to do with the meat of the matter, which in effect was are they involved in the Mafia and what is their role in the Mafia were ruled out of order by the commissioner.

To give a classic example, I asked Mr. LeBarre if it was true that last winter he met with Meyer Lansky, the financial genius in the Mafia. And the commissioner ruled that this was not relevant; it did not matter.

This was the attitude throughout. At no point in those hearings did we ever really establish what were the roles of Red LeBarre or Johnny Papalia. In fact, at the end of it the only evidence showed that Donald LeBarre was a bookmaker and Johnny Papalia helped in the sale of vending machines. That was their role. Well, of course, they made a fool of the commissioner and they made a fool of the government.

What about Johnny Papalia? A great deal of evidence was brought out about the various meetings he had had with the chief witness at the inquiry, but no evidence was brought out as to what he met him for.

How does Johnny Papalia earn his living? We do not know. He drives a Cadillac, a brand new Cadillac. There are a lot of mysteries about Johnny Papalia. He was sentenced to 10 years for heroin smuggling in the United States, but he developed severe tuberculosis, so severe that he was dying in prison.

You may remember, we had another case like that here in Ontario. The president of Northern Natural Gas was dying in prison and he was released, strangely, at the same time Johnny Papalia got released, or very close. Both made the same miraculous recovery as soon as they walked out of prison. Nice to have connections, Conservative connections.

What about the role of Johnny Papalia and Donald LeBarre in Hamilton? How does Johnny Papalia earn his living? My informant said he owns a piece of a very prominent enterprise in Hamilton called Diamond Jim's, so I thought the best thing to do was to go down to Diamond Jim's and inquire.

Mr. M. Gaunt (Huron-Bruce): Does he have a Diamond Lil's too?

Mr. Shulman: No Diamond Lil's, just a Diamond Jim's.

I learned two things about Diamond Jim's. It is a very interesting place in Hamilton—and I am going to come to Chief Mackey in relation to this in a moment.

Mr. R. Haggerty (Welland South): Why did the member not tell all that information to the court?

Mr. Shulman: I wanted to, but they ruled me out of order.

Mr. D. C. MacDonald (York South): Where has the member for Welland South been tonight?

Mr. R. Gisborn (Hamilton East): Is the member for Welland South cringing?

Mr. Shulman: Just to get that point straight: I asked the commissioner if all these matters could be brought out, the matters I am going to bring out tonight, and the commissioner ruled that they were not relevant, they were political and I should take them to the Legislature, so here I am with them.

Now you do not need a royal commission to look into organized crime in Ontario—but these are not my words; these are the words of Lee and Thurston from the Ontario Police Commission. And perhaps we will get a real royal commission, not a phoney one, not a Parker commission, or a commission that cannot look into anything like this last commission because the terms of reference are drawn up so badly.

Anyway, to come back to Diamond Jim's. I went down to Diamond Jim's and spent two evenings there. It was very interesting. This is the hangout in Hamilton for known criminals.

Mr. J. W. Snow (Halton East): The member was in good company.

Mr. Shulman: And yet what does the Liquor Licence Board do about it? It is common knowledge that the Papalia brothers do their drinking there. It is common knowledge that you can hire a girl in that place or make connections for more serious matters in that place.

What is the Liquor Licence Board doing about it? Not a thing. They are spending their time making sure the word "beer" does not appear in Oktoberfest.

Chief Mackey gave instructions a few days ago, in the same city, in Hamilton, that the licensed establishments there could no longer have female help. They must fire all the barmaids. He said it is immoral. He says it is against the law for women to serve men in licensed premises.

I guess he did not read that law we are supposed to be proclaiming against discriminating in jobs for reason of sex.

But that is what he is spending his energy on. Why does he not take a look at Diamond Jim's?

Anyway, I went down to Diamond Jim's and I took a bodyguard along because—

Mr. T. P. Reid (Rainy River): What kind of body did she have?

Mr. Shulman: Unfortunately, it was not a she.

Mr. J. Jessiman (Fort William): He took his own.

Mr. Shulman: We went to see Mr. Minz who is supposedly the owner—sorry, I should not say supposedly; he is the owner of this particular place. He gave us a great welcome, "Delighted to meet you, Dr. Shulman. I have heard so many great things about you. What can we do to help you?"

Mr. T. P. Reid: He must have been drunk.

Mr. Shulman: He said, "Come on in and tell me what it is we can do for you." We went in the back room and we sat down and he and his assistant sat there and my friend and I sat on the other side of the table and I said, "Thank you very much for your co-operation. All I wanted to ask you is who is it Johnny Papalia drinks with when he comes in here?"

As soon as the words Johnny Papalia got out of my mouth, Mr. Minz jumped out of his chair as though a red-hot poker had gone through it, and said, "You get out of here. I do not want to talk to you. Get out of here right away."

Suddenly the welcome all disappeared. Johnny Papalia is a feared name in Hamilton, but perhaps he is more than that in Diamond Jim's.

So where are the Liquor Licence people looking? They are looking at the beer signs in Kitchener.

The funny thing is that in this royal commission they came very close to getting some information. They had a key man on the stand and they did not know it; his name is George Sebastian DePalmo. The funny thing is that neither the commission counsel nor the commissioner himself knew how close they were to organized crime when they had George Sebastian DePalmo on the stand.

They had him on the stand for a funny reason—really by mistake—but he did not know that.

Mr. Clinton Duke had an apartment on Bold Street in Hamilton and after all the excitement occurred he moved out of that apartment and he moved his furniture out. By dint of very clever detective work, the commissioner, or rather his representatives, discovered who moved the furniture and it turned out to be George Sebastian DePalmo. So they subpoenaed George Sebastian DePalmo to the royal commission and they asked him all about the furniture—why he moved the furniture, how he happened to move the furniture, all sorts of funny questions about the furniture.

They never asked George Sebastian DePalmo about the important things, because George Sebastian DePalmo happens to be a key member of organized crime in this province.

I asked the American police what their records showed about George Sebastian DePalmo. They do not have much, but they sent this up to me; I will read it in full, from the confidential squad in New York State:

> George Sebastian DePalmo was arrested at Peace Bridge, Buffalo, September, 1967, charged with possession of stolen diamonds. Was later acquitted. Described as white, male, born February, 1911, stocky build with ruddy complexion, known for his fondness for Palm Beach suits, which he almost always wears. Is believed to have been connected with the rackets in Hollywood, Florida, where he lived for several years before returning to the Hamilton area. Now lives in Turkey Point, where he operates a miniature golf course. Was present at important meeting between criminal types and American politicians last February.

Turkey Point: As you go through organized crime, Turkey Point comes up again and again and again in organized crime in Ontario.

Not Canadian members of the organized crime syndicate; Turkey Point is a meeting place for the Americans. It is a nice, safe place where they can come up to nice, safe Ontario and have their meetings and they are not bothered by that horrible FBI that keeps arresting them down in the United States.

Here there is a nice, co-operative Attorney General who does not like to bother organized criminals. So Turkey Point has become a favourite place. There are other favourite places, but I am going to come back to Turkey Point in some detail about who goes there.

But last April 10, 11 and 12 there was a conference at Turkey Point. Incidentally, in reference to Turkey Point, two of the Magaddino chiefs, Ben Nicoletti and Louis Tavano, travel there frequently; but I will come back to them later with more detail about that.

Anyway, the particular meeting I am talking about that George Sebastian DePalmo attended took place at Ed Cronk's trout farm in Turkey Point. Present were DePalmo—and incidentally, DePalmo for many years was a very active fence in Hamilton for organized criminals, and apparently he has now retired from that particular job. He ran a jewellery shop and was able to sort of combine his various enterprises—but in any case he lives in Turkey Point now.

He apparently helped to host this meeting, and it is interesting to look at the list of other persons who were present at this meeting, because it indicates what is going on in this province and what the Attorney General just does not want to see. It is not that he does not know about it because the OPP knows about it; the police commission knows about it and the Attorney General knows about it, but the Attorney General does not do anything about it.

Now at this meeting, besides DePalmo was James Sandanato. He lives in Niagara Falls, New York, and he looks after the loan-sharking there. Incidentally, financed by two sterling Canadian friends of his by the name of Iannuzzelli, who live in southwestern Ontario —we try to keep these enterprises not national, but international.

Also present was a gentleman named Danny Ferguson, representing Moe Dalitz of Mafia fame; Ralph Agretto, one of the owners of Caesar's Palace in Las Vegas, and three Niagara Falls, New York, politicians—their names are not too relevant except that one of them happened to be the city manager—I beg your pardon, I am sorry—three American politicians, one of whom happens to be the city manager of Niagara Falls.

I am going into all the different details, but I think that perhaps I should go back and give the basis of where I have received all of this information and break it down into departments—that is, smuggling, bookmaking, and so forth. I am going to list my sources so there will be no question as to where I received this information.

I am listing most of my sources. I am certainly listing the official ones in the United States, and this has involved a great deal of research and travel and these people deserve some credit because they have gone to a great deal of trouble in assisting me.

First is Michael Amico, the sheriff of Erie county. Mr. Amico has been of great help. I have spoken to him several times by telephone and finally I met with him and with his assistants in Buffalo and he has been most helpful.

Secondly, Edward Stillwell, the Bureau of Criminal Investigation, New York State Police, who also was very, very co-operative.

Thirdly, Mr. John Barnhart, investigator of the Bureau of Criminal Investigation, Justice Department task force on organized crime.

Fourthly, U.S. Attorney Kenneth Schroeder. He has been appointed by the U.S. President in an effort to break organized crime in New York. He has made a number of suggestions which would help us here in Ontario and I will be passing those on to you later in this presentation.

Five and six, detectives Maurice Gavin and Edward Palaschuk of the New York State Police. If I may digress for a moment, I must admit that occasionally the methods of the American police do seem a little strange because when I met these two detectives, they decided that we should meet in a motel room in Vineland of all places, in a place called the Beacon Motel. With some misgivings I travelled with a companion to this particular motel where I met these detectives, but they really were detectives and it was all on the up and up.

Number seven was Lieutenant Belkota, presently head of the confidential squad in the Niagara Falls, New York, police department.

Eight, detective Roy McGovern, an officer in the confidential squad of the Niagara Falls, New York, police department.

Nine, detective Tom Justiana, who has done a great deal of undercover work. He works for the confidential squad in the Niagara Falls, New York, police department. He has looked into the infiltration of Mafia money into Canada.

Ten, Mr. William J. Brown, the assistant director of investigation, Immigration and Naturalization Service, in Buffalo.

Eleven—and this man I must give special credit to because he has brought a number of confidential reports which I will be pre-

senting here—detective James Gray of the City of Niagara Falls, New York, detective division, formerly head of the confidential squad, who has been of immeasurable help.

Twelve, Mayor Lackey of Niagara Falls, New York, who advised the police there to co-operate with me and who has been of great help to me.

Thirteen, 14 and 15 were three Ontario detectives. They are officers who gave middling help. Detective James Moody, of the Niagara Falls, Ontario, police; Chief Wilson of the Niagara Falls, Ontario, police; and Deputy Chief Harris of the Niagara Falls, Ontario, police. The three of them met with me; their choice was a closed bar in Niagara Falls. We met and we had some preliminary discussions and they finally said they were awfully sorry, they would like to tell me more but they have to work with the OPP so they regretted they could not be more helpful. Fortunately the American police did not have this problem.

These are the men who have given me most of the information which I am going to present to you. I do not claim to have original information. This is information from police sources, and I believe it is accurate because of the senior level of these sources.

Now the salient features of organized crime are five, as follows:

1. Organized crime in its highly developed form, as we have it in North America today, is a prosperous business because it supplies wanted services which lie outside of the mores of society; that is, gambling, prostitution, narcotics, bribes and usurious loans. These criminal activities are continuing in nature, highly lucrative and compatible with monopoly control. Profit is the dominant motive.

2. Fear is the principal tool of this kind of organized crime. Fear to ensure that public officials will not take action, that victims nor members will not inform, that potential competitors will not compete and that potential customers will become active customers. And we have a perfect example of this down in Hamilton. I will get to this later.

3. Corruption is essential to the prosperity and continuity of organized crime. It continually blunts the attack by honest and aggressive criminal justice agencies. And I could add to that; in addition to corruption we can have lackadaisicality, which we have here because no one would ever accuse this Attorney General of corruption. We know him to be an honest man. But it can be just as bad if you refuse to act, and that it what happened here. And I will come to this also.

4. Organized crime is penetrating increasingly into legitimate areas of business by fair means or foul. No sector of the economy is safe from its inroads. Once in a business, organized crime brings with it gangster tactics and seeks anti-social ends such as monopoly control. This is particularly obvious in areas such as cigarette vending—any of the vending machines. They particularly like this particular type of legitimate or semi-legitimate business.

5. The major racketeers in organized crime do not engage directly in any substantive crime but rather are involved in high-level planning of criminal activities. They are insulated by one or more layers of underlings. As a result, the top individuals usually can be prosecuted only for conspiracy. Sometimes a tie-in between top echelon figures and their criminal activities must be made through as many as a dozen linking individuals who insulate key racketeers from their criminal enterprises.

To give you an example of that, just this morning I received a chart from the files of the Niagara Falls, New York, confidential unit which showed all the persons in the Niagara Falls-Buffalo-Hamilton-Toronto-Montreal area involved in organized crime, with the man at the top being Salvatore Pieri. He is the boss and he would come under the Magaddinos. It is interesting, as we trace down, before we get down to, say, Johnny Papalia, we go through one, two, three, four other names which indicate how they insulate each other, one from the other. Johnny Papalia is at a relatively low level, even though he is a big shot in Hamilton.

And so we go down the names, and here are the details. And yet these men are not being bothered here in Ontario. Numbers of these men come up here frequently, regularly; some of them live up here; but we will come to some of them later.

Well the activities which organized crime engage in can be roughly divided into six areas.

First, organized crime's greatest source of revenue is gambling. Activities in this field include off-track horse-race betting, betting on sports events such as football and basketball games, illegal casinos and lotteries. And let me give a word of praise to the member for Downsview (Mr. Singer). He has been hitting at this—

Mr. S. Lewis (Scarborough): Just a word.

Mr. Shulman: He has been hitting at this problem of off-track betting, and the Attorney

General has refused to move on it. He deserves a word of praise here, and I have no hesitation in saying that he took the lead in this.

Evidence of a substantial warren of certain gambling activities is evidence of organized crime because the activities are illegal and by their very nature require organization.

A second activity of organized crime, is the operation and use of legitimate businesses. While the degree of infiltration of organized crime into legitimate business cannot be measured, most law enforcement officials agree that it is substantial and it is increasing.

As the task force on organized crime points out, criminal syndicates have a substantial competitive advantage over legitimate concerns in the business arena. Gambling and other illegal enterprises provide a ready source of capital. Strong-arm tactics and extortion are used to gain competitive advantages along with more sophisticated techniques.

And, if I can digress, as we look back in Hamilton to the vending machines, there used to be a number of companies distributing cigarettes, yet when the principles of Monarch Vending came into that business the competition disappeared very quickly.

A third activity concerns labour racketeering, and I will be discussing that in some detail. Sometimes unfair competitive advantages over legitimate businesses are secured by infiltration of labour unions, resulting in preservation of non-union status for syndicate businesses, and the promotion of "sweetheart" contacts between these businesses and the subverted unions. Further money may be made by union infiltration, even without the involvement of syndicated businesses. I will give you an example of that also.

A fourth activity of organized criminal elements is loan sharking. Victims are small businessmen, narcotics users, gamblers and other persons who cannot secure credit elsewhere and are forced to borrow at usurious rates. The use of force or threats to one's safety or that of his family minimize protest. They have laws against that in the United States. We do not here.

Fifthly, the sale of narcotics has frequently been associated with organized crime, but many officials believe that adverse publicity and the possibility of severe criminal penalties have caused organized criminal groups to confine their activities here to importing and wholesale distribution.

Lastly, prostitution and bootlegging provide a small portion of organized crime's revenue. However, its activities in these fields have declined drastically in recent years.

First of all I would like to talk about heroin smuggling. I expect to go through all of these groups, or the important ones, in the course of this, but I want to give you the details of a recent heroin smuggling scheme that took place in this province.

First of all, to give the background, I want to refer you to a special report on the illicit traffic in heroin which was published by the United States Senate on October 23, 1965, which outlines in detail the methods of illegal trafficking of heroin. It points out that large amounts of this drug are smuggled from Canada, from Montreal and Toronto specifically, into the United States. To quote from the report, and I am not going to quote at length, but just the part that refers to our province:

> The hearings held by the subcommittee examined the widespread illicit traffic in narcotic drugs, studied the operations of criminal elements in this field, and gave attention to the many critical effects of narcotic addiction. Prior to the early 1950s, the bulk of US imports of heroin flowed into the port of New York. Rigorous law enforcement brought changes in the routes. A great deal of heroin is directed into Canadian ports of entry, principally Montreal and Toronto, where narcotics were delivered to confederates of the Corsicans such as the Agenci brothers in Toronto. The French Corsican traffickers, greatly disturbed top receivers of heroin shipments in the United States and in Canada by establishing an operating point in Mexico City, from which large quantities of heroin have been despatched to the American underworld.
>
> A preliminary factor in any study of the narcotics problem is the tremendously high cost of addiction, which the bureau has estimated runs at $350 million a year. That sum of money represents the cash paid by addicts for supplies at the student level, but does not take into account the cost of law enforcement in the narcotic field, nor the funds required for treatment and rehabilitation of addicts. It does not reflect the damages sustained by the national economy in supporting the criminal enterprise which has so vast a gross revenue. The total sum represents a series of fantastic price increases that rise in geometric progression once the opium is harvested in the Turkish family field and begins its journey along the traffic route.

The farmer in Turkey who surreptitiously withholds part of his annual crop of opium from the government's opium monopoly sells it to the underworld brokers for an attractive price above the official market price offered by the monopoly. The farmer's average return for raw opium is estimated at $35 per kilogramme, which would give the farmer a return of $350 per ten kilogrammes. The brokers who buy the opium, smuggle it into Syria and Lebanon where it is processed into morphine.

Ten kilogrammes of opium are required to produce one kilogramme of morphine, which is then sold to traffickers for $700 per kilogramme. It is then shipped to France where laboratories process at nominal cost most of the narcotics used in the United States and Canada, and the morphine base is turned into heroin.

One kilogramme of morphine base produces one kilogramme of heroin, which is then sold to racketeers at $3,500 per kilogramme. When the racketeers smuggle the kilogramme into Canada it is sold to traffickers here for approximately $10,000. It is then smuggled into the United States where it is sold to a wholesaler in the underworld for about $18,000. The wholesaler then splits the kilogramme into four lots of quarter kilogrammes, each of which he sells to a distributor for $8,000, bringing a return of $32,000 for the kilogramme at this level of the traffic.

Once the heroin is in the hands of the underworld distributor, he adulterates this to increase the original kilogramme to four kilogrammes, by the addition of a sugar-like substance which tastes similar to heroin, and in fact is lactose. This so-called pure heroin is actually about 80 per cent heroin and 20 per cent inert ingredient.

After adulteration the narcotic weighs 140 ounces and is only 20 per cent heroin. The distributor then sells each ounce to pushers at the street level at $500 an ounce. The price at this transfer point has risen to $70,000 for the original kilogramme of heroin.

The street pusher adulterates the heroin once more, reducing it to five per cent of purity, thus increasing the original kilogramme to 16 kilogrammes. Each ounce of the 16 kilogrammes is packaged into approximately 80 small packets, called bags, each containing five grains of five per cent heroin. The 16 kilogrammes produce 40,000 packets which are sold at $5 to the addicts on the street. Therefore, the original $35 kilogramme of heroin represents a street level total cost of approximately $225,000, although this ultimate cost cost may rise sharply in periods of short supply.

The Mafia has this thing sewed up. They stepped into a vacuum there and took it over completely.

I am still quoting:

> The resurgence in heavy traffic from Italy to the United States lasted about four or five years before the heavy pressures of law enforcement by the Italian police and the Bureau of Narcotics forced the Mafia traffickers into the choice of other routes and techniques.

I will end my quotation there and that is how they happened to start bringing it in through Canada. This report—and I do not want to go into great detail, it is a lengthy report—stresses the importance of the Carlo Gambino family in the smuggling of narcotics.

Late last year, the FBI learned, through methods of electronic surveillance, that the Gambino family intended to smuggle a major shipment of heroin into the United States from Canada. The method of smuggling to be used was to place the heroin inside large cheeses and send them across the border in the form of a normal, commercial shipment.

On April 11 and May 2 of this year, Paul Gambino, a brother of Carlo Gambino, accompanied by one of the family's lieutenants, made two separate visits to Toronto. He checked into the Highway 27 motel and then visited several known hoodlums in Toronto. Preliminary arrangements for the heroin shipments were completed on May 2. The target date was August 1. The OPP were fully informed.

Early in the week of June 1, an Ontario policeman—I use those terms advisedly because I do not know from what force he was—deliberately leaked the entire story to one Paul Minvielle, a reporter of the Hamilton *Spectator*. His paper printed his story on June 6, 1970, without mentioning the detailed smuggling plans.

Actually, what they did do was give the details of the Gambino visit up here; it did not even mention heroin. But as a result of Minvielle's story the persons involved were warned and the heroin shipment was cancelled. Police forces involved were extremely upset, and the FBI was furious. Because of this Ontario leak, they are now dubious about supplying other information to Ontario forces.

It has never been established who leaked this information. And let me stress to you,

Mr. Speaker, the tremendous difference between a police officer who carelessly or otherwise gives out key information that can help lawbreakers if it gets back to them, and a police officer who comes to a reporter or to a member of the Legislature to complain about the law not being enforced. There is a tremendous difference.

At the royal commission which was just concluded, Mr. Weir, the lawyer for the OPP, tried to draw a parallel between the two, but there is no parallel. One man had diarrhoea of the mouth and ruined two years of police work; the other men are attempting to improve police work in this society so that the Mafia can be wiped out of it.

Two other incidents indicate that those persons interested in narcotic smuggling are maintaining their international connections. First, a top-level meeting of Mafia chieftains took place in Acapulco on February 24, 1970. Present was an acknowledged leader, Meyer Lansky—he admits it himself—plus the Silver Fox, a mysterious Frenchman, active in the importing of opium, refining it and exporting the heroin from Marseilles to Canada and the USA. Unfortunately he got away before the Mexican police could get his name.

Two Ontarians were present at this meeting—Mr. Rocco Papalia of 184 West 31st Street in Hamilton, and Mr. Donald Red LeBarre of 904 Francis Road in Burlington. The royal commission did not wish this matter to be looked into at the enquiry.

The second incident: Mr. Rocco Scopeletti, convicted in 1962 on a conspiracy charge in a $150 million narcotics import racket, was released from US federal penitentiary quite recently, and he returned to Toronto. He was watched by the police. He visited John Papalia at the Monarch Vending Machine Company on Railway Street in Hamilton. Papalia was convicted in the same conspiracy in 1963, but he had been released in January 1968 because it was believed he was dying of TB.

Monarch Vending Machines is a key centre for the associates of Papalia and this company has a near-monopoly of cigarette machine distribution in the Hamilton area. The company was only set up in 1958 but its competition soon lost most of their business. According to Professor Ted Mann of York University—and I quote: "Police believe that the cigarettes vended were often stolen and that the machines got placed through threats more than persuasion on the business concerned."

A search of the Provincial Secretary's (Mr. Welch's) files shows that the directors of Monarch Vending are Bruno and Maxine Monaco of 57 Terrace Drive in Dundas, Ontario, and John Fogarty of 20 Salem Avenue in Hamilton. Among ex-directors are Frank Papalia and Arthur Tartaglia of 20 Belair Drive in Hamilton. Mr. Tartaglia is the excellent salesman who is responsible for persuading so many storekeepers to place the Monarch machines.

This is the most recent incident involving heroin smuggling. This particular incident has done a great deal to destroy morale in various police forces involved in intelligence work. It is certainly a very important incident in removing the confidence of American officers—and let me say that one reason many of these officers co-operated with me was because they felt there had not been co-operation from their counterparts over here. There was tremendous co-operation in the more key items of arresting our hoodlums and sending them back as they do with ours—and I will come to that in some detail later on.

The second matter I wanted to go into—

Mr. Speaker: I wonder if the hon. member would consider this an appropriate time to move the adjournment of the debate because there is less than five minutes left of the evening session.

Mr. Shulman moves the adjournment of the debate.

Motion agreed to.

CONCURRENCE IN SUPPLY, DEPARTMENT OF TREASURY AND ECONOMICS

Clerk of the House: The 22nd order, concurrence in supply for The Department of Treasury and Economics.

Mr. Speaker: Is it the pleasure of the House that this resolution be concurred in?

Resolution concurred in.

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, tomorrow we will proceed with the budget debate and legislation.

Mr. V. M. Singer (Downsview): Mr. Speaker, could I ask the House leader what legislation he has in mind?

Hon. Mr. Grossman: Committee of the Whole House, bills in the name of the Minister of Financial and Commercial Affairs (Mr. A. B. R. Lawrence); second reading of The Municipal Act in the name of the Minister of Municipal Affairs (Mr. McKeough); second reading of bills in the name of the Minister of Highways (Mr. Gomme), and any others which may be printed and we may have time for.

Mr. Singer: Can we anticipate the bill in the name of the Minister of Public Works (Mr. Simonett)?

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10.30 o'clock, p.m.

APPENDIX

ELEMENTARY SCHOOL OPPORTUNITY CLASSES

(A Brief from a group of mothers in Trefann Court, Toronto, to the Board of Education)

Introduction

We are citizens and parents of children in downtown Toronto—the area that provides most of the city's Opportunity Class children in elementary schools (1,750 pupils).

Time after time we have watched our children and our neighbours' children come home from these classes feeling humiliated and ignorant. And while we watched we were certain that these children had the capacity to lead full and useful lives in their society.

This has been our experience. But our problem is to find some way of showing that our experience is not limited to our own neighbourhood. We believe there are many in our position. For when we talk to people all over the city we find them saying much the same things we do about the situation in their local school's Opportunity Class. It's difficult, however, to get hold of the whole picture.

How Children are Admitted to Opportunity Class Programmes

We start with something we see as clearly harmful: the process of admission. The standards applied when our children are put into Opportunity Class result in the children being humiliated in front of their schoolmates and in the community at large. Opportunity Class is a harsh statement of inadequacy.

The children in Opportunity Class are constantly mocked as "dummies" and "retards" and are excluded from the basic social life of the school. It's not good enough to tell us that somebody "carefully plans" to have our children "make useful and rewarding contributions to school assemblies, bulletin board displays and open houses", possibly the three most meaningless school activities and viewed by most children with great cynicism. Our kids in Opportunity Class are simply not integrated into the school. In the halls, the schoolyard, the gym, at recess time, after school, these kids get one clear message from the other kids: you're dumb, you're good for nothing. Their teachers may not be so direct, but they act pretty much as if those statements are true. Any teacher who imagines he has to spend a considerable amount of time "carefully planning" a contribution to a bulletin board, certainly doesn't consider his students are capable of much.

When you are admitted to Opportunity Class, then, what the society is saying to you loud and clear is that you are very dumb and you can expect to stay on the bottom both economically and socially. That is a very large centre-shot for any child, but what worries us most is that we don't think the humiliation was necessary in the first place, because we don't think the kids in Opportunity Class are all that dumb. In fact, in their own neighbourhoods, a lot of these kids seem pretty bright. How come people say they're so dumb at school?

What we are increasingly led to think is that the school system—with Opportunity Class as its dead-end division—just isn't set up to be meaningful for our kids. It doesn't relate to the things they know about and care about. It doesn't touch the world as it's experienced by people who don't have much money, who are forced to take society's hard and boring jobs, who are constantly threatened by unemployment, who are harassed by welfare officials or the police. The school system doesn't understand what it means to be a person with integrity under these circumstances, or where you find life and friendship. So the kids slide away, and turn their minds and their hearts off. And many of those who turn off the most end up in Opportunity Class.

To put this another way, it appears as if the school system directly discriminates against children from poor families—and also from immigrant families—in such a way that the kids

drop out of the more substantial programmes into the dead-end streams. Unless you think that rich people are smarter than poor people or that Canadians are smarter than foreigners, how else do you explain the fact that most of the Special Education facilities are filled with the children of poor or immigrant families.

Look, for example, at where the Special High Schools and Vocational Schools are placed: near where most of the kids live, south of Bloor Street: Castle Frank H.S., 711 Bloor St. E.; Bickford Park H.S., 777 Bloor St. W.; Brockton H.S., 90 Awde St.; Heydon Park Vocational, 11 St. Anne's Road; Parkway Vocational, 1 Danforth Avenue; Eastdale Vocational, 701 Gerrard St. W.; West Park Vocational, 2422 Dundas St. W.

All these schools are located where new Canadians and poor Anglo-Saxon live. Not one of these schools is north of Bloor Street.

What about the situation at Bickford Park High School, where between 1965 and 1966, 27 per cent of the students were born to Italian parents?[1]

There are figures which show that schools in poor areas tend to have less experienced teachers: A survey of statistics available from representative schools in the Toronto district in the school year 1967-68 showed that, when you excluded the principal and the vice-principal from the calculations, the years of experience for teachers in schools in poor areas ranged from 5.4 to 6.1 years, while in schools in high socio-economic areas the figures ranged from 8.4 to 14.7.[2]

There are statistics which show that students in wealthier areas of Metropolitan Toronto are much more likely to be in the academic stream in Toronto (and so in line for university and better jobs) than those students from low income areas.

Here are figures, for example, which compare the number of children in the academic programme and the family income in North York with that of downtown Toronto:[3]

	Toronto	North York
per cent of students in non-academic courses	53.3	29.5
per cent of families with incomes under $3,000	21.9	8.2
per cent of families with incomes $7,000 and up	24.1	42.2

Another set of figures compared the number of students taking the academic course in an area in Don Mills (Social Planning Council Area No. 27) with an area in downtown Toronto (Social Planning Council Area No. 5, the area between the CPR tracks, Queen Street, Bathurst and Dovercourt). The Don Mills area had an average family income of $8,490., and the downtown area had an average income of around $3,811., which makes it wealthier than the Trefann Court area. In the Don Mills area 81.3 per cent of the students were enrolled in the academic courses; in the downtown area only 14.1 per cent of the students were to be found in the academic stream. Even when neighbouring Social Planning Council areas were added in each case (in order to correct for some bias in boundary discrepancies in the downtown area) the suburban percentage in the academic courses remained over three times greater than that of the downtown area.[4]

	Arts & Science	Business Commerce	Science & Technology	Occupational	Other	Total
SPC areas	2170	2922	3319	0	600	9011
4, 5, 6	24.1%	22.4%	36.8%	0	6.7%	100.%
SPC areas	5376	742	436	6	25	6610
25, 27	81.3%	11.2%	6.6%	–	.9%	100.%

There is also the Carnegie Data on Metropolitan Toronto Schools (1962) on the background of grade 13, academic stream students:

Country of Birth	*Grade 13 students per cent*	*Gen. Pop. per cent*
Canada	86	68
Outside	14	32
Religion		
Protestant	76	60.7
Other	24	39.3
Occupation of Father		
White Collar	65	44.5
Blue Collar	35	55.5

What all these figures say to us is that the school system directly discriminates against the poor and the immigrant, and that the streaming of children into technical and special education is part of that discriminatory process.

What disturbs us even more is that this system, which we believe to be discriminatory, is being greatly expanded. These days a lot of kids who would, in an earlier age, have dropped out for a job are staying in school, partly because there are no jobs for them to go to. Proportionately, however, the new kids who now stay in school are streamed out of the academic programme. At least that is how we take the dramatic increase in expenditure for vocational education including Special Education in Ontario over the past few years. In 1954 the percentage of total education budget spent on vocational training was 15.6 per cent. In 1963 it jumped to 24 per cent and in 1966 it took an even larger climb to 45.2 per cent.

All this really gets us back to the first question: how did all these kids get into Opportunity Class stream in the first place? More particularly, what is it about coming from a poor area which makes you a much likelier candidate for Special Education for dumb kids than children from wealthier areas? What is it about the procedure that selects children from low-income areas?

So we have some questions:

1. What exactly are the "learning difficulties" that are stated as crucial to a child's entry to opportunity class? Is the teacher really facing a child who can't learn, or is she facing a child who doesn't want to learn from her in that setting and therefore she has a control problem which Opportunity Class solves?
2. What is meant in saying that factors such as "physical health" enter into the calculations that determine a child's placement in Opportunity Class? What other factors are considered?
3. What is the precise nature of the "comprehensive, individual psychological evaluation" given to each child? What tests are used? How are they weighted in the whole selection procedure? What account of social background is taken in this pychological evaluation?

What "Special Education" is provided?

Let's turn to a second question: What "special education" is provided to Opportunity Class children? What we think is important is this: what real skills are our children getting so they can go out and look after themselves in the world? What real knowledge do they come away with about their own world and the world outside? From talking to the kids we know, we get the clear impression that Opportunity Class permits its students to go ignorant and that it's little more than a babysitting service.

We're upset by figures like the following ones from Parkway Vocational School, most of whose students come from Opportunity Class. These figures show where Parkway students went after leaving school between June 1, 1968, to May 31, 1969.

Transfers	208
Unemployed	60
Ontario Hospital and Training School	26
Unable to attend	3
Unable to locate	5
	302

Jobs received on leaving, but which we do not believe the students were directly trained for:

Bus Boy	2
Cartage helper	1
Delivery boy	2
Factory help (presumed unskilled)	70
Office messenger	1
Butcher	1
Mill work	1
	78

Total of Parkway leavers who did not go into employment for which they were directly trained: 380.

Jobs received on leaving (or additional training entered) for which the receiver might conceivably have been trained at Parkway, that is, there was a course that in some way directly related to the job, or the new training:

Auto body apprentices	4
Auto mechanics	2
Barber college	4
Bricklaying	1
Carpenter's apprentice	4
Cabinet Work	2
Chef (pastry)	1
Commercial art	1
Crippled Civilians	1
Clerical	1
Drafting	1
Electrician's assistant	3
Farming	2
Grocery store helper	2
Janitorial	1
Labourer (construction)	4
Machine shop	6
Moulder	1
Post office	5
Printing apprentice	3
Restaurant work	2
Sales clerk	6
Service station	6
Sheet metal apprentice	1
Shipping assistant	1
Truck driver	1
Upholstering	1
Warehousing	2
	69

Total discharges from Parkway from June 1, 1968, to May 31, 1969: 449.

We're sure that some of those figures could be moved around into different categories, but the general picture holds well enough: far too many kids leave Parkway (the end of Opportunity Class streaming) taking unskilled jobs or no job at all. Which leads us to ask: What is the exact nature of the "training" these student's are getting? Is much of it good for anything, or is the school mostly just keeping kids off the job market and under some kind of social control.

There are two other fundamental questions that also ought to be asked in responding to these Parkway statistics and which the school didn't bother to ask: How long did the kids hold these jobs: one week, one month, one year? Second, what was the quality of those jobs? Did the students need serious training in order to do them, or could the jobs have been mastered after a few days of doing them?

Our general impression, then, from seeing our own children and from the reports we get of their success in getting jobs, is that they don't learn much in Opportunity Class and in the Special Education High Schools which follow.

What's the actual programme? What does it mean to say that "the programme is designed to provide each individual child with opportunities to experience academic success at *his own achievement level*". Or that the pupil "can contribute in *his own way* to the activities of the group, the school, and the community." Or what does it mean to say that out of this process "essential skills" are going to be developed. What do you really expect of children in Opportunity Class if his own "achievement level" is to be illiterate? is that OK? What "essential skills" do you insist get taught?

Particularly, we would like to know about the basic skill of reading and writing. We agree with the Director of Education that "the basic difficulty is most often shown in the development of language skills and the older a child becomes the more difficulty he will have in trying to cope with and benefit from the greater proportion of the curriculum which becomes increasingly dependent on reading." But what is being done about it? In casual conversations with teachers and social workers and from our own experience we feel that a very high percentage of children who leave Opportunity Class are functionally illiterate, that is, they can't read and write well enough to handle everyday things like writing simple letters or filling out application forms.

Perhaps the situation has been exaggerated for us. Perhaps more kids have adequate skills in reading and writing than we think. There's a good way of finding out. All the pupils who go to the Special Education High Schools like Parkway (most of whose students come from Opportunity Class) take standardized reading tests on entry. The reading scores can easily be

tabulated. It would also be helpful to compare these reading scores with those of children of similar age in different socio-economic sections of the city.

The Director of Education says that "The philosophy under which these classes are currently being operated is that placement in a special self-contained classroom should be made *only* if there is no satisfactory way of meeting a child's needs."

Opportunity Class, then, is a last resort and should contain only the most severely handicapped children. To quote the Director again:

"The question of doing away with the present programme completely has been one of the alternatives considered at length, but careful and continuing study indicates that the self-contained classroom still appears to be the best answer to the needs of many children of *very limited* ability and to the needs of many children who are *unable* to function as part of a larger group." (italics ours)

Children whose ability is "only slightly below average" shouldn't be there; they should be "withdrawal classes", the Director says.

So we're into it again: How many kids currently in Opportunity Class are "slightly below average", and how are they distinguished from those children of "very limited ability" and those "unable to function as part of a larger group"? These questions are crucial to our understanding of the Opportunity Class situation now. Further, if "self-contained" Opportunity Classes are not considered a good idea for kids who are "slightly below average", what about the whole system of "self-contained" Special Education High Schools. Are they a good idea? Is it any more harmful for our children to go to special *schools* for "dummies" and "retards" than it is harmful for them to go to special *classes* for "dummies" and "retards"? We don't think it is any more helpful, and we suspect that a whole lot of other people agree.

The question is: If Opportunity Class is not good for some kids, why is it good for any kids at all?

Signed:

Mrs. B. Dawson
Mrs. N. Gaudette
Mrs. E. Guerin
Mrs. S. Hayward
Mrs. M. Lemay
Mrs. S. Livingstone
Mrs. P. Tomlinson

February 10, 1969.

Footnotes:

1. *A Summary of the Bickford Park Project*; M. A. Housely, Research Department, Toronto Board of Education, p. 6.
2. *Toronto Board of Education Year Book*, 1967-68, p. 450.
3. DBS Canadian Census 1961, and *1966 Report of the Minister of Education*, Ontario Department of Education.
4. *An examination of the educational system of Metropolitan Toronto*, Heather Sim, Henry Sobotka, p. 53.

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No. 139

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

Third Session of the Twenty-Eighth Legislature

Wednesday, October 28, 1970

Afternoon Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, OCTOBER 28, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: This afternoon in the east gallery our guests are students from Northern Collegiate Institute, Sarnia, and in the west gallery from Burlington Central High School, Burlington.

Statements by the ministry.

Oral questions.

GOVERNMENT PROGRAMMES FOR INDIANS

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, the target is getting a bit bigger. I see the Minister of Trade and Development (Mr. Randall) coming to his place here.

I was about to ask the Provincial Secretary if, in his capacity as the director of government programmes on behalf of the Indian people, he has met with his colleagues with regard to the problems that have been brought to his attention in the estimates of The Department of Labour yesterday and in the questions to the Attorney General and the Premier in the last few days concerning the Indian population, particularly in northwestern Ontario.

Does he have any intention of making an announcement to the House as to how these problems are going to be dealt with and does he, in fact, agree with the Minister of Social and Family Services (Mr. Yaremko) that some more effective programmes will be required, particularly for the Indians of northwestern Ontario, before the cold weather arrives?

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, if I might just correct one small point in the question of the hon. Leader of the Opposition. My ministry is responsible for the Indian community services development branch and I think that during the consideration of our estimates—and I will come back to the questions—it was made quite clear that the responsibilities of each department insofar as the delivery of services to all the people of Ontario remained the responsibility of each particular department. We maintain an interest by way of an overview of the work, particularly as it would reflect itself in the community development process and the community development branch.

I would answer the question by saying that, although I was not in the House yesterday, I have read the exchange in *Hansard* concerning the ministers to whom the hon. Leader of the Opposition makes reference. I can perhaps best sum up the position of the government in the way the Prime Minister (Mr. Robarts) himself did in reply to some questions by saying that the matters—particularly the matters that were under review yesterday as supported by the demonstration in front of the buildings—are under very careful review by the ministers responsible for these various programmes.

Mr. Nixon: A supplementary question: Does the minister not have responsibilities, since the advisory committee on Indian affairs is responsible to him, to co-ordinate the programmes of his colleagues in the other departments who do deal with the Indian community more directly?

Hon. Mr. Welch: Yes, we recognize that as a very valuable service which this particular branch of government can provide through the Indian advisory committee, and through the interdepartmental committee, at least to co-ordinate our approach to the many opportunities available to us to be of specific service to our native population.

Mr. S. Lewis (Scarborough West): A supplementary: Just by way of a touch of sleuthing, was this minister consulted at any time about the findings of the Human Rights Commission in the instances of alleged mistreatment—the 17 instances of alleged mistreatment—of Indians by the Ontario Provincial Police?

Hon. Mr. Welch: I am aware of that particular report by virtue of the discussion that was held here recently and indeed in consultation with the Union of Ontario Indians, with the officers of which organization we meet quite regularly. There were some spe-

cific matters, insofar as the administration of justice is concerned, discussed with us at one of those meetings.

ALLOCATION OF ADVERTISING BY TRADE AND DEVELOPMENT

Mr. Nixon: Mr. Speaker, a question of the Minister of Trade and Development.

Can the minister inform the House what decision he has made on the allocation of the advertising budget which is spent under his discretion as between those moneys spent outside of Ontario and those moneys spent in the province? It appears that, without informing the Legislature. he has decided to spend a whole bundle right here at home for his own purposes.

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I do not accept that proposition whatsoever. I told you, and I will tell you again, we have set up $450,000 at the moment for domestic advertising and that is what we intend to spend. If, after the first of the year, we find conditions are changed and we want to change our budget, we will. At the moment it is $350,000 for international, $450,000 for domestic and this is the allocation we have set up.

Mr. Nixon: The minister must be using up most of that domestic—

Hon. Mr. Randall: It must be hurting.

Mr. Nixon: It is going to hurt the minister. People will not buy that.

Interjections by hon. members.

INCREASE IN HYDRO RATES FOR RURAL CONSUMERS

Mr. Nixon: Mr. Speaker, I would like to ask the Premier if his Minister of Energy and Resources Management (Mr. Kerr) has consulted him on the advisability of referring the nine per cent increase in hydro rates for rural users to the Ontario Energy Board for approval, rather than allow it to go forward under only the direction of the Hydro commission.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, there is no jurisdiction in the Energy Board to review the rates of hydro, so that I have not consulted with the minister and the answer to the question is no.

Mr. Nixon: Supplementary question: The Premier, I am sure, is aware that his minister informed me at least three weeks ago that he was considering referring the matter to the Energy Board, and he probably is as aware of the role that the Energy Board either could, or should, play in these matters as is anyone, and I had hoped—

Hon. Mr. Robarts: It is a good speech. I do not know where the question is.

Mr. Nixon: —and as the Premier has said, he has not been consulted. Might one assume then that the hon. minister himself is going forward with the matter of having the Energy Board make some decision in this matter?

Hon. Mr. Robarts: Mr. Speaker, I do not know yet what the supplementary question is, but I heard the speech. Perhaps it might be wise if there were some means whereby hydro rates might be reviewed publicly, so people might understand why—

Mr. Nixon: I hope so.

Hon. Mr. Roberts: —the increases are as they are.

This might be given to the Energy Board, but I might point out to the members that the Energy Board is a board of this Legislature, exactly as is the Hydro-Electric Power Commission of Ontario. So you run into this rather anomalous situation, where you might have one board reviewing the decisions of another, when each of these boards is given the powers under which it acts by legislation passed by this House. So you see it is not quite the simple matter the member might like to make it out to be.

But I do think there is a principle here to which the government is addressing itself, and that is, we should consider the possibility of devising some means whereby hydro rates can be examined publicly, and I think Hydro will welcome this as much as anyone else.

They are facing very large problems of expansion, as we all know. We know too of the strikes and labour trouble, the increases of wages that have gone to the commisssion, the necessity for the increase in power supplies—our demands increase 10 per cent a year. If we do not meet that we have to expect our people to go through brown-outs and so on, such as existed on the Atlantic coast.

The cost of money has gone from 3½ to 5½ to 7½ to nine per cent. All these things are adding to the total cost of producing hydro-electric power in this province. Per-

haps we should find a forum whereby Hydro itself can have a place where it can explain publicly why it is doing what it is.

Mr. Lewis: They did it before government commissions.

Hon. Mr. Robarts: I do point out to the members the power that Hydro has is given to it by an Act of this Legislature, and it is required to provide power at cost through the system as it presently exists. All of which means I cannot tell members this will be referred to the Energy Board because I do not think the Energy Board, at this stage, has the power to hear it. That does not get away from the principle that there should be some area of public review—

Mr. Nixon: Mr. Speaker, a supplementary question: Is the Premier then prepared to inform the House that the increase of nine per cent for rural users only, which was announced about a month ago, will go into effect on the first of 1971 without review?

Hon. Mr. Robarts: Yes, Mr. Speaker.

Mr. T. Reid (Scarborough East): What, to build a $50 million building?

Mr. Speaker: Any further questions by the Leader of the Opposition?

GOVERNMENT STUDY INTO DRUG ABUSE

Mr. Nixon: I have a further question of the Premier.

Does he recall telling the Legislature that the crash programme into drug abuse in the Province of Ontario would be put before the province in something called Project 70? Has he some report on the effect of this crash programme over the summer months? I understand that most of their work has been completed.

Hon. Mr. Robarts: Mr. Speaker, there has been much more done than just that programme, and I would hope the government would be in a position to make some statement on this relatively soon. But in a matter of a very few weeks, as in many of these matters, we found a whole group of areas we wanted to go into. I can assure the member it really will not be very long before we report, as I said we would when these programmes were commenced.

Mr. Nixon: A supplementary question: Is the Premier aware that the $180,000 of the $8 million the Addiction Research Foundation had, that was directed toward special programmes over the summer, has now all been used up? Apparently there are no further funds for the employment of specially trained young people to deal with the community, particularly the drug using community in the metropolitan centres and elsewhere in Ontario.

Hon. Mr. Robarts: No, I am not aware of that. It has not been drawn to my attention, but I can only say this—that in this area, if more money is necessary and can be demonstrated to be necessary, why, of course, we would be quite happy to consider providing it.

Mr. Nixon: The last supplementary, as far as I am concerned, Mr. Speaker, with your permission.

Will there be a statement by the government on this matter before, let us say, the House adjourns this particular session? It seems that what started as a crash programme has petered out into nothing and actually very little, if anything, is going forward.

Hon. Mr. Robarts: Once again, there is a big conclusion which the member is not supposed to draw according to our rules in questions. I can control when a statement is made, but I cannot control when this Legislature will end, so it is a little difficult for me to say these two things will coincide or one overlap the other. All I say to the member is his conclusion is utterly and absolutely false when he says this is all "petering out". That is just a snide little comment which has destroyed the question period beautifully.

We will make the announcement when we are ready.

Interjections by hon. members.

Mr. Speaker: Order, order. Does the member for Scarborough West have a supplementary?

Mr. T. Reid: Mr. Speaker, with reference to the question of drug abuse in the province, could the Premier inform the House what is being done about his indigenous drug education projects which he put in such high priority last spring?

Mr. Speaker: I would think that this was not supplementary to the original question and would rather take its place in the normal order, but if the Prime Minister wishes to answer it now—

Hon. Mr. Robarts: Mr. Speaker, that question falls in the same category as the previous one.

Mr. T. Reid: It is a good question, yes?

Mr. Nixon: Both are very good.

Hon. Mr. Robarts: We are dealing with the total problem and just as soon—

Mr. Nixon: That is the kind of answer that destroys the question period.

Hon. Mr. Robarts: —as we are in a position to give some definitive answer we will do so.

Mr. Nixon: Dealing with the whole problem.

Mr. T. Reid: Mr. Speaker, a supplementary to that. Why has the application for $14,000 for the Information Troupe project, having to do with the determination of multi-type drug information, why has that specific grant from the government not been granted to—

Mr. Speaker: Order, order. The hon. member is quite out of order with his question and quite out of order in the manner in which he was placing it.

Has the Leader of the Opposition completed his questions? The member for Scarborough West.

Mr. J. E. Bullbrook (Sarnia): Can we not be offensive to the Prime Minister?

Hon. Mr. Robarts: You all are, all the time, but I do not mind. I do not mind a bit. You can do as you like.

Mr. Bullbrook: The Premier is a little testy today.

Mr. V. M. Singer (Downsview): Shall we continue along with this destroyed question period?

STATEMENT BY JUSTICE MINISTER ABOUT BERNARD LORTIE

Mr. Lewis: Did the Premier have a cabinet meeting this morning?

Mr. Speaker, a question of the Attorney General: Has he now been apprised of the Bernard Lortie affair and could he make some comment to the House?

Mr. Speaker: May I inquire of the Attorney General if this is the question he gave me notice he was prepared to answer?

Hon. A. A. Wishart (Minister of Justice): I was prepared to answer the question, as so noted by the Speaker.

Mr. Lewis: I am delighted.

Hon. Mr. Wishart: First of all, Mr. Speaker, I was asked a question on October 27 by the hon. member for Scarborough West, "What has happened to Bernard Lortie?"

I am informed that Bernard Lortie, aged 19, resides at 346 Willrod Street in Ottawa and is attending the University of Ottawa. On October 24, because of information issued in the press and television as to the same Bernard Lortie being wanted for questioning, this young gentleman from Ottawa called the office of the Quebec Provincial Police in Hull around 1:30 a.m. in the morning—I guess that is in the morning—

Mr. Lewis: Yes, it is in the morning.

Hon. Mr. Wishart: —and advised the authorities that he was not the man they were seeking. As a result of the conversation, a constable of the Quebec Provincial Police accompanied by a member of the Ottawa police department visited Mr. Lortie's residence and after a conversation he agreed to go to Hull to establish that he was not the person wanted.

Mr. Lortie was interviewed at the headquarters of the Quebec Provincial Police—that would be in Hull—and, then, later that morning, he was taken to Montreal where he was held and questioned by members of the RCMP, the Quebec Provincial Police and Montreal detectives. Mr. Lortie was returned to the city of Hull on October 26 at 8 p.m. and was released on October 27 at 11 a.m.

Mr. Speaker, I would like to point out that at no time was any member of the Ontario Provincial Police involved.

Mr. Lewis: By way of supplementary, is the minister satisfied that the Quebec Provincial Police acted in accordance with what he would wish as Attorney General of Ontario in taking Mr. Lortie from Ottawa to Hull to Montreal and incarcerating him over the weekend?

Hon. Mr. Wishart: Mr. Speaker, I do not know the details or the circumstances under which he went from Hull to Montreal. Apparently there was a volunteered statement that he was prepared to go to prove that he was not the Lortie they were seeking. I do not know under what circumstances he went, but the directive which I issued to the Ontario Provincial Police was that there should be the fullest co-operation with the RCMP and federal authorities.

Mr. Lewis: To the Ottawa police, not the RCMP.

Hon. Mr. Wishart: Yes.

Mr. Bullbrook: It is the last time that anyone will volunteer to do that.

Mr. W. G. Pitman (Peterborough): Hear, hear.

Mr. Bullbrook: Four days later you get out of jail.

Hon. Mr. Wishart: The question that I was asked was an opinion as to whether I would expect the Ontario Provincial Police to act in the same way as the Quebec Provincial Police did.

Mr. Lewis: No. I am wondering whether the manner in which the QPP operated in Ontario satisfied the minister as Attorney General? It is the second case now, under The War Measures Act.

Hon. Mr. Wishart: What happened in Ontario, as the answer to the question indicated, was that the young man said: "I am here. I am ready to prove that I am not the man you want." The Quebec Provincial Police, in company of an Ottawa policeman, interviewed him and he went to Hull to prove that he was not the person wanted. I see nothing wrong with that.

Mr. Singer: Mr. Speaker, by way of supplementary, a few days ago the Attorney General told us he was not aware of the QPP taking in anyone from Ontario. Since it now appears that it was Bernard Lortie, would the Attorney General explain to us whether or not he is being kept constantly aware of activities under The War Measures Act in the Province of Ontario?

Hon. Mr. Wishart: First of all, Mr. Speaker, let me make clear that the remark the other day of no knowledge of someone in Ontario being detained or taken into custody by the QPP has no relation to the Lortie case. That question was asked before this incident.

Mr. Lewis: But it was also asked in terms of Lortie specifically.

Hon. Mr. Wishart: Not the question to which the hon. member for Downsview referred, because it was before the Lortie incident entirely. We have found no evidence of that incident which was rumoured to have happened.

Mr. Singer: It sounds strangely like the Lortie case.

Hon. Mr. Wishart: It was not the Lortie case because it was before the Lortie case took place, as my answer states; that was October 26.

Mr. Singer: And when was the question asked?

Hon. Mr. Wishart: Some days before that. If the hon. member checks he will find that is so. Now, I have almost forgotten what the question is.

Mr. Singer: I said, "Are you being kept informed?" because yesterday the Premier did not know about it and the Attorney General did not know about it.

Mr. D. C. MacDonald (York South): He was released before the Attorney General knew he was arrested.

Hon. Mr. Wishart: I was asked the question, "What about Lortie?" I had read the newspaper articles but the name had not registered in my mind. I did not recognize it.

I am being kept informed by the Ontario Provincial Police and, I am satisfied, by the municipal forces, but there have only been three cases of persons detained under The War Measures Act in Ontario. Those were reported to me. They were released very shortly after they were picked up and detained. My instructions are that I shall be informed and I am being kept informed.

Now, if the hon. member makes his questions so wide as to all activities under The War Measures Act, I would point out to him that members of the military forces are guarding people in this province. They are guarding property at Ottawa and at Kingston, I believe, and I have no authority and no control over those activities.

Mr. Singer: By way of further supplementary, was the Attorney General informed of the Lortie incident by the Ottawa police on October 26, the date on which it happened?

Hon. Mr. Wishart: I got the information through the Ontario Provincial Police.

Mr. Singer: When?

Hon. Mr. Wishart: The material was prepared for me yesterday.

Mr. Singer: So the minister was not informed?

Mr. Speaker: The member for Sarnia had a supplementary?

Mr. Lewis: One final supplementary, Mr. Speaker. Under The War Measures Act is it the right of the Quebec Provincial Police to enter Ontario and take a citizen, voluntarily or otherwise—as "voluntarily" with police escort is not always as voluntary as one would wish—right out of the province into Quebec for questioning?

Hon. Mr. Wishart: Under The War Measures Act, a member of our own police force, municipal, Ontario Provincial Police, RCMP or army personnel would have all the powers of a peace officer to arrest, search, detain, take into custory. I would think that if a member of our own police forces took a person into custody in Ontario in company with a member of the Quebec Provincial Police, that our own personnel would be entitled to take that person to the border and hand him over, if he saw fit, to a member of the Quebec Provincial Police.

But the case, as I understand it here, the Lortie case is one where the young man offered to go and establish his identity.

Mr. Speaker: The member for Sarnia has a supplementary?

Mr. Bullbrook: By way of supplementary, if you would permit, sir. It has to do with The War Measures Act substitutional legislation—

Mr. Speaker: No, that is not supplementary to the Lortie matter.

Mr. Bullbrook: May I suggest to you, sir, respectfully, that it might well be supplementary in view of the comments of the Minister of Justice as to his responsibility relative to the administration of justice in the province. May I put the question?

Mr. Speaker: No, I would think that would be a new question and I will try to give the hon. member that opportunity to ask it later.

Has the member for Scarborough West completed his question?

DRAFT LEGISLATION TO REPLACE WAR MEASURES ACT

Mr. Lewis: Mr. Speaker, well, I have two more questions of the Attorney General. One was in this area. Is it right that the Attorney General has in his hands the draft legislation that is to be introduced, is being introduced, in the federal House of Commons and has a submission gone from this government to the federal government about The War Measures Act and substitute material?

Hon. Mr. Wishart: The proposed legislation for civil emergency and the measures to be taken in connection therewith was sent to me last week at the end of the week from the office of the Minister of Justice, Ottawa, on a confidential basis for examination, and the confidential area extends to this time and beyond. It was accepted on that basis because the Minister of Justice at Ottawa felt, and I think rightly, that he could not make a public presentation of the bill until he had introduced it to his own colleagues and to his House of Parliament.

I have seen it; I have examined it; I have given some opinion with regard to it. We have one copy of it.

Mr. Bullbrook: By way of supplementary, if I might be permitted, sir. Can we be assured, without invading the confidential aspects of this present liaison, that any substitute legislation conceived by the federal government will in no way permit the invasion of the constitutional responsibility of the Minister of Justice of this province, in connection with situations such as the Lortie situation?

Hon. Mr. Wishart: Mr. Speaker, I think the hon. member is fully aware that the House of Parliament, the Commons and the Senate, at Ottawa, may pass legislation without consultation with this House or any member of it, to whatever extent they see fit. If it should prove to be unconstitutional, our recourse would be to test its constitutionality in the courts.

There is no obligation whatever on the Minister of Justice to even submit the bill to me or to any other Attorney General. If Parliament—as the Prime Minister here pointed out the other day, Ontario is well represented with representatives in the House at Ottawa—if they see fit to pass legislation which encroaches upon the rights of any province, we have only one recourse. We can protest, but the only way to set that matter right would be to ask the Supreme Court of Canada to determine the question.

Mr. Bullbrook: One further supplementary, if I might, perhaps by way of clarification. Are we correct in assuming, therefore, that the Attorney General agrees with the attitude presently taken by the opposition, and will vigorously put forward the positon that such legislation will in no way unduly fetter his constitutional rights?

Hon. Mr. Wishart: I am not sure that I can say I agree in all respects with the attitude of the opposition. I heard it presented in some

respects in this House a few days ago in contradiction of my position with respect to The War Measures Act, which I contend is the full responsibility of the federal government. As to the detention of persons and the dealing with those persons under The War Measures Act, I think anyone who studies the history of that Act, the language of that Act, and the way in which it was used, if it is invoked by the federal government the responsibility remains with that government.

Mr. Bullbrook: The minister is talking about the new legislation.

Hon. Mr. Wishart: I know, but the member is asking if I agree with his position and there is no occasion in my opinion for a federal Minister of Justice to pass that responsibility on to a provincial Attorney General. If that is not the attitude of the opposition, I do not agree with it.

Mr. Bullbrook: In connection with the administration of the new legislation?

Hon. Mr. Wishart: Of The War Measures Act? No.

Mr. Bullbrook: The new legislation.

Hon. Mr. Wishart: For the new measures? I have very serious concern about the new measures and I have expressed it to the Minister of Justice.

Mr. Singer: Mr. Speaker, by way of further supplementary.

Mr. Speaker: Has the member for Scarborough West a further supplementary?

Mr. Lewis: No, I have not.

Mr. Speaker: The member for Downsview, and this will be the last supplementary. This is becoming a debate.

Mr. Singer: Mr. Speaker, once the bill is given first reading in the House of Commons, will the Attorney General undertake to make it available to members of this House, together with his comments thereon, so that if there are other suggestions, at least the feeling of those other suggestions might be reflected to Ottawa before the bill is passed?

Hon. Mr. Wishart: Mr. Speaker, once the bill is presented in the House of Commons at Ottawa it will be a public document, available to all, I am sure.

Mr. Singer: But I asked the minister about his comments at the same time.

Hon. Mr. Wishart: I am coming to that, but the first part of the member's question was: will the Attorney General make it available to this House? I say it will then be a public document.

Mr. Lewis: Right.

Hon. Mr. Wishart: I am sure we can all get it. I would be glad to assist if I can get copies quicker.

Mr. Lewis: The minister could photostat his copy.

Hon. Mr. Wishart: My comments? Yes, I think I will make certain comments about it to the House, if I have an opportunity.

Mr. Speaker: The member for Scarborough West.

REPORTER ASKED BY OPP FOR IDENTIFICATION

Mr. Lewis: I have a question of the Attorney General, Mr. Speaker.

As reported in, I think *Le Droit,* why was Solange Chaput Rolland, the accredited member of the legislative press gallery for the French-language newspaper *Le Droit,* twice asked to produce identification under The Emergency Measures Act, once by an OPP officer here in her Queen's Park press office, and once by an official of the Royal York Hotel, in the context of the present atmosphere?

Hon. Mr. Wishart: Here or at the Royal York Hotel?

Mr. Lewis: Both places, according to *Le Droit.*

Hon. Mr. Wishart: I am not aware of all the details. I understood that in this chamber she was asked to obey the rules laid down by the Speaker of the House and she refused to do so.

Mr. Lewis: Oh no, oh no. That was oppression of the NDP. This has to do with the legislative press gallery. Why would an accredited member of the legislative press gallery be asked to produce identification by an OPP officer, as reported in *Le Droit?*

Hon. Mr. Wishart: I presume he wanted to be sure of the identity of the person. If you ask me why, I do not know what was in his mind. He had the right to ask the identification of any person. And I presume any person would be willing to establish their identity.

Mr. Lewis: Does it not strike you as strange in this instance?

Hon. Mr. Wishart: No, not really.

Mr. Lewis: Not untoward? The Attorney General would not look into it further?

Hon. Mr. Wishart: I do not see any reason to.

Mr. Lewis: One last question of the Attorney General and the Minister of Justice, Mr. Speaker.

Hon. Mr. Randall: Would the member like us to investigate Tommy Douglas?

Mr. Lewis: Does the minister want to be louder about that? Does the minister want to get that on the record without interruption?

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): The minister should put up or shut up.

Interjections by hon. members.

Hon. Mr. Randall: I just said maybe the member would like us to investigate Tommy Douglas.

Mr. Speaker: Order, order.

Interjections by hon. members.

Mr. Speaker: It is the members' time that is being used up.

Interjections by hon. members.

Mr. Pitman: Are you not embarrassed by this man?

CASE OF INDIANS SENTENCED IN KENORA

Mr. Lewis: To the Attorney General and the Minister of Justice;

Has he yet come to a position on the case of the women's sentence by Judge Fregeau in Kenora?

Hon. Mr. Wishart: No, Mr. Speaker. We have further information to come to hand.

Mr. Lewis: By way of supplementary, in the light of Judge Fregeau's more recent remarks to the press, that it was good that the women be sent to Brampton—quote: "At that distance they will feel the isolation. It might help them to realize this is not a game we are playing"—does the minister now have any comments on the competence of the judge to rule in sensitive areas of this kind?

Hon. Mr. Wishart: No, Mr. Speaker.

Mr. M. Shulman (High Park): Supplementary—

Mr. Singer: By way of further supplementary—

Mr. Speaker: The member for High Park has a supplementary?

Mr. Shulman: I would like to ask the Minister of Justice if he would care to comment on the judge's comment, as reported in today's press, that he finds it impossible to keep up with the new laws.

Hon. Mr. Wishart: No, Mr. Speaker.

Mr. Speaker: The member for Downsview.

Mr. Singer: Mr. Speaker, by way of further supplementary, partly put by the member for High Park: Would the Minister of Justice consider a special course for Judge Fregeau to keep him up to date with the new law?

Mr. Speaker: The member for—

Mr. MacDonald: I understand he is basically an electrician.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: One last supplementary: Would the minister like to clarify for the House what he meant, as quoted in the *Globe and Mail,* when he said to reporters present if they knew Indian people, quote, "were not biologically different?" What was meant by that?

Hon. Mr. Wishart: I am not sure that is a correct quote at all, Mr. Speaker.

EMPLOYMENT ADVERTISEMENT FROM PROVINCIAL SECRETARY

Mr. Lewis: I have one last question, then I shall sit down.

To the Provincial Secretary: Can he enlighten us as to the purpose of an advertisement which appeared in the *Globe and Mail* on Friday, October 9, 1970, reading as follows:

> Culture, the disadvantaged, people participation, human scale, quality of life, intergroup relations, are some of the things we are involved in. If you are creative,

articulate and mature and have knowledge and experience relating to contemporary, social and cultural issues in our society, and if you feel an inclination or commitment to make a contribution to this field, and know you can write to inform, enthuse and stimulate others, we need you. We are large, well-known and established. Salary is good and the opportunity is excellent. Write us in confidence to the *Globe and Mail.*

Hon. J. Yaremko (Minister of Social and Family Services): Was the member turned down?

Mr. Lewis: Does the Provincial Secretary know with what that ad had to do?

Hon. Mr. Welch: Well, it is obviously a very exceptional one in The Department of the Provincial Secretary, in response to which we have had over 200 applicants.

Interjections by hon. members.

Mr. Lewis: By way of supplementary, what is the job position exactly?

An hon. member: General.

Hon. Mr. Welch: Well, the member just listed it.

Mr. Lewis: What are the attributes?

Mr. MacDonald: What civil service category does that fall under?

Mr. Lewis: Those are the credentials. What is the specification? What is the job? It would not be executive assistant to the Provincial Secretary?

Hon. Mr. Welch: No, no. The Provincial Secretary already has a very good—

Mr. Lewis: He is not hiring another executive?

Hon. Mr. Welch: No.

Mr. Lewis: What did the minister mean by "well-established"?

Interjections by hon. members.

Mr. Speaker: Does the member for Sarnia wish to put his question?

Mr. MacDonald: Your PR man is a little—

Mr. Bullbrook: You have given me the opportunity by way of supplementary, sir.

Mr. Speaker: The member for Rainy River.

BAN ON STUDDED TIRES

Mr. T. Reid (Rainy River): A more mundane matter, perhaps, Mr. Speaker.

To the Minister of Highways: Has the minister had time to consider the ban of studded tires in northern Ontario and has he come to a decision to reverse that resolution of this government?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, before the decision was made there was a proper study made of all the roads and conditions in the province and the ban was made province-wide, and that still stands.

Mr. T. P. Reid: By way of further supplementary. The minister has had opportunity to read the reports—the highway reports. Does he not feel that the conditions that obtain in northern and northwestern Ontario might lead to a different situation there in regard to the banning of studded safety tires?

Hon. Mr. Gomme: No, Mr. Speaker, that is not so. We took into account all angles of safety and many other things which were happening; these are in the report which tells you of the safety aspects we want to keep. We feel that it is a greater advantage to have them banned, than have them remain.

Mr. Speaker: The Minister of Highways has a reply to the question asked by the member for Windsor West (Mr. Peacock).

Hon. Mr. Gomme: It is a reply to the member for High Park, Mr. Speaker.

Mr. Speaker: I am sorry.

USE OF DELINEATORS ON HIGHWAYS

Hon. Mr. Gomme: We are well aware of the safety aspects of delineators on highways and use them in many places and are continuing to use them. The department has a standard delineator with which we are satisfied, insofar as our tests are concerned, is more satisfactory for overall use.

There are many reflective delineators on the market, but, as pointed out, we have standardized on the Scotchlite reflector, which we find satisfactory under the majority of conditions. We will use other delineators if they prove more effective in specific locations.

Mr. Shulman: Supplementary question: Has the minister or his department checked the particular delineator which I showed him, and which is made here in this province?

Hon. Mr. Gomme: Mr. Speaker, I very carefully looked over the question which the member asked me, and he said: "Is the minister aware the use of these delineators on highways has been proved to lower car accidents?" I did not have a camera here that I could take a picture of them. He just held up his hand with something in it.

I believe the company he is interested in is the Reflex Corporation in the Windsor area. We have looked at those. As I pointed out, we are using the other type, and find them very satisfactory. I think the type the member is referring to is probably a type of glass insert in a metal frame. Our experience has been that these have been broken a good deal. The Scotchlite, which we use and make into reflectors ourselves, is more satisfactory in 99 per cent of the cases.

Mr. Speaker: Has the member for Windsor-Walkerville a supplementary?

Mr. B. Newman (Windsor-Walkerville): May I ask the minister if he has actually checked into the type of reflector that is manufactured by the Reflex Corporation in Amherstburg because it does not necessarily use the metal frame?

Hon. Mr. Gomme: Yes, Mr. Speaker, I think one of our people went down there some time in June and visited that plant and saw the products that they make.

Mr. Speaker: The member for High Park has the floor for a question.

ISSUANCE TO SCHOOLS OF FIRE EVACUATION CARDS

Mr. Shulman: Yes, I have a question to the Attorney General, Mr. Speaker.

Is the Attorney General aware that his fire marshal, Mr. Hurst, has issued instructions to his staff that until next April, 1971, they are to issue no more fire evacuation cards to schools because of a budgetary problem, and will the Attorney General agree to do something about this because there might be a fire in a school before April, 1971?

Hon. Mr. Wishart: That is a rather flip way to deal with a question, or ask a question, Mr. Speaker. The issuing of a card, of course, does not prevent fire or put it out, and I am sure that the fire drills and fire precautions are going forward. I do not think the card is of great importance; however, I shall look into the matter.

Mr. Speaker: The member for Ottawa Centre.

REQUEST FOR ELIMINATION OF DANGEROUS ROAD SECTIONS

Mr. H. MacKenzie (Ottawa Centre): A question of the Minister of Highways:

1. Is the minister aware of the very tragic auto accident on a dangerous section of Clayton Road in the Ottawa area on Sunday last which took the lives of a man and his wife and two children?

2. Will the minister instigate a study and cataloguing by his department of all dangerous sections of highways and roads in the province?

3. Will the minister endeavour quickly to eliminate those in his jurisdiction?

4. Will the minister bring forward, or have brought forward, legislation compelling counties and municipalities to eliminate those dangerous sections on their roads, or else have them closed?

Hon. Mr. Gomme: Mr. Speaker, I am well aware of this location. It is not far from my own home town.

First of all, I point out to the hon. member it was not on a provincial highway; it was on a township road. It is an improved township road and carries a moderate amount of traffic. I think probably that some improvements can be made to the signing, but I do not think it should be our policy to direct all these small municipalities to rebuild their roads to highway standards.

Mr. MacKenzie: A supplementary, Mr. Speaker. I would not suggest that. It is the dangerous sections only, Mr. Minister, we are concerned with. I would ask if the minister does not think there is some responsibility for his department to give leadership in this direction?

Mr. T. P. Reid: Right.

Hon. Mr. Gomme: I am not sure whether the hon. member has driven that road or not, but I have, hundreds of times, and I cannot see that it is really that bad.

Mr. Speaker: The member for Thunder Bay.

EXPORT OF WATER TO U.S.

Mr. Stokes: I have a question of the Minister of Energy and Resources Management.

Would the minister care to comment on a remark made by Mr. Caverly of the Ontario Water Resources Commission in Calgary last week that Ontario and Canada were already

exporting water to the United States through the Great Lakes and Detroit River, and Rainy Lake in northwestern Ontario?

Would he care to comment on the effectiveness of the International Joint Commission to allow this to go on with no compensation to Canada for the export of such water?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I would not care really to comment on a remark of the general manager of the OWRC, not having read the whole context of what he said. As far as the International Joint Commission is concerned, if there is export in the true sense of the word—export of water from Canada and Ontario to the United States —I am sure that the International Joint Commission was involved in such a decision. However, because this is a rather broad question, I will get the information for him and file a reply to his question.

Mr. T. P. Reid: Now they want the water to flow upwards.

Mr. Speaker: The hon. member for Scarborough East.

MEANING OF WORD "YAHOO"

Mr. T. Reid: I have a question of the Minister of Trade and Development.

Could the minister, for the edification of the members of this House and others in Canada, clarify the meaning of his use of the word "yahoo"?

An hon. member: A member of the opposition.

Hon. Mr. Randall: I think it has already been answered.

Mr. Speaker: The member for Brantford.

RELEASE OF INFORMATION ABOUT CHEMICALS IN EMISSIONS

Mr. M. Makarchuk (Brantford): Mr. Speaker, a question of the Minister of Energy and Resources Management:

Can the minister indicate why the officials in his air management branch still refuse to divulge the chemical composition of emissions coming out of various industrial plants in Ontario, despite his assurance last Wednesday that they will release this information?

Hon. Mr. Kerr: Mr. Speaker, there has been a number of questions put to me somewhat along the same lines as the hon. member's question. As he indicates, his question was made last week. I have had discussions with air management branch regarding revealing information about emissions from certain plants. I expect that there will be a change in policy as far as that is concerned. It will take a few days.

If there is any specific plant to which the hon. member is referring, I would suggest he contact me, not the members of the branch.

Mr. Speaker: The member for Waterloo North.

PLANS FOR OHC LAND ON OUTSKIRTS OF KITCHENER

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Minister of Trade and Development.

Does the minister intend to start planning toward the future development of the 284-acre site of Ontario Housing Corporation land on the edge of Kitchener, formerly known as the Hagedorn and Weber farms, within the next year?

Hon. Mr. Randall: I could not tell the hon. member what the schedule is. I will be glad to find out from the Housing Corporation and let him know. I have been out there myself. I had a look at it when we took the property, but I am not too sure how far the schedule is advanced, but I will get it for the hon. member.

Mr. Speaker: The member for Brantford was on his feet a moment ago. The member for Sandwich-Riverside.

CONTINUED USE OF PHENACETIN

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Health, concerning the continued use, or misuse of phenacetin in Ontario.

Will the minister try to persuade the appropriate authorities in Ottawa to act on the recommendations of the Le Dain commission's report to discontinue the over-the-counter sale of pain killers that are based on phenacetin, and to act upon the recent coroner's jury report of October 19, making a similar recommendation?

Hon. T. L. Wells (Minister of Health): Mr. Speaker, I would be happy to table in this House sometime soon the correspondence that we have had and expect to have on this

matter. As I explained, I think, three or four week ago, we have been in contact with the Food and Drug Directorate about this. This is primarily their responsibility and I will let the member know what their attitude is on this as soon as I have it.

Mr. Speaker: The oral question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Kerr: Mr. Speaker, on behalf of the Minister of Health and myself, I wish to refer to the results of a joint programme undertaken last summer in the Kawartha Lakes area and other regions. I am tabling a progress report on this work in order that those members interested can obtain copies this afternoon.

This report deals with the progress made up to the first of October in the two-part programme initiated in 1970 to protect recreational waters. The first part is the detection and correction of defective private sewage disposal systems throughout Ontario. Associated with this is a study of lake water quality. The second part is an on-going preventive programme based on the evaluation of the suitability of all new lots on unserviced land proposed for development.

The detection programme commenced during the month of June and abatement started on September 1. Of more than 4,500 premises investigated, preliminary results show that about two-thirds of the systems are satisfactory; 15 per cent are unsatisfactory; and 19 per cent are potentially polluting.

The in-shore water-quality work indicates that over 95 per cent of the bathing areas were safe at the time of sampling. We have been encouraged by the interest and assistance given by a number of associations of cottage owners, and by the willing co-operation received from those individuals who have been requested to undertake corrective work on their systems.

Mr. Speaker: Presenting reports.

Mr. Villeneuve from the standing committee of social and family services reports the following resolution:

Resolved:

That supply in the following amounts and to defray the expenses of The Department of Social and Family Services be granted to Her Majesty for the fiscal year ending March 31, 1971.

Department of Social and Family Services

Departmental administration—general expenditure	$ 3,435,000
Income maintenance—general expenditure	219,936,000
Rehabilitation and special services—general expenditure	6,246,000
Children's services—general expenditure	45,664,000

Mr. Speaker: In view of the suggestion that was made yesterday when another report was considered, is this report to go on the order paper or does the House wish to concur in it? In other words, is it to go on the 2½ hours for debate?

Mr. Nixon: I would like it on the order paper.

Mr. Speaker: On the order paper.

Motions.

Mr. Carruthers moves that Mr. Ferrier be substituted for Mr. Gisborn on the standing natural resources and tourism committee.

Mr. G. E. Smith (Simcoe East) moves that the standing labour committee be authorized to sit concurrently with the House until it has completed consideration of Bill 167, An Act to amend The Labour Relations Act.

Mr. Lewis: Mr. Speaker, may I ask when that is intended to apply? I take it that will not begin today?

Mr. C. G. Pilkey (Oshawa): When?

Mr. G. E. Smith (Simcoe East): No, not today but in all probability we will convene tomorrow afternoon after the question period.

Mr. Lewis: I might say, Mr. Speaker, that I realize that the House is coming to an end and that this is perhaps necessary, but it might be pointed out that if the 10 days to two weeks that have elapsed since second reading had been occupied appropriately by the committee of the minister, this would never have been necessary. We could have done it in the extra time that was available to the House without concurrence.

Mr. Speaker: I doubt if the hon. member's remarks are in order at this point but, as he said, the House is coming to a conclusion and I think that we are all anxious to have the work completed.

The motion is that the standing labour committee be authorized to sit concurrently with the House. Is it the pleasure of the House that the motion carry? Carried.

Motions.

Introduction of bills.

RESIDENTIAL PROPERTY TAX REDUCTION ACT, 1968

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend The Residential Property Tax Reduction Act, 1968.

Motion agreed to; first reading of the bill.

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the bill implements the recently announced government programme to reduce the amount of property taxes paid by pensioners.

DIVISION COURTS ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Division Courts Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, the bill changes the name of the division court to the small claims court. This is felt wise in view of the fact that we created a new divisional court and is to avoid confusion with that. It also increases the income of division court clerks and bailiffs and one or two provisions with respect to appeals.

PUBLIC OFFICERS FEES ACT

Hon. Mr. Wishart moves first reading of bill intituled, An Act to amend The Public Officers Fees Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Wishart: Mr. Speaker, this bill is in some way complementary to The Division Courts Amendment Act and has to do with an increase in fees to the clerks and bailiffs of division courts.

Mr. Speaker: Orders of the day.

HIGHWAY IMPROVEMENT ACT

Hon. Mr. Gomme moves second reading of Bill 195, An Act to amend The Highway Improvement Act.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a few very brief comments with respect to this bill. I agree with the bill. There are a number of concepts in it, Mr. Speaker, so I may, in the course of my brief remarks, refer to one section or the other, each of which conveys a different principle. The first principle under section 1, has to do with the walkways; I suppose that is the main purpose of this section. Os I understand it, this particular bill is allowing the people, who may from time to time want to, use a walkway over a King's Highway, and permitting them under this particular bill to do so for commercial purposes, as I understand it. They can build shopping centres, they can construct stores and so on across a walkway which crosses the King's highway which has not been the case until now.

This is so, of course, as long as it does not interfere with the traffic and the flow of traffic along the highway. I do not see anything wrong with that concept. I understand that the municipalities have the power under The Municipal Act to actually control walkways and to say when, in fact, a walkway may be constructed from point A to point B when it crosses a municipal road.

Presumably the municipalities will have some control as well over the commercialization of walkways within the confines of a municipality. This type of thing would not be the responsibility of the department. I gather that is true. I am wondering, I pose it as a question, Mr. Speaker, what type of control does the minister exercise if any over walkways that cross municipal roads? Is that the entire jurisdiction of the municipality involved?

The other section—the minister can answer that particular point when he is replying—the other point that is raised in this particular bill has to do with the enlargement of the existing section. This particular section enlarges the area so that the section now embraces the principle that the department will pay 75 per cent of the cost of a transportation study within a municipality relating to the road system or public transit or what have you. Frankly, I think that is an excellent concept and one which I wholeheartedly endorse.

I know that we have had many discussions, arguments pro and con with respect to the Spadina Expressway here in the city of Toronto. It seems to me that had the proper planning been done, many of the areas of conflict could have been resolved before this particular project was undertaken.

Whether in fact the ultimate decision would be to move ahead with the expressway or scrap the expressway and substitute it with public transportation, I do not know. All I am saying is that it seems to me The

Department of Highways and the municipalities should be undertaking these kinds of studies to a greater extent, because in the overall picture many of the things that we are doing today are going to thwart our efforts in the next few years.

We are responding to opinions and concepts which we hold today, which really are not valid anymore. I think we are acting in such a manner that perhaps in the next few years we are going to regret some of the things that we have done with respect to transportation—where we built our roads, the kind of roads we built and so on. So I make that point and I just wish the minister had seen fit to bring in this legislation perhaps five years ago.

Mr. Speaker: The member for Windsor West.

Mr. H. Peacock (Windsor West): Yes, Mr. Speaker. I have been looking rather desperately in my desk for a now very dusty statement by the Prime Minister (Mr. Robarts) or the Minister of Highways. It may have been in this year's budget; it may have been sometime in the last session of the Legislature. But I think you will recall that either the Prime Minister or the Minister of Highways announced to this House that municipalities would receive increased grants for street repairs, an increase from one-third to 50 per cent.

At the same time, I believe, if my recollection in this is correct, one of them announced that the measure provided in section 3 of this Bill 195, an increase in the provincial share of the costs of transportation studies within municipalities to 75 per cent, would be forthcoming also.

I just want to say rather briefly that it is an unconscionable length of time, if I may borrow a word from my leader, the member for Scarborough West (Mr. Lewis).

Mr. Speaker: I would remind the member that he is not talking about the principle of the bill; he is talking about a delay in introduction of the principle of the bill and I would ask that he come back to discussion of the bill.

Mr. Peacock: Sorry, Mr. Speaker, I do not follow you at all. My remarks were to the effect that section 3 of Bill 195, now before us, appears to implement what I heard the Premier or the Minister of Highways say a very long time ago. I will not spend any more time on that.

I hope that the legislation now before us has not meant that nothing by way of provincial assistance for studies of transportation needs has been done to this date. I am not aware of the mechanisms by which this kind of legislation is implemented and whether or not the financing must follow enactment of this bill.

If it must follow enactment of this bill, it would be some time yet before municipalities really begin to receive any benefit from the provision that is contained in section 3. I say that it is a long overdue one, that this government has been utterly negligent in its attitude toward provincial assistance to municipalities for their transportation needs and their public transit needs.

Now that we have it before us I hope that the minister will not take an indifferent attitude toward these needs in the larger municipalities, that in fact he will solicit the initiation of such studies by the major municipalities, outside the "golden horseshoe" area, many of whom are in critical need of the kind of study that is provided for in section 3.

Surely it is appropriate, if the Minister of Highways is going to provide grants for expressway construction of up to 75 per cent, that he provide grants to the municipalities for a study of their transportation up to the same proportion.

There has been for a long period of time now an utter distortion of provincial grants of the way in which transportation facilities within municipalities have been developed, a distortion which has favoured the expressway above everything else. For those municipalities outside the areas served by GO Transit they remain without provincial subsidization of their public transit or private transit as operated under agreement with the municipality. And they have, until now, remained without any genuine assistance from the province toward the cost of studying the need for transportation improvement.

I would suggest, Mr. Speaker, that insofar as the 75 per cent payment by the province goes, it not only comes very late but it may in fact not be sufficient to encourage many municipalities, even the major ones, to immediately take up the provisions that will be established by The Department of Highways under this part of the legislation.

Perhaps a 100 per cent grant would have been much more appropriate in respect to helping municipalities to finance studies of their transportation systems. Some of them—speaking for my own community in Windsor

West—desperately need overall professional studies, guidance and development. The Minister of Municipal Affairs has put tremendous pressure on the city resources in coping with the takeover of the SW&A Railway Company which provides Windsor with its only public transportation service.

Surely, with this burden to carry, a city such as Windsor could expect to receive a 100 per cent payment of the work and studies it will have to undertake to bring that system it now operates through the SW&A Railway Company up to the level of service that is so needed and demanded by the citizens of that community. I say that it is essential that this kind of support be provided by the province to the municipalities if we are not going to suffer any further erosion of the downtown central business district in my community. A fully developed transit system has to serve that district.

In Windsor, this is what I would say is one of the prime objectives of the city management of the SW&A Railway Company. It is unable really to provide the level of service at this time because of the heavy losses that the country may face as a result of the demands for improvement in those services. And certainly the full measure, the full extent of the improved service that is required to bring customers from the outlying suburban areas of the city, now exceedingly well served by shopping plazas—the far too many shopping plazas—into the downtown business core, would require a very thorough and probably very expensive transportation needs study.

That is why, Mr. Chairman, I find that this particular part of Bill 195 comes very late, and comes perhaps inadequately prepared to assist the municipalities with the kind of the study that they need to improve their transportation systems.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I too wanted to talk on Bill 195, but my comments will be directed primarily to the principle of providing financial assistance to communities to carry on transportation studies. The minister is aware that during his term of office as Minister of Highways, we on this side of the House have tried to impress upon him the need for such studies throughout the Province of Ontario.

Now not only a county road study, but also a municipal roads and transportation study, and we in the city of Windsor, who seem to be sort of located, sir, or have more or less of a strip development in there, find that it is most difficult as far as the transportation is concerned to be able to funnel residents from all parts into the downtown area, or to move them from one part of the community to the other. The problem probably could have been solved had this government acted a little earlier in implementing the suggestions that were made from this side of the House.

We appreciate the fact that the contribution now on the part of the provincial authorities will be up to 75 per cent. The minister forgets that municipalities are hard-pressed to provide all other types of service and as a result they hesitate to undertake studies such as this. Even though three-quarters of the cost will be carried by the provincial government, the 25 per cent is a little too substantial, a little too large, for the municipality to shoulder. I would sincerely ask this minister to reconsider the 75 per cent and to consider a more realistic type of approach. That is for the provincial government to assume the total cost of transportation studies throughout the province of Ontario.

It only by this type of help that municipalities will be able to keep their own tax rate to reasonable limits and likewise provide other essential services. Strange as it may seem, it was only on Monday of this week that the Windsor city council acted on a resolution, and in a surprise decision on the part of the council, they ruled out a transportation study, even though they had been told that they would receive 75 per cent of its cost. Why would a municipality rule out such a study? It is because financially they cannot afford even the 25 per cent costs that they would have to bear.

Now that the municipalitiy is responsible for the local bus system, and now that the municipality is embarking upon the expressway or ring road—which will end up by costing approximately $100 million before it is actually completed—it is that much more important for this government to undertake the study on its own. They could actually find that they would be saving money if they completed a transportation study which would not take too long, whereas the completion of the ring road may take up to 15 to 20 years. By their study they would know whether the ring road is actually a practical answer to the transportation problem in the given community.

I would ask the minister to reconsider the provincial contribution of 75 per cent, especially in municipalities that are going to be

confronted with a substantial outlay on providing ring roads or rapid transit from one area to the other. This study would not only save the Province of Ontario money in the long run, it would convenience the residents in the given community.

It would provide, or could provide, the answers for a better municipal transportation system. The SW&A Railway or the bus system in the community, we will find will not be able to operate without a financial loss or without some type of subsidy from the provincial government. A study now, undertaken by the provincial government, may prevent the expenditure, the needless expenditure or the wasteful expenditure of funds in the future.

Once again, Mr. Speaker, I ask the minister to reconsider this 75 per cent contribution, and if he can see the light of day to pay the whole cost to enable municipalities to combine the bus transport system and the ring road system in a community.

Mr. Speaker: The member for Sudbury East.

Mr. E. W. Martel (Sudbury East): Thank you, Mr. Speaker. Speaking to the principle of this bill, I would like to start by complimenting the government on this legislation. It does, however, present in particular some difficulty in dealing with each of the principles in the bill. I would like to deal with them individually.

The first one, Mr. Minister; I can agree that we have to utilize the areas adjacent to or over or under highways. The only concern I have with respect to this, Mr. Minister, is that the authorization must rest solely with the discretion of the minister. The reason I raise this, Mr. Minister, is that in a subsequent bill you are asking for the authority to delegate—

Mr. Speaker: May I point out to the hon. member that we are not in committee; we are debating this in the House, and the remarks should be addressed to the Speaker, or through the Speaker to the minister.

Mr. Martel: Thank you. Through you, Mr. Speaker, I draw the attention of the minister that in a subsequent bill he is asking for the power to delegate authority to other members of his staff. I would have some concern that other people other than the minister might receive this sort of authority, in that it could lead to a real kettle of fish. I would hope that the minister will give the House some assurance that in this authority which will be handed on as a result of another bill, this particular clause will not be some of those powers passed on.

There are so many areas where we could get into conflict. If everyone or a good number of people in the department had authority to enforce this, or to approve of sites and so on, we could really find ourselves in a terrible situation. I would ask that when the minister replies he give us some assurance that this power will rest with him, and directly with him alone.

On the second principle, I want to ask a question. Will this in any way—and I leave this to the minister to reply, I simply do not know the answer—change the grants in any way? I know that in annexation for example, grants sometimes are reduced as a result of annexations. Recently having had one of these cases in my own area, I would ask the minister if he could indicate to us—and I could be out in left field on this—but will there be any change in the grant structure as it now applies?

The third principle in this bill is, to me, an extremely valid principle. As the minister, through you, Mr. Speaker, is aware, we are having some problem in my own community as a result of a study as to whether or not an expressway will be built through the city of Sudbury. This really does not resolve the problem for the area, because I think it has to be taken on a wider basis and I am delighted to see the bill includes "on a district basis". I think in this Sudbury area we must do a study, a major study, of the entire mining operations, and so forth, so that we can get the best possible transportation routes.

The thing that disturbs me is that I just do not know how the action for such a study could be initiated. It is very difficult. At the present time we are having difficulty getting some agreement with respect to the Kennedy report. How could we even get a study initiated by the municipalities in that district and get some form of agreement as to, let us say, the additional 25 per cent of the expense incurred? It would be extremely difficult to get that type of agreement now in face of the fact that we cannot get any type of agreement with respect to the Kennedy report.

Possibly the government might have undertaken to initiate studies in this area. However, that does take away from the municipalities looking after their own needs and having some authority in their own area. It is a rather difficult position. I know, my own personal belief and the minister knows my feelings on

this—is not the one handed down by the committee that studied an expressway in Sudbury. I am convinced that in Sudbury what we need is a circle bypass to move the men to and from their occupations. It is unlike—

Mr. W. G. Pitman (Peterborough): Hear, hear!

Mr. Martel: It is unlike any other area in that men live in various mining communities and other communities and they criss-cross the city continuously to reach work.

Mr. Pitman: It is unbelievable.

Mr. Martel: I know at the present time, if you enter the city of Sudbury, it takes anywhere from 30 to 40 minutes to get across a small city of that nature. When the men are getting off work or going to work, from 3 until 6:15, it is almost impossible to move and yet a great deal of that traffic, if it could go some other way, would not go through the city of Sudbury. I would use a few examples. People who are living in Garson, who work in Copper Cliff, must go through the city.

Mr. Speaker: Perhaps the hon. member would go back to the principle of the bill. What he is talking about now is probably quite proper in committee and is a proper example, but he is now going into absolute detail—

Mr. Martel: Mr. Speaker, the two members from Windsor spoke at great length about their problem. You did not interfere.

Mr. Speaker: I have allowed this hon. member to speak at considerable length, too, and make his point.

Mr. Martel: I am trying to make my point that we possibly need government assistance in the form of getting a study under way.

Mr. Speaker: Now the hon. member is on the point.

Mr. Martel: Thank you, Mr. Speaker. I just attempted to draw a few examples as to why it was necessary for the government, possibly, to initiate such action. Possibly the minister, then, could indicate if it is the department's intention that if a study does not get under way—and one is vitally necessary—his department would undertake to order such a study.

Mr. Speaker: Is there any other member who wishes to speak to this bill before the minister?

The minister has the floor to reply and close the debate.

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, in reply to the member for Huron-Bruce, the first part of this Act is to permit the use of air rights over the highways for commercial purposes. Of course, there will be every reservation placed on anything that is done to protect the rights of the road users and the further development of roads in any area. There are one or two cases where we have been approached on this proposition and we feel there are certain locations where the province and the municipalities can receive some income from the air rights or, I think in one case, the rights under a bridge. This is the reason we want this; so that if such a thing comes along we can enter into a proper agreement or a lease arrangement where we can rent these to interested people.

Mr. B. Newman: Would this permit overbuilding in a big community? Building over a road?

Hon. Mr. Gomme: Yes.

Mr. B. Newman: Any type? Would it permit apartment construction?

Hon. Mr. Gomme: I would say no, but we cannot tell what might develop. The two members from Windsor spoke about the subsidy and the lack of time. First of all to the member for Windsor West, I might say that we have given several municipalities the advantage of 75 per cent subsidy to do a transportation study because in our legislation we were permitted to pay this for a highway study, and when they asked for the extension of it we have granted this. It is not a case of starting it as of today; this section is just to clarify our position that we do take in the fleet transportation study.

The member for Windsor-Walkerville spoke about the municipality probably not being able to pay for it. I would remind him that last year we revised the subsidy arrangement to the cities and separated towns where we pay now 50 per cent on all road expenditure. I mean, his municipality is receiving a great deal more money in the year 1970 than they did in 1969. I would think that it would be in their means to afford the 25 per cent for a transportation study. This is not the money that is paid to the municipality as a subsidy on losses on transportation, but it is a study of the requirement.

Mr. B. Newman: Windsor turned it down on Monday night because they could not afford it.

Mr. Speaker: Order! the hon. minister has the floor.

Hon. Mr. Gomme: The member for Sudbury East, I believe, spoke about the grant structure. I am not quite sure what he means. Was it about section 2? Yes. This is put in simply because we have certain situations where there is a connecting link arrangement with the jurisdiction of the town under present legislation. Upon amalgamation of the town with the adjoining township and the creation of a township municipality, it could no longer be designated as a connecting link. This is put in to clear up that it can be. We have two specific cases; the town of Matheson amalgamated with the township of Black River and the township of Calvert was annexed to the town of Iroquois Falls. These are the reasons for these amendments.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. R. F. Nixon (Leader of the Opposition): We would like to discuss it in this committee.

Mr. Speaker: In Committee of the Whole?

Mr. Nixon: Yes.

Mr. Speaker: In Committee of the Whole House.

LOCAL ROADS BOARDS ACT, 1964

Hon. Mr. Gomme moves second reading of Bill 196, An Act to amend The Local Roads Boards Act, 1964.

Mr. Gaunt: Mr. Speaker, I have no serious objections to this bill. I do have one suggestion, though, for the minister. Rather than vesting the authority to dispose of lands not required by the Crown with the minister, it is my feeling that this procedure would best be handled in the same manner in which it is done in Ottawa.

That is to say, have a Crown Assets Corporation or Disposal Corporation set up. When the land becomes surplus it is turned over to the Crown Assets Disposal Corporation and they handle it from there. They take the tender bids, and the complete responsibility for disposing of the property rests with that body at the federal level. It seems to me that that is a preferred system of doing it rather than having the minister dispose of those assets as is set out in this bill.

Mr. Speaker: The member for Sudbury East.

Mr. Martel: Yes, Mr. Speaker. I do not have any great opposition to the principle. I would like to recommend, though, to the government that we should attempt to retain as much land as possible. The disposition of land rather quickly seems to me on many occasions, to lead to some problem wherein we do not retain enough land and find ourselves possibly repurchasing at a higher price. Other departments are making a sincere effort now, particularly The Department of Lands and Forests, to reclaim land and I do not think we should get overly anxious about selling land. I am not suggesting that there are not occasions when certain lands would be best to be sold for commercial purposes and so on. I just do not think we should be overly anxious about reselling the land. Where it is to our advantage, we should retain it for future use.

There are a couple of problems, though, and maybe the minister could provide some of the answers to these. I am not sure yet of the real intent. Is there a possibility or is part of the purpose for this bill to sell existing right-of-ways which the department intends to close? Or is there excess land which is being purchased in land transactions or through expropriations? In talking about the expropriations, I wonder if the minister could also clarify for me the following points. A person whose land is expropriated; if the department decides to sell some of that land later on, does that person get first priority in reobtaining the land for himself at the going rate? I think this might be clarified if we are going to start to sell the land back under this particular Act. I would hope that if we took too much land from those who were expropriated originally, they would have the original or the first priority at repurchasing the land.

I would like to have another point clarified. If the department decides to sell the land, would they consider representatives of the local roads board, whose jurisdiction this would fall under for maintenance and so on, being involved or at least consulted in the negotiations before the lands are sold? I think this is vital that, because it is under their authority, they might have some purpose for wanting to retain it.

Lastly, is it the department's intention, once the moneys are accrued from sale of land, to return to the local roads board approximately a third? In the present system, we have under local roads board, it is a two-for-one proposition. Would the same apply for the sale of land? In other words, the department keeps two-thirds and the local roads board, the authority, gets one-third. I would appreciate if the minister would give me direct replies to each of these questions.

Mr. Speaker: The member for Riverdale.

Mr. J. Renwick (Riverdale): Mr. Speaker, this kind of a bill always bothers me when it comes in very synoptic form and purports to change what has been a long-standing procedure of the government in connection with the acquisition and sale of land.

I do not think that we in this party are going to go along with the proposal by the member for Huron-Bruce that there should be some kind of a Crown Assets Disposal Corporation. I think what has got to be done is to spell out in the statute, or if the statute is not a convenient place to do it, then by way of regulation, the procedures under which disposal of land acquired for local road purposes is to be carried out.

It seems to me, for example, that any acquisitions made under this Act for the purposes of local roads, which at a later time are no longer required, indicate a lack of planning and a lack of intelligence about the acquisitions in the first place. It would appear to me that if lands are acquired for local road purposes, then those local roads must be relatively imminent and the department should know what they are about.

If, on the other hand, they are talking about local roads which are closed off because of road developments that lead to bypassing particular areas and make the local roads no longer necessary, then I think that is an entirely different question. Therefore, I would suggest to the minister that there ought to be adequate procedures spelled out in the Act by which public offering is made of these lands by public auction unless it is possible to return those lands to the persons from whom they were originally acquired, should those persons require them.

It would seem to me that this whole question of the authority of the Crown to acquire land for certain specific purposes and then to dispose of it when it is no longer needed for that purpose, suggests the need for a considerable amount of thought by the minister as to the procedures he proposes to follow.

I would therefore suggest, Mr. Speaker, that the minister when dealing with this bill, either on second reading or in committee—and it would be our request that the bill go there for consideration—would tell us how they propose in his department to carry out the authority which we are asked to grant under this bill which is presented to us today.

Mr. Speaker: The member for Brantford.

Mr. M. Makarchuk (Brantford): Mr. Speaker, on the same bill, I would like to stress to the minister that his department should in all cases try to exercise more caution in the manner, or the way they go about, taking the land from various people for road purposes.

There are many cases where they have caused inconveniences and other cases where they have completely disrupted the existence of people. I know of one case—probably the minister is aware of it—where the department went and expropriated 41 acres of land and when the situation was finally resolved, they found out that all they needed was really four acres; but in the process it caused a great deal of hardship for the people.

The other point I am concerned about is the fact that in some cases we may expropriate land for road construction that may contain, or have attached to it, certain tobacco-growing rights and—

Mr. Nixon: A local road board might do that?

Mr. Makarchuk: No, I said that when the minister may expropriate land it may have certain tobacco marketing board rights attached to it. Now, when he is reselling this, assuming he is reselling the land, could the minister indicate what would happen to those rights? Would they be resold or in what way would he consider disposing of them?

Mr. Speaker: Order, please. That really has nothing to do with the principle of this particular bill, although the minister may have an answer to it.

Mr. J. Renwick: It could not be more pertinent or relevant.

Mr. Speaker: Are there any other speakers who wish to comment before the minister replies?

Mr. Peacock: On a point of order, Mr. Speaker. I believe the hon. member was asking what happens to the rights on the disposal by the minister, which he is asking the House to grant him the right to do.

Mr. Speaker: Any further hon. members wish to speak? The hon. minister.

Hon. Mr. Gomme: Mr. Speaker, in the first place, I think the Leader of the Opposition had a very good question. There would be no local roads boards where there would be tobacco lands. The boards are in the unorganized territories in the north and the proposed amendment to this Act is to remove certain doubts raised by the master of titles concerning the ownership of land acquired for local roads boards. This has been the problem that we have faced. Now, although it refers to the sale of land, it is to clear up the other matter, that ownership is vested in the Crown under the minister.

I think the member for Sudbury East and probably the member for Riverdale both spoke about our overall policy of disposing of surplus property and I think our system of doing this has been well documented. The local roads board, of course, in all probability would expropriate if necessary the land to build a road; and sometimes I know we in The Department of Highways have to expropriate more than we really need because we injure a property to such an extent that it is not sensible to leave the small piece that is left. As a result, there are occasions when we may put two or three parcels together after this has been done and have the property for sale.

The intent of this is just to clear up the doubt phrased by the master of titles, and as far as the sale of any surplus property by local roads boards is concerned this would be very, very minor.

Mr. Makarchuk: Assuming that tobacco rights are not involved, suppose there are mining rights attached, or mineral rights attached to this land; how would you dispose of these rights?

Hon. Mr. Gomme: I do not suppose that we would buy the mineral rights or have any rights to them. We would only have the surface rights for road purposes.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. Renwick: Mr. Speaker, we would ask that this go to the Committee of the Whole House.

Mr. Speaker: I await the direction of the minister.

Hon. Mr. Gomme: Well, it is quite all right with me, Mr. Speaker. I think we have discussed the principle and the one revision.

Mr. Speaker: Shall this bill go to the Committee of the Whole House? So agreed.

COMMUTER SERVICES ACT, 1965

Hon. Mr. Gomme moves second reading of Bill 198, An Act to amend The Commuter Services Act, 1965.

Mr. Speaker: The member for Windsor West.

Mr. J. Renwick: What about Bill 197? I understood you were calling 197 today.

Mr. Peacock: Mr. Speaker, I was prepared to speak to 198, but I will gladly yield if the minister wants to call 197.

To continue with 198, Mr. Speaker, the bill before us, as I read it, appears now to establish, not just what is provided in the explanatory notes, a clarification of Her Majesty's right to operate a commuter service other than by agreement, but to provide that the government of Ontario will now enter the construction and operation of transit services exclusively and not solely by arrangement with other rail lines, or rail lines and municipalities.

I would think it extremely appropriate at this point, after long experience now with GO Transit in the "golden horseshoe" area, that the government will, through clause 1(a) of section 1, now comprehend the establishment and operation of similar commuter services, either by rail or by bus, for major urban centres outside the "golden horseshoe" area, and that it will do this on behalf of Ontario's other major cities, such as Hamilton, Ottawa, London, Windsor, Sarnia and so on, in like manner as it has on behalf of the thousands of commuters entering the greater Toronto area and leaving it each day to travel between work and their homes within a very large radius of this metropolitan centre.

I am not at all confident that we are going to see that development just because of this amendment, Mr. Speaker, in the very near future. I certainly think that the time is now appropriate for the government of Ontario, through GO Transit, to go well beyond what it has already offered the commuters of this part of the province and provide similar service for large metropolitan regions elsewhere in the province which have significant commuter population.

I turn to one other small point in the bill, Mr. Speaker, before completing my remarks. Perhaps it is more appropriate for discussion in committee, but it is intended to provide a point of principle, I believe.

In section 2 of the bill, the amending provision refers to the words "by agreement" in the ninth line of subsection 1 of section 4 of The Commuter Services Act, 1965, as amended by subsection 1 of section 1 of The Commuter Services Amendment Act, 1966, but what appears to have happened is that a number of words have been dropped in addition to the words "by agreement" from the original Act, those words being "with the approval of the Lieutenant Governor-in-Council".

In chapter 17 of the Statutes of Ontario, 1965, An Act to Provide for the Establishment and Operation of Commuter Services, section 4 reads: "The minister may, with the approval of the Lieutenant-Governor-in-Council . . ." and so on. Those words do not appear in the revised section 4 which we have before us as amended by the striking out of the words "by agreement", and I would not, Mr. Speaker, support the proposition, if this is intended, that the minister should assume to himself without the approval of cabinet, without the approval of the Lieutenant-Governor-in-Council, the broad powers to acquire by purchase, lease or otherwise, the rolling stock, equipment, apparatus, etcetera, and acquire by purchase, lease, or otherwise, or expropriate any land or any interest in land, for the purposes of operating a commuter service.

These would be broad powers indeed, if the minister were able to establish and operate a commuter service without reference to the cabinet of this province, without reference to the Lieutenant-Governor-in-Council on expenditure of what would be great magnitude. Perhaps it is of no moment, Mr. Speaker, that I raise the point; it may simply be an editorial matter and the minister may well be able to clarify it and put an end to it here.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I am pleased that the province is taking unto itself through the minister, the power to operate a commuter service.

Certainly, I would say that the performance by the federal department—at least the federal organization called Canadian National Railways—has not given us a great deal of confidence in a government-owned enterprise, but perhaps because we are as close to the problem and the needs as we are in Ontario —much closer to the needs—there would be more incentive to do a better job of serving the traffic needs.

I speak of the restrictions that the CNR has placed upon the timetables because of its other priorities. I am hoping that the minister, with the new powers in this bill, will approach Ottawa and request in very strong terms the right to use the rights of way for his own services. I think that, with a major commitment that the province has already made in rolling stock, it is warranted that it should now be able to operate a system much more in the interests of the passengers than the interests of freight. I am hopeful that as a result of this bill the minister will be able to make further progress in the development of a good, integrated transportation system for the Toronto-centred region.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Speaker, I wanted to make a few comments on this bill, because in my estimation the bill that we had discussed earlier—Bill 195, An Act to amend The Highway Traffic Act—which gave the minister authority to pay up to 75 per cent of the cost of a transportation study, has a lot of bearing on this. In the first instance, the 75 per cent contribution was to a given municipality, but transportation does not necessarily involve only the municipality itself, it may go beyond the bounds of the municipality. It may take in several municipalities. But how do you come along and arrive at some type of an agreement for a transportation study among several municipalities?

It would be better, Mr. Speaker, were the minister to absorb the whole cost, just as he is in this bill under section 1, subsection 1(b), where he can enter into agreements with Canadian National Railways and any other corporation or individual. He could in this instance, Mr. Speaker, enter into an agreement with the local bus company. He could enter into an agreement with the CNR—and I am specifically referring to my own community—so that he could come along and, rather than centre his activity in the "golden horseshoe" of the province, he could spread his activity so that the faraway places in the Province of Ontario likewise get some benefit from this Commuter Services Act. The minister could come along and enter into an agreement with a bus company in the com-

munity and the local Canadian National Railways in an attempt to provide better transportation services to the community.

Mr. Speaker: Any more hon. members wish to speak on this bill before the minister? The hon. minister.

Hon. Mr. Gomme: Mr. Speaker, I might say that in reply to the member for Windsor West, there is no intention to take any of these powers away from the Lieutenant-Governor-in-Council. This bill is simply required to give us the right to operate a system on our own. At the present time, we have the right to enter into agreements with third parties for the operation of the transit system and we are doing it both with Gray Coach and CNR. This particularly is needed for the mini-bus system which we have as a feeder route for some of these other lines, whereby we own and operate the equipment and have to have our own regulations, re ticketing and service and all these other things which, in the past, had been done by the third party with whom we had entered into an agreement.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Peacock: I wonder, Mr. Speaker, if the bill could be referred to Committee of the Whole House?

Mr. Speaker: Does the hon. minister so direct?

Hon. Mr. Gomme: Yes.

Mr. Speaker: It is directed that the bill go to Committee of the Whole House.

DAMAGE BY FUMES ARBITRATION ACT

Hon. Mr. Wells moves second reading of Bill 189, An Act to repeal The Damage by Fumes Arbitration Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be referred for third reading?

Agreed.

PESTICIDES ACT

Hon. Mr. Wells moves second reading of Bill 190, An Act to amend The Pesticides Act.

Mr. Speaker: The member for Brantford.

Mr. Makarchuk: Mr. Speaker, a few brief words—

Mr. Nixon: On a point of order, sir—and I will certainly abide by your direction on this—but my hon. friend, the member for Essex South, is our spokesman in this matter and he was on his feet. Customarily it is the official opposition who express their views first, and I would ask you, sir, if you would recognize him?

Mr. Speaker: Yes, there were two or three standing up. Order, please.

Mr. Makarchuk: On the same point of order, Mr. Speaker, are you running the House or is the Leader of the Opposition running it?

Mr. Speaker: Order, please! The hon. Leader of the Opposition is quite correct. There were two or three standing. I was not aware that the member for Essex South wished to speak. I recognize the member for Essex South.

Mr. D. A. Paterson (Essex South): Thank you, Mr. Speaker. I believe your view was blocked by a person walking by.

Mr. J. Renwick: He must have been Jack the Giant-Killer.

Mr. Paterson: He is; that is right. He is, too, and you will find that out. Mr. Speaker, I have read this bill several times and studied it and, in my opinion, it seems to be drawn more to serve the persons involved in the household insects extermination business rather than the total aspect of pesticides as they apply across the length and breadth of our province.

I am sure that we are all concerned about the use, or misuse of pesticides and other chemicals, an dtheir effect on our environment and total ecological system. I think we all agree in this House that the rules regarding the use of these pesticides must be tightened and they should be handled by trained people. I think this is contained in some of the principles therein and do doubt will come out in the regulations.

I myself am from the farm community in Essex and Kent counties, which really over many years have had a good record of experience in the use of many pesticides and chemicals, and people there are really not satisfied that the requirements of our very highly specialized agricultural industry in this area, in particular, are going to be met with this bill.

A fairly general consensus in my area is that this bill and the control of The Pesticides Act itself should be in the hands of the Minister of Agriculture and Food (Mr. Stewart) and not the Minister of Health. I realize that we cannot argue this point at this time. Our experience this year, I think, graphically shows this particular point that I have made due to the difficulties that we encountered in the Holland Marsh and the Point Pelee marsh areas in our province, with an outbreak of cutworms which required the use of DDT.

In my own area, this particular outbreak was reported to me at 4.30 on a Saturday afternoon. Immediately I got on the phone and the officials of The Department of Agriculture were on that farm property within an hour investigating the situation, reporting to their superiors and to the Minister of Agriculture. He and his deputies were on the long-distance phone late into the hours of Saturday night, and I give them full credit for a very vigorous effort in regard to the farm community which had requested the use of this particular chemical. His officials worked on Sunday. On Monday the permit, through the co-operation of The Department of Health, was granted for the use of DDT in this instance.

Personally, I believe that this effort would not have happened if the full jurisdiction for this special request had been marked up to the Minister of Health and his officials. I do not think they are readily available on the scene and, as such, we could not have asked them as quickly or as effectively on behalf of the agricultural people in our province.

Other principles contained in this bill should be amended. I feel that it should be spelled out that several of the members of this pesticides advisory committee should be from the farm communities themselves, and possibly the agricultural business. I feel further that there should be an appeal from the director to the minister, or better, do away with the director's position as enunciated in the bill and keep the minister totally responsible for the control of this Act. As I have indicated, I prefer the Minister of Agriculture to the Minister of Health.

Further, in respect to the Pesticides Licence Review Board, on principle, I feel there too it should be spelled out that at least one of the people on this review board should be from the farming community.

In any case, Mr. Speaker, I think this bill should go to the agriculture committee for a full review in order that representation can be made by the agricultural community, and agricultural business, and those people who are concerned and knowledgeable with our total environment and our ecological system. At the appropriate moment, Mr. Speaker, I would suggest that I will make that motion that it go to the agricultural committee.

Mr. Speaker: The member for Brantford.

Mr. Makarchuk: Mr. Speaker, briefly to comment, in my opinion, I would rather have it in the hands of the Minister of Health than the Minister of Agriculture and Food, but I really do not have much choice in this anyway. It could be described as Hobson's choice.

I agree with the member for Essex South that there should be representatives on the committee from the agricultural sector of our society because, to a great extent, they will be affected by the measures taken under this Act and particularly by the committee itself.

I also feel that other groups in the community should be placed on the committee. Possibly groups and representatives from Canadian Wildlife, Pollution Probe or such societies should also have members on the committee, because the pesticides have far-reaching ecological consequences. It would be good to bring informed opinion, or opinion other than just the farming community and possibly the agri-business people to evaluate and examine what is being used.

I think one serious defect in this bill is the fact that there does not seem to be any provision in it right now to provide the committee with facilities to verify or check the information that they will receive. I envisage a situation where they are appraising a chemical that will be used, or an insecticide, and in most cases they will have to go by the information that is given to them by the particular company that is either manufacturing or selling the chemical.

I feel that to verify this information, or if an element of dispute arises as to either the efficiency or the possible harmful long-term effects this insecticide may have, that the committee be empowered, one way or another, to have funds to hire a university or some research laboratory to check it out for its possible toxic or ill effects on people.

I hope the minister will incorporate that into the bill or else in the regulations when they are written later on. I feel this is a very important part of the bill.

Mr. Speaker: The member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, I am not going to pursue any further the argument as to under which department this shall fall. If I were able to come across any definitive reports on the immediate and long-term effects of many of these pesticides, I think they would provide, at least for me, some guidance as to whether I felt they should be put in Agriculture or in Health.

On occasion I think a case can be made that if it is with Agriculture, the immediate need is met, but perhaps not full enough consideration of the general threat to ecology and to pollution control prospects. If it is with Health, on occasion perhaps they are a little insensitive to the immediate needs of the farming community. It is a real dilemma and if I had some definite evidence as to the real nature of the effect of some of these pesticides, I would be able to resolve the dilemma, at least for myself.

However, it seems to me that the illustration that our friend, the member for Essex South, gave is somewhat encouraging. At least in this instance the Minister of Agriculture or his officials, with the local people, so informed the Minister of Health that he was not completely insensitive to the agricultural needs. Presumably there was a meeting of all the objectives of the Act.

But to come down to the bill itself, there are a number of aspects that puzzle me. What I have to say is really by way of elaboration that contains questions and I solicit replies from the minister.

As I understand it, the existing situation is that there is a group within the advisory committee which in effect acts as the licensing body. It is a sort of an executive or inner committee of the advisory body, and it does the licensing.

What has happened in this bill is an interesting change. The licensing is taken out of the advisory committee and back into the department and the responsibility for licensing is now going to be with officials in the minister's department. The advisory committee has been given expanded powers—and I will come back to that in a moment because, quite frankly, I am heartily in favour of those expanded powers—but I wonder about, and I invite the minister's comment on, this proposition of taking the actual licensing back into the department.

Who actually is going to do it? Because my information is that there has tended to be a rather easy approach to it, that there are, for example, in the Province of Ontario at this moment—if I am wrong, I invite the minister's correction of it—some 6,000 people who have been licensed. In some instances, the Act specified that a person must have had one year's experience as an assistant, or equivalent experience. And I am told that, on occasion, if an applicant has been involved in paint spraying, that was regarded as equivalent experience.

With all respect for that, it seems to me that spraying paint, when all you have to do is get it evenly on the wall, is really not the equivalent of experience with spraying pesticides, with all the consequences that might flow from such action. And yet I am told that people in that category have been given licences and in so doing apparently the regulations or the existing Act were being met.

Is it the government's intention to tighten up the regulations, so as to be a bit more stringent in the granting of these licences? That is my first question.

Secondly, in comment on the advisory committee itself, which has been stripped of responsibility for the actual licensing, but which has been given wider powers, my basic reaction is one of commendation.

I think the advisory committee before was really a bit of an insult on the part of this government. There was one occasion, some or three years ago, when the advisory committee apparently presumed to give some advice and, in effect, they were told that were to be like Victorian children, to be heard only when they were spoken to and otherwise to keep quiet. In short, they had no initiative at all. They could give advice when that advice was solicited, otherwise they were to remain silent. It seems to me that is reducing the role of an advisory committee to a rather ludicrous point.

This one now is going to be given the power, as I read the section, "to inquire into and consider any matter the committee considers advisable concerning the use of substances for exterminations that may affect public health or safety or the environment or produce other adverse effects . . ." and so forth. In short, they have been given the right to take such initiative and to give advice when they deem advisable, rather than only when they are invited. That, I repeat I welcome.

My final point is that it seems to me that the whole protection of the public welfare in terms of the use of pesticides is going to be achieved only to the extent that you have effective enforcement.

Part of our problem in the use of pesticides is that we do not know exactly what the long-term consequences of those pesticides may be, in side effects. But, as I understand it, our main problem is in the application techniques, and this takes me back to the business of amateurs, who have had "equivalent experience" which really does not qualify them at all, being licensed, and whether or not that is going to continue.

I wonder whether there is not need for a more strict approach to the proposition of application techniques? For example—and now I get right into what perhaps might be a dangerous and controversial area as far as agriculture is concerned, but I think the simple fact of the matter is that in many instances, when you spray pesticides for example, from an airplane, if perchance the wind at that point changes, these finely sprayed particles may, to a very great proportion, not get on the area where they are supposed to go at all, but go out into the air, and heaven knows where.

This raises the whole question as to what is the effect on ecology, on human beings, on plants, on animals and a lot of other things. In short, I am wondering whether or not the minister feels that we have to take a closer look at application techniques and those who are given licences to exercise those application techniques.

Related to it is the whole question of enforcement. Am I correct, for example, in saying that the department has some 10 to 12 people who are enforcement officers? The minister nods affirmatively. If one operates for the moment on the suppositon that they are full-time people, that means that you have 10 to 12 full-time people for the supervision of the 6,000 operators who are licensed to apply pesticides.

Well, let us face it: At best you are going to have spot-checks; a very great likelihood is that in many instances the licensed operator is going to be doing pretty well as he pleases. Quite frankly, I am not certain that is good enough at the present time, with all the possible side effects of modern pesticides.

People who are familiar with the field have raised with me the suggestion that the way this situation can really be coped with is that if you are going to have a corps of personnel, 10 or 12, what should happen is this: The months when pesticides are used most extensively, namely from the spring to the early fall, by happy coincidence happen to be the months when students are free. The enforcement branch, so to speak, could be greatly expanded during the summertime with competent students, perhaps from OAC at the University of Guelph, who have some knowledge and experience in this field, working under the supervision of the 10 or 12 full-time enforcement officers.

In short, if we are really going to achieve the objectives of this Act and protect the public from some of the possibly unfortunate consequences of pesticides, we have got to have a greater enforcement branch, and this may be the kind of way in which it could be expanded to meet the needs for the four or five months of the year when most inspection will have to go on, and the regular personnel will be back in the department for the 12-month period.

Those are the areas that I would like to raise with the minister and invite his comments on. Generally speaking, I think the bill is worthy of support. I have expressed some of my apprehensions, but it seems to me it is at least a step in the right direction.

Mr. Nixon: Mr. Speaker, a word or two on the principle of the bill. I think the minister is aware that not only are we attempting to protect the environment by the special provisions and licensing features of the bill, we are also endeavouring to protect the crops in the agricultural area which are often very seriously affected by the very kind of spray drift that the member for York South has been talking about.

It is true that the number of inspectors available is inadequate and yet the people living in the community themselves, I am sure the minister is aware, often act as inspectors, and no doubt he has had, let us say, informal inspectors, and no doubt he has had letters and information conveyed to him that, in the view of residents in any specific area, there are those people using spray machinery under provincial government licence who are taking inadequate precautions.

I would say to you, Mr. Speaker, that in my experience most of the complaints are from those people living nearby the areas where the spray is being applied who notice damage to their own crops, and of course this is a serious matter just as is damage to the environment in general.

There are court cases pending, and certainly The Department of Agriculture does give a great deal of assistance and co-operation in trying to straighten out the complaints that arise under these circumstances. But certainly the farm community is deeply concerned that there is adequate control, edu-

cation and direction in the use of pesticides and other spray materials.

There is a real acceptance, I think, of the need to use them judiciously and properly, but even from those people who are very well versed in the possible effects to the environment there is no consensus as to which pesticides are bad and which are usable. I suppose the experts would not permit any pesticides to be used at all. I have talked to some who feel that some of the alternatives to DDT are considerably more harmful in the long run than DDT itself.

This is something that we have discussed in the Legislature in the past. While we on this side substantially support the minister's approach to this, I would ask that with the passage of the bill and its approval on second reading he take the necessary steps to have it discussed in standing committee rather than the Committee of the Whole. In the Committee of the Whole we can really say very little more than what has already been said, lacking the expertise and the individual involvement in our own line of business with the application of the provisions of the bill's predecessor and the changes that this would bring about.

I do believe that if it were discussed in the standing committee the contributions from people who would, I believe, come in from outside, from the agricultural community and those more directly concerned with the environment, would be worthwhile. I hope the minister will give this substantial consideration. The concept of the bill is supported on all sides and I hope that the minister will agree that by involving the community and those directly affected by its provisions to the greatest extent, we will increase its value.

Mr. Speaker: Is there any other member who wishes to speak to the bill before the minister? The minister has the floor.

Hon. T. L. Wells (Minister of Health): Mr. Speaker, I would like to thank the hon. members for their contribution to the discussion of this bill.

In commenting on the comments that have been made, I would say this first—that one of the basic principles, as has been noted, is to change the name and the powers of what was known as the pesticides advisory board and to now make it the pesticides advisory committee. This committee now has expanded and well-defined powers. They are given very broad powers indeed to investigate into and comment on the health, safety and other things that may concern them concerning the use of pesticides and herbicides and their effect on the environment and make reports to the Minister of Health and, through the Minister of Health, to the government.

This is one of the recommendations of Professor Edwards' committee which met and discussed the situation of ducks on Toronto Island. I think that this fulfils that recommendation for this basic change.

I might point out in commenting on the member for York South's remarks about the licensing provision. Actually the old Act provided that the board should examine applicants for licences. They did not actually grant the licence. The board carried out the examination and then the licences were issued by the director.

What the new Act does is remove the power and the requirement for this new committee to carry out any of the examination function. Actually, last year there were about 867 examinations carried on. It is my feeling that to get the kind of top-level committee that can carry out the important functions we want them to carry out, we cannot burden them with the problem of examining applicants which, as I say, amounted to 867 examinations last year.

Under this bill the director still issues the licence and under the regulations he will have the power to appoint examiners. The intention is to use part-time examiners and some of his own staff to carry out the oral examinations and then he will issue the licences.

The other principle, of course, in the bill is on the licensing procedure. Various recommendations have come from Mr. McRuer and other sources in order to protect the individual who is asking for a licence. Under this bill he will have the opportunity, if his licence is cancelled or if one is refused, to go through a full set of procedures that we think will safeguard him, right up to an appeal to the courts.

Mr. MacDonald: Would the minister clarify one point here?

Hon. Mr. Wells: Yes.

Mr. MacDonald: This 800 figure last year. Was that new licensees or—in short, is the 6,000, of the number of people who have been given licences, accurate?

Hon. Mr. Wells: Yes, Mr. Speaker. Actually the figure that I have is 5,302—the actual number who hold licences for land, structural and operating licences in the province. There were 867 examinations carried on and the people who got licences as a result of those examinations would be in that total.

Mr. Paterson: What proportion are in Essex and Kent counties?

Hon. Mr. Wells: I am afraid I could not tell the hon. member that at this point in time.

Under the new examining procedure—as I say, it is really not a completely new procedure, because the director has been issuing the licences—but under the new procedure it is certainly our intention to exercise very carefully the controls over licensing to be sure that the people who are licensed know how to apply pesticides and appreciate the responsibility concerned with applying these substances which, in some cases, can be quite dangerous.

And I might tell the hon. member for York South that it is our intention to require in licensing from here on that a person applying must have one year as an assistant and there will be no equivalent service allowed. There are various things like this that will be added as the continuing process of updating the licensing procedures is carried on.

Also I would say, Mr. Speaker, in regard to application techniques and procedures, this is another area that is being given very careful thought, as I think the hon. members are probably aware. There are certain restrictions now on how and what chemicals can be applied and in what ways. For instance, in the new DDT restrictions you cannot apply DDT any more by airplane, because this was shown to be a very hazardous and wasteful way of applying this pesticide.

I think that studies are being undertaken by certain bodies and might even be undertaken by this new pesticides advisory committee on the whole question of the use of spray blast applicators, and where they could be used and in what manner and with what chemicals. There are continuing studies going on and I think there should be more—and I hope that this new committee will undertake some of them—not only in what pesticides should be used and what hazards they might present, but also in the whole matter of application because there are so many different ways of applying pesticides.

As far as enforcement is concerned, I think the hon. member for York South had some interesting suggestions and perhaps they can be incorporated. I would tell him that our staff, in investigating complaints and investigating matters before licences were issued, made about 9,000 different visits to different areas of this province. So although we have a small staff they are working very hard, and certainly the area of enforcement will receive more consideration.

I might just say in closing, Mr. Speaker, that the matter has been raised about which department this legislation belongs in, and this, I suppose, is a difficult one to come down hard and fast on. But I think that the underlying principle here is that this legislation is enacted on behalf of all the people of Ontario, and their concern about pesticides, while it is very real to our friends in the agricultural community, it is also very real and very important to every citizen of the province. And I think what we are trying to do here is to strike a balance between all those interested and concerned with pesticides so they all will have a say.

I might tell the members that in drafting this bill I met with at about 23 different groups in this province who are concerned with this matter, including the Ontario Federation of Agriculture and the Farmers' Union. And it is our intention, when this legislation is passed, to appoint a top-flight committee who can advise this government; a committee that will be representative of experts, ecologists, entomologists, university people, agriculture and the agricultural industry, the chemical industry itself, and the general public. We want to bring them all together into a concerned group that can take on the expanded and important jobs that they are assigned under this bill.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Some hon. members: No.

Mr. Speaker: Committee of the Whole House.

Interjections by hon. members.

Clerk of the House: The twelfth order, House in Committee of the Whole; Mr. A. E. Reuter in the chair.

ELDERLY PERSONS CENTRES ACT, 1966

House in committee on Bill 144, An Act to amend The Elderly Persons Centres Act, 1966.

Mr. Chairman: Are there any comments or amendments to any sections of this bill? If not, shall the bill—the hon. member for Scarborough Centre.

Mrs. M. Renwick (Scarborough Centre): Thank you, Mr. Chairman. Section 6a, allows the lifting of the charter for the elderly persons centre to be made by the Minister of Social and Family Services at any time, but it does not, Mr. Chairman, allow for any sort of appeal, and I am becoming increasingly concerned about the numbers of Acts now in the minister's department to which there is no appeal beyond the minister's decision.

Hon. J. Yaremko (Minister of Social and Family Services): Is the hon. member expecting a comment? Well, Mr. Chairman, I do not know whether we touched upon this. Actually the present minister has established more Acts with appeals than the department had prior to his taking office. There are appeals under The Family Benefits Act, The General Welfare Assistance Act, The Vocational Rehabilitation Services Act and The Day Nurseries Act. But since the approval here is by the minister it is only proper that the minister who has the responsibility also have this authority. He does not revoke the charter. The institution can continue on in its own way; it is just that the approval is withdrawn by the minister by reason of the fact that they are not complying with the regulations. And, as always, under our system of government the ultimate responsibility is with the minister, his colleagues in government who are responsible to the people. We make a mistake in the revocation or the withdrawal of approval and the people know who to take to task.

Mr. Chairman: The hon. member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Chairman, I take it then from the minister's answer to the member for Scarborough Centre that there is no relationship at all between the powers conferred in 6(a) and those conferred in 6(b)—none whatsoever. If that is the case, I think the point still remains to be stressed—and it was raised during second reading—that the approval given by the minister may be suspended or revoked by the Lieutenant-Governor-in-Council at any time. And this, I think, is contrary to McRuer; contrary to what is contained in much other legislation of this type that has to do with the operation of private or semi-private services by such agencies.

The minister still has not provided us with a formula under clause 6 by which persons operating elderly persons' centres may appeal the suspension or the revocation of the approval given to them by the minister, and I think it is essential that that Act contain such protection for the persons whose interests will be affected by the suspension or the revocation.

Hon. Mr. Yaremko: I would just say to the hon. member that the bulk of this section is in keeping with McRuer. McRuer has stated that wherever there are any powers being delegated, they should be so specified in the Act, and one of the purposes of section 6 is to do just exactly that.

Mr. Chairman: Is there anything further on this bill?

Mrs. M. Renwick: Mr. Chairman, a further section under section 6b(2); where the director is absent and there is a vacancy in the office and the powers and duties may be exercised by other employees of The Department of Social and Family Services, I wonder if the minister would elaborate as to exactly from where in his ranks he might draw staff to replace a director, and what sort of qualifications they would have if they are replacing the director?

Hon. Mr. Yaremko: There is no doubt, I would hope, that the minister, in designating the employee, would designate the relevant senior official within the branch. For example, if there were an assistant director, it would follow very naturally that that might be the employee designated. If there were not any other suitable senior persons within that branch it would probably be either a higher level of official, say the executive directive of the social development branch, or some other director who is cognizant with the workings of this department.

For example, it might even be the director of the branch for the children's institutions, who also has jurisdiction over certain of the charitable institutions. It would, of course, be a senior person.

Mrs. M. Renwick: Mr. Chairman, the minister knows of the approval he received from myself for having said that there would be a separate director. But in some fashion the minister is now saying that if there is a deputy director, it could be the deputy director who would be placed in that position. There is not a deputy director, Mr. Chairman, called for in the bill, and it is confusing to know exactly how qualified a person replacing the director will be, even with the hon. minister's answer, because from his answer it could be almost anyone.

That is the exact point I want to make with the minister, Mr. Chairman—that if there is going to be a director of elderly persons centres in the province of Ontario, and a new director, we certainly cannot have someone going out into the field in his absence and not being the same qualified person that he obviously would have to be.

Mr. Chairman: Any further comments or questions to this bill?

Bill 144 reported.

SOLDIERS' AID COMMISSION ACT

House in committee on Bill 145, An Act to amend The Soldiers' Aid Commission Act.

Mr. Chairman: The hon. minister has an amendment to section 1.

Hon. Mr. Yaremko: Mr. Chairman, I move that clause A of proposed section 6(a) of the Act as set out in section 1 of the bill, be amended by adding at the end thereof "including the Canadian Expeditionary Force referred to in the order-in-council of the 10th day of November, 1915." So that the clause shall read as follows:

> (a) to any person belonging to any class mentioned in section 6, including the Canadian Expeditionary Force referred to in the order-in-council of the 10th day of November, 1915.

Mr. Chairman, the hon. member for Riverdale (Mr. J. Renwick) has had some reservations about the legal mumbo jumbo of this particular group in respect of which the original had passed or had been excluded. I am advised by counsel, both in the Attorney General's department and our own, that they would have been included, but I say to the hon. member for Lakeshore that *ex abundanti cautela,* we are putting in this amendment.

Section 1 agreed to.

Mr. Chairman: Are there any comments to sections 2 or 3 of the bill?

Mrs. M. Renwick: Mr. Chairman, I had a comment to section 1 of the bill.

An hon. member: Too late.

Mrs. M. Renwick: Too late? Okay, maybe I can put in section two.

Bill 145 reported.

GENERAL WELFARE ASSISTANCE ACT

House in committee on Bill 175, An Act to amend The General Welfare Assistance Act.

Mr. Chairman: Are there comments, questions or amendments to any section of the bill; if so, which sections?

Mr. J. Renwick (Riverdale): Mr. Chairman, I have an amendment to clause 1 of the bill, reflecting a comment that I made during the second reading. The amendment reads as follows:

> That clause 1 of Bill 175 be amended by adding at the end thereof the words, "and if when requested for approval, the council of the county does not give such approval, the band may request the minister for his approval and if the minister proves the band shall form part of the county for the purpose of the administration of assistance."

Mr. Chairman, the point is very simple. If under the present wording of the proposed amendment the approval of the council and of the directors is not obtained, then the band does not form part of the county for the purpose of the administration of assistance.

It seemed to us to make very good sense that if the approval of the council of the county was withheld either on the initiative of the council or on request to it for approval by the band, there should be an opportunity for the minister to review the decision. And if the minister himself then decided that the band should form part of the county for that purpose, then the band should be included for the purposes of the administration of the Act. That is the purport and the intent of the amendment. I trust that the minister will accept it.

Mr. Chairman: The hon. member for Windsor West.

Mr. Peacock: I would just like to add a few words of support to the amendment of the hon. member for Riverdale. I had one direct experience in respect of a parallel situation, where approval of a board—the board of education—was not given and therefore the legislation in its provision for, in this incident, representation, remained null and void.

I think that the amendment would have been useful in that situation, certainly, in amending this particular clause. It is foreseeable that similar situations will arise, where applications will be made by a band to a council, the application will be denied

and there is no further recourse on the part of the band to be included for the purposes of the administration of the Act as part of the county.

I would think that with the likelihood of such rejections on the part of one or more councils of county municipalities, the minister could well accept the amendment which the member for Riverdale has offered.

Mr. Chairman: The hon. member for Scarborough Centre.

Mrs. M. Renwick: Mr. Chairman, I also support the amendment of the hon. member for Riverdale, based on 175, the companion Act with 175, which in fact brings the minister to the point of where he is further isolating and further alienating Indian communities in the province of Ontario. By the words in 175, "that the approval must be given at the local level," and by the words in 176 "all of which applies to other than Indian bands." I think the hon. minister has got to come to a point where he deals with the Indian population of the Province of Ontario just like the rest of the population of the Province of Ontario.

Mr. Chairman: The hon. minister.

Hon. Mr. Yaremko: This matter has been gone into very thoroughly at the departmental level and in both this bill and the amendment to the district welfare administration board, which has a somewhat similar provision although the wording is slightly different—

Mrs. M. Renwick: The philosophy is the same.

Hon. Mr. Yaremko: —the procedure is the same in that the Indian band must take the initiative in this regard. They make the request and then the matter is dealt with.

We are trying to use established vehicles and the only way that this scheme would work is if there were a proper agreement, which can be worked out between the Indian band and the county, or the Indian band and the district welfare board. One must remember that in respect of counties and district welfare administration boards, there is now provision that certain procedures are carried out. Certain municipalities are forced to become part of this scheme, that is, the general scheme which relates to municipalities.

Indian bands do not fall within that. They cannot be compelled to participate in county or district. I am hopeful that the method will arrange an agreement between the bands and the larger union, in which the responsibilities and costs will be fully laid out. The director enters the picture to ensure that, based on his experience, the Indian bands will not be agreeing to something that might be to their detriment, not having had the expertise in the beginning.

Mr. Chairman, the hon. member's amendment, whatever merit it would appear to have on the surface, does not comply with the whole structure of the Act.

Mr. J. Renwick: Mr. Chairman, that is a very polite put-down by the minister. The fact of the matter is that under the bill as he has drafted it, the approval of the county council is required. If the approval is not withheld then the minister is obviously not prepared to accept the responsibility for reassessing the whole situation. Nobody is asking the minister to substitute his judgement for the county council and overrule the council unless he has made a proper reassessment of it.

The minister says, for example, that this does not fall within the ordinary purview of the Act, but the reason all these amendments have been brought forward over the last several sessions of the Legislature is because they are actually inadequate. This Act will still remain inadequate if a band wishes to do so, and for reasons which are irrelevant the county council decides that it cannot form part of the administration area. So the minister simply abdicates his authority. He tries to suggest that in some way or other the director can finesse the matter through the council, if the council does not want it to do so.

I am simply saying to the minister either he accepts his responsibility or he continues to refuse to accept his responsibility; we have had to fight on other occasions to persuade him. The minister must have totally misread The General Welfare Assistance Act. There is just no way that the band can form part of a county for the purpose of the administration of the assistance, no matter whether or not it is in the interest of the band if, for any arbitrary reason, the county council refuses to give its approval. Surely it is not too much to ask that the minister accept his responsibility as a minister of the Crown in this particular kind of a situation and make the decision.

He can reassess the whole situation and for good and sufficient reasons come to the conclusion that the county council was right. Why must he put himself in the position where he is not even prepared to review

what could be, as the minister well knows, an arbitrary decision of a county council to refuse the approval of the band?

Mr. Peacock: The Provincial Secretary (Mr. Welch) should be in his seat to support this amendment.

Mr. Chairman: All those in favour of Mr. Renwick's motion will please say aye.

Those opposed will please say nay.

I declare the section carried.

Are there any further comments to any section of this bill?

Bill 175 reported.

Mr. J. E. Stokes (Thunder Bay): Bob, you of all people! I never thought.

DISTRICT WELFARE ADMINISTRATION BOARDS ACT, 1962-1963

House in committee on Bill 176, An Act to amend The District Welfare Administration Boards Act, 1962-1963.

Are there any questions, comments or amendments to any section of this bill?

If not, shall the bill be reported?

Bill 176 reported.

CHILD WELFARE ACT, 1965

House in committee on Bill 182, An Act to amend The Child Welfare Act, 1965.

Mrs. M. Renwick: Mr. Chairman, on a point of order. When I said yes, that there was a section of the bill, I was not on my feet. I realize I was in error. Would the minister permit one question on Bill 176?

Mr. Chairman: I think there would be no harm done if the hon. member wishes to direct a question to the minister.

Mrs. M. Renwick: Thank you, Mr. Chairman. I notice under Bill 176, Mr. Chairman, under section 1, part 3, section (e) that a municipality can be a band in which this Act will apply. I was wondering if there is a regulation as to what size of population a band must be in order to be a municipality under this Act which, of course, will be governed I guess under another department of the government.

Hon. Mr. Yaremko: If the hon. member will refer to section 1 (a) she will see that there is a definition of band and band council; they have the same meaning as in The Indian Act of Canada. Whatever is designated in the federal Act is, for our purposes, the Indian band. They are specific units that actually exist in the province. They are of varying sizes. Some bands have a handful of people. Some bands are quite substantial, like the Six Nations.

Mrs. M. Renwick: Mr. Chairman, I was not asking the minister of the population of the bands. I was asking is there a requirement that a community must be a certain size in order to qualify as a municipality under his Act?

Hon. Mr. Yaremko: No.

Mr. Chairman: Bill 182, An Act to amend The Child Welfare Act, 1965. Are there any comments or questions to sections 1 or 2 of the Act?

Hon. Mr. Yaremko: Mr. Chairman, I have an amendment to section—

Mr. Chairman: If not, the hon. minister has an amendment to sections 3 and 4.

Hon. Mr. Yaremko: I have an amendment to section 4, Mr. Chairman.

Mr. Chairman: Would the hon. minister have an amendment to section 3?

Hon. Mr. Yaremko: Mr. Chairman, I move that section 3 be amended. I move that subsection 2 of section 9 of the Act, as re-enacted by subsection 2 of section 3 of the bill, be amended by inserting after "shall" in the fifth line, "within 10 days after the estimate has been submitted to the minister."

Mr. Chairman: Any discussions on the amendment?

Will the amendment carry?

Mr. Peacock: I did not catch that. Could you put it again?

Mr. Chairman: The motion was that the minister moved that subsection 2 of section 9 of the Act as re-enacted by subsection 2 of section 3 of the bill, be amended by inserting after "shall" in the fifth line, "within 10 days after the estimate has been submitted to the minister."

Shall the amendment carry? Carried.

Mr. J. Renwick: Mr. Chairman, could I ask the minister to read the section with the amendment so that we could clearly understand the effect of it?

Hon. Mr. Yaremko: Mr. Chairman, we have tried in this rather complicated section to set time limits all the way through in which certain things may be done in order that the ultimate hearing by a committee, if ever necessary, will not be delayed.

The section now reads:

> Every estimate of expenditures prepared under section 8 is subject to the minister's approval and shall be submitted to the minister after it is approved under subsection 1 and before the 25th day of April, and the director shall, within 10 days after the estimate has been submitted to the minister, recommend to the minister that the estimate be approved as submitted or that the amount of the estimate be varied.

So that we have a specific time limit; there will not be any drag of time during which this would take place.

Mr. J. Renwick: Mr. Chairman, in the complicated sections that the minister refers to, is there any time when the minister is required to give his approval?

Hon. Mr. Yaremko: Yes, there is. In subsection 4 you will see that the minister, after the expiration of 30 days, may approve.

Mr. Peacock: May approve?

Mr. J. Renwick: Mr. Chairman, is that not the point: "may after the expiration of 30 days from the making of the director's recommendation under subsection 2"—"may approve the estimate as submitted" or "may, subject to subsection 5, vary the amount of the estimate and approve the amount so varied" and so on. But there is no specific period of time within which the minister is required to make the approval and it would appear to me that it is much more important that the minister—

Hon. Mr. Yaremko: In subsection 5:

> Where the minister intends to vary the amount of the estimate and to approve the estimate as so varied, he shall give notice to the Children's Aid Society and to the council of each municipality in the area in which the society has jurisdiction or to the district child welfare board as the case may be within 10 days after the director makes his recommendations under subsection 2.

Mr. J. Renwick: Mr. Chairman, I recognize the elaborate procedure that the minister has introduced into the bill, but there is still no specific provision in the bill which requires the minister, within a given period of time, to make his decision as to whether he gives his approval, does not give his approval, or gives his approval to a varied estimate. I would like to know whether the minister could give us some indication as to whether or not he feels under any obligation to give his decision within a specific period of time.

Hon. Mr. Yaremko: That comes again in section 4 of the bill, subsection 11, that is the last subsection in this: "Notice of the minister's decision shall be given to the parties concerned within 30 days after he receives the report and recommendations of the committee." There is a finality there.

Mr. Chairman: Shall the amendments carry?

Hon. Mr. Yaremko: Mr. Chairman,

Mr. Chairman: One moment please.

Shall the amendments carry?

The hon. member for Windsor West.

Mr. Peacock: I am sorry, may I ask a question? Subsections 3 and 4 are complementary to one another, but are they so that under 3 an initial step is taken by way of application to the minister and under 4, a further step is taken by the establishment of an ad hoc child welfare review committee? In other words, it still remains that in the initial step provided in clause 3, the minister does not have any time limits to deal with although he may do so under clause 4, which was just before us.

Hon. Mr. Yaremko: A combination reading of subsections 4 and 5 of section 9 shows where the minister approves it, but if he intends to vary it where everybody is agreed to the budget, there is no problem at all. Where the minister intends to vary it, then he is limited by a time limit of 10 days after the director makes the recommendation. And you will have noted that in subsection 2 we have put a time limit on the director in this regard.

Mr. Chairman: Shall section 3, as amended, carry? Shall amended section 3 form part of the bill? Carried.

I believe the minister has an amendment now to section 4.

Hon. Mr. Yaremko: Section 4, Mr. Chairman, subsection 6.

I move that subsection 6 of section 11 of the Act as set out in section 4 of the bill be amended by striking out "may" in the fourth line and inserting in lieu of, "shall"; and by inserting after "appointment" in the fifth line, "forthwith."

Here again, Mr. Chairman, this is where one of the parties has failed to make the appointment. Now, failure to make the appointment might either delay or drag out the proceedings, so that by putting an obligation on the minister, instead of making it permissive, forthwith he will have the opportunity of making sure that there is no delay on anybody's part simply by not making their relevant appointment.

Mr. Chairman: Shall the amendment carry? Carried. Shall amended section 4 stand as part of the bill? Carried.

Are there any comments, questions or amendments to any other sections of this bill? If so, which sections?

Bill 182, as amended, reported.

CONSUMER PROTECTION ACT, 1966

House in committee on Bill 56, An Act to amend The Consumer Protection Act, 1966.

Hon. A. B. R. Lawrence (Minister of Provincial and Commercial Affairs): Mr. Chairman, shall I speak to a minor amendment to the first section—

Mr. Chairman: I have a copy. I will call the hon. minister in a moment. Bill 56, An Act to amend The Consumer Protection Act.

The hon. minister has an amendment to section 1 of the bill. The hon. Minister.

Mr. I. Deans (Wentworth): Mr. Chairman, before the minister moves his amendment, I just want to clear up, if I may, on a point of information, that an amendment moved by the minister does not preclude amendments to other subsections within the section.

Mr. Chairman: Right. The hon. member is quite correct.

Mr. Deans: Thank you.

Mr. Chairman: The hon. Minister.

Hon. A. B. R. Lawrence: Mr. Chairman, I move that subsection (1) of section 30(a) of the Act as contained in section 1 of the bill be deleted and the following substituted therefor:

> 30(a), subsection (1), in this section, subsection (a), credit means the advancing of money, goods or services to or on behalf of another for payment at a later time whether or not there is a cost of borrowing and includes variable credit. (b) "Unsolicited goods" means personal property furnished to a person who did not request it and a request shall not be inferred from inaction or the passing of time alone but does not include: A, "personal property that the recipient knows or ought to know is intended for another person"; or B, "personal property supplied under a contract in writing to which the recipient is a party that provides for the periodic supply of personal property to the recipient without further solicitation."

The purpose of this amendment, Mr. Speaker, is to expand the particular subsection so that the definition of credit, as it appears in the Act as a whole, directing itself by definition to the cost of borrowing, as far as this section is concerned, is not so limited. In other words, in this section when we refer to credit, we refer to what might be described as the dictionary definition of credit as distinct from the term as defined specifically in the statute at this moment.

The second thing it does is to clarify any misunderstanding that there might be that a contract for supply of goods from time to time on a continuing basis does not find that the second, third, fourth or fifth delivery of goods under the original contract can be challenged as being, as it were, outlawed by the question of unsolicited or not unsolicited.

As some of the members may know, some of these contracts for delivery of books are in series, and the same with records, but where the person has signed a series contract, we clarify the fact that he is bound to that series contract and that the second and further deliveries are not unsolicited.

Mr. Chairman: Are there any comments to this amendment? Shall the amendment carry?

Amendment agreed to.

Mr. Chairman: Are there any further questions, comments or amendments to any other section of this particular bill?

Mr. Deans: Yes, Mr. Chairman, I would like to move an amendment to subsection 2, I guess it is sub-subsection 2 of subsection 30(a) of section 1.

I move section 1, subsection 30(a) (2) be amended by deleting in the fourth line "or accepted" and by deleting all of the words after the word "writing" in the fifth line so that the section reads as follows:

> No action shall be brought by which to charge any person upon any arrangement for the extension of credit evidenced by credit card unless the person to whom credit is to be extended requested the credit arrangement and card in writing.

Mr. Chairman: Mr. Deans moves that section 1, subsection 3(a)(2), be amended by deleting in the fourth line "or accepted" and by deleting all of the words after the word "writing" in the fifth line so that the section reads as follows:

> No action shall be brought by which to charge any person upon any arrangement for the extension of credit evidenced by credit card, unless the person to whom credit is to be extended requested the credit arrangement and card in writing.

The hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Chairman. During the debate in principle I put to the minister the position that what he had done in the bill really did not do anything to eliminate the unwanted credit cards that were being distributed by certain credit agencies in the Province of Ontario.

I think the amendment we have offered is an amendment that will make it obvious to any person sending out a credit card which has not been requested that the individual in receipt of it may use or discard it as he sees fit. I do not think that it is nearly enough to say—I want to put it another way —I think that it is important that any person getting credit in the Province of Ontario should have requested it. I do not think it is right that companies should send out blank cheques, as it were, to people and encourage them to go into debt, as they are doing by this indiscriminate sending out of unsolicited credit cards. I think that this amendment in many ways will make the present practice of sending unsolicited cards unacceptable to those who are presently using them.

I have felt for some time that maybe the legislation in British Columbia is going too far and maybe this parallels it in many ways, but I do feel that if we are going to extend credit a much closer check on the ability of the individual to sustain the credit has to be made. I think if we are going to extend credit, we have got to take into consideration the effects that indiscriminate use of credit has had on the breakup of families and the difficulties that people have encountered in their inabilities to meet the payments that they have incurred, perhaps of their own volition, but in most instances without giving enough thought to it.

I would urge the minister to make this amendment to his Act to bring into line the companies that extend credit, to make it an offence not only in regard to sending out the cards, but to make the company responsible for the indiscriminate use of the card.

By doing that I am sure we will not see too many credit cards extended in the Province of Ontario without first having made sure that the individual in receipt is indeed requiring and requesting the extension of credit, and I would ask that the members of this House support this amendment to try in many ways to take a step toward combatting the indiscriminate use of credit and the inflationary measures that it brings about.

Mr. Chairman: The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): I just want to say a word with respect to the amendment. In many respects I am attracted toward it. My feeling at the moment, however, is that rather than doing it this way—I see what the member is trying to accomplish—I would prefer to make it illegal for a company to send out an unsolicited credit card. In my view, I think that is really the simplest and the cleanest way in which to deal with the problem.

It seems to me, not to repeat the points that were mentioned by my hon. friend, that if we were to make the sending of unsolicited credit cards illegal than I think we would solve this whole problem. I have a great deal of sympathy for the proposition put forward. Frankly, I cannot see why a company should be in a position to send out credit cards en masse across the country, hoping that the people to whom they issue these credit cards will use them and incur, as they certainly will, the debt and the cumulative effect of using these credit cards. Some people can use a credit card, others cannot; I just do not think we should allow this type of action by our corporate citizens of this province.

My friend says that it will effectively stop it; as I say, I have a great deal of sympathy for the position which he puts forward. But I say the best way to handle it is to make it illegal for them to do this. We will support it; we agree with that concept and with that principle. But I say that the best way to do it is the way I suggest.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I want to support what my hon. friend from Huron-Bruce has said. In reference to the amendment that has come from the NDP, I can see one flaw in it:

maybe it is not a flaw, but I believe that it is. That is, if an unsolocited card were received, and this amendment had become a part of the law, you would be quite within your rights to go and use it to any extent at all and have no legal responsibility. I feel that would be a bit beyond the point of reason—

Mr. J. Renwick: You would not!

Mr. Stokes: It would not happen very often, I can assure you.

Mr. Nixon: —and surely the best approach would be to outlaw the use of unsolicited credit cards entirely.

Mr. Deans: Well, why did—

Mr. Nixon: Well, you got up and made an amendment and I am just discussing it; I am sure that is within my rights. We have told you we will support it, but we see almost as great a flaw in the member's amendment as the flaw that has been put before us by the government.

Mr. Deans: I agree with you.

Mr. Chairman: Does the hon. minister have any comments?

Hon. A. B. R. Lawrence: Yes, Mr. Speaker. On second reading we dealt with the principle and here, as I look at the amendment proposed by the member for Wentworth, I must object most strenuously to what is clearly a retrograde statutory or legal step. The idea that—

Mr. P. D. Lawlor (Lakeshore): Is the minister calling the people of British Columbia moronic?

Hon. A. B. R. Lawrence: British Columbia is not this province and they can—

Mr. Lawlor: Bennett is plugged into God.

Mr. Deans: Does the minister think they would send credit cards—

Hon. A. B. R. Lawrence: No, I do not.

Mr. Chairman: Order!

Hon. A. B. R. Lawrence: But it takes the form of legislation by blackmail and by outlawry, which are principles that have been removed, or hopefully we gradually have tried to remove from our laws in the last 1,000 years. I know the member for Lakeshore would not support his friend's amendment for a minute, because not only does it offend historic principles in the cleaning up of our law, it also puts us in the position of encouraging fraud, where the person receives such and would then be free to go around the world and buy Cadillacs and mink to his heart's content.

Mr. Deans: Then do not send them out.

Hon. A. B. R. Lawrence: Your amendment does not say that.

Mr. Chairman: All those in favour of Mr. Deans' motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it. I declare the motion lost.

Are there any further comments, questions or amendments to this bill?

Bill 56, as amended, reported.

LOANS AND TRUST CORPORATIONS ACT

House in committee on Bill 155, An Act to amend The Loan and Trust Corporations Act.

Mr. Chairman: Bill 155, An Act to amend The Loan and Trust Corporations Act. Are there any comments, questions or amendments to any section of this bill?

Bill 155 reported.

PREPAID HOSPITAL AND MEDICAL SERVICES ACT

House in committee on Bill 194, An Act to amend The Prepaid Hospital and Medical Services Act.

Mr. Chairman: Bill 194, An Act to amend the Prepaid Hospital and Medical Services Act. Are there any comments, questions or amendments to any section of this bill?

Bill 194 reported.

Hon. Mr. Welch moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the Committee of the Whole House begs to report certain bills with certain amendments, and certain bills without amendments, and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 140, An Act to amend The Conditional Sales Act.

Bill 177, An Act to amend The Judicature Act.

Bill 181, An Act to amend The Milk Act, 1965.

Mr. P. D. Lawlor (Lakeshore): Just a word on Bill 183, An Act to amend The Judicature Act, Mr. Speaker, if I may. There were numerous amendments to The Judicature Act.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, that bill should stand down. Are there further amendments needed to be made to the bill?

Mr. Lawlor: No, I am quite prepared to have it go through the third reading, provided it is understood that the amendments we reached in committee would be embodied in that bill.

Hon. Mr. Welch: I think since the Attorney General is not here we should hold the bill.

The Clerk says that they are reprinted but would the member rather satisfy himself on that point before it proceeds?

I think it had better stand down. If there is any question at all, let us stand the bill down.

THIRD READINGS
(continued)

Bill 185, An Act to amend The General Assessments Act.

Bill 187, An Act to amend The Judges' Orders Enforcement Act.

Bill 188, An Act to amend The Habeas Corpus Act.

Bill 193, An Act to amend The Investment Contract Act.

Bill 56, An Act to amend The Consumer Protection Act, 1966.

Bill 144, An Act to amend The Elderly Persons' Centres Act, 1966.

Bill 145, An Act to amend The Soldiers' Aid Commission Act.

Bill 155, An Act to amend The Loan and Trust Corporations Act.

Bill 175, An Act to amend The General Welfare Assistance Act.

Bill 176, An Act to amend The District Welfare Administration Board Act, 1962-1963.

Bill 182, An Act to amend The Child Welfare Act, 1965.

Bill 194, An Act to amend The Prepaid Hospital and Medical Services Act.

Bill 189, An Act to repeal The Damage by Fumes Arbitration Act.

Hon. Mr. Welch: Mr. Speaker, I wonder if I might have the concurrence of the House? I would like to move that Bill 184 be put back on the order paper for third reading. It was called in error for third reading—Bill 184, An Act to amend The County Courts Act.

Motion agreed to.

Clerk of the House: Resuming the adjourned debate on the amendment to the motion that Mr. Speaker do now leave the Chair and that the House resolve itself into the committee on ways and means.

ON THE BUDGET

Mr. M. Shulman (High Park): Mr. Speaker, you will recall, when we last spoke, that we were discussing the problems of organized crime in this province and the failure of the Attorney General (Mr. Wishart) to take effective action. You may recall that when the report on crime in the construction industry was first brought up in this House a week or two ago, the Leader of the Opposition (Mr. Nixon) asked if that could be made public. The Attorney General at that time suggested that there might be names in it that might embarrass people on this side of the House.

Mr. Speaker, that puzzled me; but re-examination of the material in the report has solved the puzzle. The Attorney General was really somewhat over-optimistic. I do not think anyone on this side of the House should be embarrassed. There is one name in there, and it is the name of a defeated candidate in the last provincial election from one of the opposition parties. This man happens to be the representative of one of the contractors who negotiated with the sweetheart union I mentioned.

This is the sum and substance of the name and the embarrassment, and I rather think the Attorney General overstated his case. There is nothing in there to embarrass either of the opposition parties.

I want today, in the time I have, to go back into the problem of the labour racketeer-

ing in some detail, because the three intelligence officers who prepared the report did extensive research on this problem. I believe I mentioned two of their names yesterday, Inspector Grice of the OPP, Roy Soplet of Metro intelligence; and also the third man from the RCMP. I do not believe I mentioned his name, his name is Swift. In any case, they did a very extensive study of the matter and because it is almost a classic—this thing has occurred in the United States many times but it has never been spelled out before by anyone and the police have done a magnificent job in getting all the details—I am going to present it to the House purely for the record. Not just for this jurisdiction, because I think what happened here will be of value in other jurisdictions where similar problems have occurred in the past and are occurring in the present, particularly in the United States.

Mr. Speaker: I would merely point out to the member, as I did to another member yesterday, that he is as well as I am, aware of the rules with respect to the lengthy reading from documents.

Mr. Shulman: I do not intend to read anything at all from documents, sir. To get that quite clear, I do not have the particular document; I have certain information which perhaps may be similar to things in the document.

In any case, this difficulty all began back in 1965, and quite frankly, the full story sounds as though it came straight out of the McLellan crime hearings. The two unions involved were Local 562 of the Lathers International Union, which was partly innocent in this matter, may I say, and the Canadian Concrete Forming Union. The difficulty all began in the latter half of 1965 when three international unions were engaging in a campaign to organize the employees of a number of construction companies in this city.

May I just digress for a moment. Italian workers who have emigrated from Italy to Canada since the war have been exploited almost continuously by a large number of the people for whom they have gone to work. I remember when I was working at the coroner's office, we found that there were six or seven Italian labourers crushed to death every year in slit trenches for the simple reason that the persons who owned those companies, the contractors, refused to carry out the law in properly boarding the sides of the trenches.

They found it was cheaper to pay for the odd funeral than it was to pay for proper safety precautions. There was quite a battle at that time, and to give credit where it is due, the *Telegram* labour columnist, Frank Drea, put on a tremendous campaign. I think he was probably the one most successful in getting some results and in stopping that particular exploitation.

That exploitation has been stopped but another exploitation has been continued and that is a financial one. Great efforts have been made to prevent these people from being properly represented by unions. As you will see, when they were finally represented by this very strange sweetheart, company union they did not receive what they should have. I will come to that later on.

In any case, during the latter half of 1965, three international unions were engaged in a campaign to organize the employees of a large number of the construction companies in this city. Now the heads of those construction companies were very anxious that they should not be organized and they engaged the services of a private investigator, Mr. Norman Menzies, in order, first of all, to obtain information as to which of the employees of some of these companies had signed applications for membership cards in any of the three unions. May I say, just to set the matter straight, Mr. Menzies did have a charge laid against him last year, but for reasons of which I am not aware the Crown has withdrawn those, and so there are no charges pending against this man.

One of the contractors involved informed Menzies that he wanted to prevent the three unions from becoming the bargaining agent for any of the employees. Menzies then proceeded to attend at the various construction projects in Metropolitan Toronto where the employees were working. He purported to be —he went up to them and indicated to them that he was a member of the union, an official of the union, and he was just coming up to see who had already joined up. He questioned the employees, one at a time, as to whether or not they had signed application cards with any of the three unions. He then took the resulting information back to the employer, who promptly discharged all of the employees who had signed application cards for the union.

Mr. Menzies was given other instructions. During this time, Menzies was instructed to follow and observe closely the actions and conduct or certain organizers of the three unions, and in particular to ascertain the

addresses of the residences these organizers visited after regular working hours. On delivering the resulting information back, the detective was informed that if any of the employees lived at these addresses, they were to be discharged.

Menzies was also given orders by one of the contractors that he was to beat up certain of the organizers from the three unions; and to his credit let me say he did not do this. But these were the instructions that were given to him and I have a statement from him here on the matter.

Now despite all these efforts, it soon became clear that in order to prevent the international unions from ultimately successfully organizing the men, it would be necessary to forestall them by setting up a phony union. Mr. Bruno Zanini, a labour leader with a rather chequered past, and then an official of Local 562 of the Lathers' International Union, was approached about the possibility of setting up a sweetheart union.

In the first week of October 1968, a meeting of Local 562 representatives, plus a group of contractors, was held in the afternoon at the office of Robert Ross, then chairman of the contractors' association. The office was located at 78 Signet Drive, Weston, Ontario. Among the persons present were:

(a) Gus Simone and Bruno Zanini, representing local 562; (b) George Orla, employed by the DiLorenzo group of companies as a public relations officer, and Nick DiLorenzo, from the same companies; (c) Pat Valarosa and Len Orsini, the owners of Acu-Forming Limited; (d) Mr. John Ferracuti, a contractor; (e) Irmo Ragogna, the principal of United Forming Limited and Dominion Worthwhile Realties Limited; (f) Dominic Faga, an owner of Faga Forms, Falcon Forming and Falcon Structural Forming Limited; (g) Alex DiMatteo, the owner of Etobicoke Forming; (h) Robert Ross, president and chairman of the association and a principal of R-Forms Limited and Viro Forms Limited.

During the meeting it was agreed by the contractors, on behalf of its members, that they would sign a collective agreement with local 562 as soon as the majority of the employees of each of the contractors had signed application forms for membership cards with Local 562.

But at the meeting Simone and Zanini informed the representatives of the contractors that it would be impossible to get these employees to sign application cards unless they were instructed to do so by their employers, since a large number of former employees had been discharged in 1965 and 1966 when it was discovered by Mr. Menzies that these persons had applied to become members of one of the three international unions.

As a result, in order to assist Local 562 in getting these employees signed up, the contractors' representative at this meeting agreed that each of its members would make available to Local 562 a list containing the names and addresses of all their respective employees. George Orla, who I mentioned earlier is a public relations officer for the DiLorenzo group of companies, was instructed to assist Local 562 in its campaign of organization. From October 7, 1968, to the middle of November, 1968, Orla, while continuing his regular duties with the contractors, actively assisted Local 562 in doing the organizing.

Now, on October 14, 1968, things were not going as well as the people involved had hoped, and Mr. Simone contacted one of the contractors by telephone and requested that the latter instruct Mr. John D'Alimonte, who is a supervisor with the DiLorenzo group of companies and regarded by employees of these companies as being likely to affect their employment, to attend the organizational meetings scheduled by Local 562 for October 16 and 17, 1968. Simone informed DiLorenzo that he require D'Alimonte's presence at these meetings because otherwise the employees would refuse to sign application cards with the union. D'Alimonte was sent to these meetings — Pardon me?

Mr. D. M. De Monte (Dovercourt): Just make sure you pronounce that name right, that no innuendoes are being made about my name.

Mr. Shulman: Sorry. I have made no innuendoes about the member's name. What is his name?

Mr. De Monte: You know what my name is.

Mr. Shulman: I had forgotten. I do not see the member's name here yet.

In any case, D'Alimonte was instructed to attend these meetings, and on October 15, 1968, he attended a meeting at 676 Milwick Drive in Weston, at which time he was instructed to assist Zanini and Simone in connection with the organizational campaign of Local 562. He was told to attend the organizational meetings scheduled for October 16 and 17, 1968, and to indicate to the employees that the company, through Mr. D'Alimonte, was giving permission to the employees to join this union and in fact wanted them to join the union.

At this meeting, the contractor stated to D'Alimonte that he did not want the international unions organizing his employees or any employees of any of the other contractors, and that he wanted to "make his own union."

D'Alimonte commenced working for Local 562 two days later and he remained with Local 562 until February, 1969, at which time he returned to his regular employment with the contractors.

On October 16, 1968, local 562 held a meeting at the York Centre ballroom at approximately 8 p.m., which was attended by 400 employees employed by a large number of the contractors. Among those in attendance were several superintendents and foremen, who were to make certain that the employees signed their cards with Local 562, which procedure had been arranged beforehand between the contractors and Local 562.

On October 17, 1968, a further meeting was held at the York Centre ballroom, attended by approximately 700 employees of different contractors; and as in the previous meeting, there were again several superintendents and foremen present who were to indicate by their presence that the employers were giving approval and, in fact, wanted the employees to join the union.

All application cards signed by the employees were not kept by the union, but they were kept at the office of one of the contractors. The money that was collected in respect to the same was kept by Local 562, which was done in accordance with instructions given by Robert Ross and one of the other contractors.

I might say as an interjection here, one of the contractors has a charge pending against him in relation to a related matter—nothing to do with the formation of the union—but I am not mentioning him or the matter involving him for that reason.

Throughout the organizational campaign, superintendents and foremen approached various employees of the various contractors requesting that they sign the application cards which had been handed to them. However, except in the case of D'Alimonte, none of the superintendents who were present when the cards were signed by the employees, countersigned them, but they remained unsigned until a few weeks later when all the cards were then signed by Simone or Zanini, even though neither of them had actually collected the dollar in each case as is required under The Labour Relations Act.

Mr. V. M. Singer (Downsview): Is that the same Simone the member was telling us last night was the honest one?

Mr. Shulman: Yes.

Mr. Singer: He forged signatures.

Mr. Shulman: Nor were they present when the employees executed the cards. On November 4, 1968, a collective agreement was made and entered into between Local 562 and the contractors. The agreement was to be effective on November 4, 1968, until January 31, 1974.

It looked like the contractors had things all fixed up; they had a nice phoney union. And, suddenly, it all fell through, because of course the international unions—and international unions have their values in a situation like this—were aware of what was going on and they were quite upset. Through their US contacts, they contacted the headquarters of the Lathers' Union, who were appalled at what was going on up here. They issued instructions to Gus Simone in Toronto informing him that he must not cover this group of men and that he must turn them over to the Labourers' Union here in Toronto, which is also an international union. They instructed him to turn them over to Local 183.

On May 23, 1969, Simone was summoned to go to Chicago to discuss handing over the jurisdiction from his union, which is Lathers', to the Labourers'. Just prior to his leaving for this meeting, he was called in by Mr. Charles Irvine and was warned not to attend the meeting. In fact, Irvine went so far as to say that, if you do go to this meeting, you should walk across the road from the office on Eglinton to where there was a funeral parlor. Simone was advised to order himself a box because he would need it if he went to that meeting.

Notwithstanding this fact, Simone discussed this with Zanini, who also urged him not to go, and he had discussions with a number of other people. In any event, he finally decided he was going to go and he did go accompanied by eight other men from the Lathers' Union.

After the meeting in Chicago on May 23, 1969—in fact, on the very same evening—on the return from Chicago, there was a meeting held at one of the contractors' homes with Mr. George Orla, with Mr. Gus Simone and with two or three others. At this meeting, the contractor instructed Simone that he should stall transferring the men over to the Labourers.

A few days later the contractors decided to form their own union, without bothering to get an affiliation with any other union whatsoever, and they decided to call this union the Canadian Concrete Forming Union, Local No. 1. Mr. Robin Cumine, who was a solicitor for Bruno Zanini, was retained to prepare a constitution.

There was an executive board meeting of the new union held that week at 1801 Eglinton Avenue West, suite 105. In attendance were Zanini, Enzo Ragno, John D'Alimonte, Robin Cumine, and several others. At this meeting the constitution was read and approved, and persons were elected as interim officers and most of them signed application cards for the Canadian Concrete Forming Union Local No. 1. At the meeting Zanini was elected president, and John D'Alimonte vice-president, with Enzo Ragno as the secretary.

During the last week of May, 1969, a meeting was held at 1801 Eglinton Avenue West, at 2 p.m. In attendance was Charles Irvine, Simone, Zanini, Ragno and the following contractors: Italo Cerrone, George Irla, John Ferracuti, and Toni Sabato from Unique Forming, Leo Lombardo from Falcon Forming, and Pat Valarosa, and Len Orsini for Acu-Forming.

At the meeting Zanini told the contractors that they were anxious to set up this new union and the contractors agreed to assist them in the formation of the union and to arrange for all their employees to sign applications for membership cards for this new union. It was agreed at this meeting, in order to assist in connection with the formation of the union, that Zanini would order all of the employees of the association, the contractors, to go out on an unlawful strike on June 2 and 3, 1969. The contractors agreed not to take any punitive action against the employees as a result of this unlawful strike.

At this point, Simone was prepared to hand over the workers to the Labourers International Union, but he was called to a meeting which was attended by George Orla and by the contractor I had mentioned earlier. At one point during this evening, Mr. Orla left the room and the contractor told Simone that he should get rid of the concrete forming jurisdiction which he purported to still have, because he had a wife and children and if he valued them this is what he should do.

Three days later a death note appeared on Simone's door. A day or two after this, Zanini met with Simone and Simone told him that he was going to follow the instructions and turn the workers over to the Labourers' union; a heated discussion resulted following this, and apparently there was quite an argument.

The following morning, that is Saturday, May 24, Simone and Zanini met at 1801 Eglinton Avenue West, in Simone's office, and Zanini told him at that time that if there was a transfer over to Local 183, that a rough friend in Hamilton, Johnny Papalia, would be coming down to take certain action.

Interestingly enough, the very same day Simone received a phone call from another Hamilton Mafia member, but he did not return the call; he just received the information the man had called—and this man's name is mentioned in the report.

During the first week of July, 1969, a meeting was held at the Cambridge Hotel in Toronto at 8 p.m. Among those present were representatives of all the contractors and Mr. Zanini. At this meeting it was agreed that the concrete workers employed by the contractors would engage in an illegal strike for two weeks, beginning July 7, 1969.

Once again, the contractors agreed not to take any action against the employees, because the strikes had a dual purpose. They were to lead to recognition of this phoney union, but also they were to be used by the contractors' association as a lever to pry more money out of the builder, supposedly to pay for higher wages.

Actually much of the supposed wage gains were never passed on to the workers through manipulation of the categories in which the workers were listed. For example, a Grade A carpenter according to the new contract should receive $4.20 an hour, but he would be arbitrarily classified as Grade B and paid only $3.90 an hour.

The international union challenged the certification of this new union, as they had of Local 562, and a hearing was held in front of the Labour Relations Board. That hearing turned out to be a farce because a number of foremen were sent to the hearing as witnesses by the contractors. On the morning of the hearing the foremen were all assembled at one of the contractor's offices and after the meeting they were told that they should tell the examiner at the Labour Relations Board that they were carpenters and that they worked with tools. The purpose of saying this to the examiner was to prevent the Carpenter's Union and the other union from obtaining certification by increasing the number of employees in those classifications, because

normally of course, foremen would not be allowed to vote in this type of a vote.

These men were instructed to go in and lie; and they all did it and I have statements from them substantiating this. They appeared in front of the Labour Relations Board and they all lied. They were all foremen and they all said that they were workers.

As a result of this justice was frustrated, but nothing has ever been done about it; and the fantastic thing is that the statement which I have, and the affidavits which the police commission received, have been in the hands of the Attorney General now for six months. I wonder why he has done nothing?

Anyway, on July 16, 1969, a collective agreement was signed between the Canadian Concrete Formers Union and the contractors. All the contractors in Toronto did not go along with this, and I may say this is to their credit. Those that did not then began to suffer from a reign of terror, because simultaneous with the setting up of these phoney unions there occurred a chain of violent incidents in order to force the dissenting contractors to order their employees to join this new union.

Fires were set by placing propane heaters close to walls. Floors were collapsed by loosening jacks. Lives were threatened with crude notes.

Chief of Police James Mackey made a list of the incidents that took place at that time, of sabotage to the contractors who would not go along with this dishonest affair, and I just want to read it. It is quite brief:

> August 1968: Village Gate Apartments, Steeles Avenue. Braces loosened—$20,000 damage.
>
> December 7: Herbal Development, Cooksville. Foreign matter placed in the cement truck motors. No estimate of damage.
>
> December 17: Leader Masonry, Toryork Drive. Fire set—$75,000 damage.
>
> January 10: Katkey Const., Ontario Housing Development, Driftwood Road near Jane St. Two hundred jacks lowered, dropping a new floor—$30,000 damage.
>
> January 20: Greenwood Const. Co., Keewatin Avenue. Fire set—$175,000 damage.
>
> January 26: Premium Wood Products, Pen Avenue. Three small fires set—$4,000 damage.
>
> January 29: Delton Const. Co., Bathurst St. Crane and hoist damaged—loss estimated at $200,000.
>
> February 20: Roche Development, Mississaugua. Fire set—$175,000 damage.

Strangely enough no one was ever caught; no charges were ever laid.

That is how these unions were set up. They were not unions. The term union is not a proper one here. What they were were organizations set up by the contractors to force immigrant workmen who feared for their jobs into these unions for one purpose, and one purpose only: to prevent those workmen being represented by real, proper unions that would protect them, that would see the laws were followed, that would see that their lives and persons were protected and would see that they got the maximum amount of money for their labour.

Yet this occurred; the police knew about it. The police prepared a report; it was sent on to the Ontario Police Commission, it was sent on to the Attorney General's department—and nothing took place. I find this incredible. There has been no statement in all these months coming forth from the Attorney General.

Even more incredible to me is the fact that some dozen men were instructed to come in front of the Labour Relations Board and perjure themselves. The Attorney General received affidavits of these individual cases of perjury and nothing was done. The Labour Relations Board discovered this; no charges were laid. There is something very seriously wrong here.

It is very true that finally—and no thanks to the government; thanks purely to pressures put on by the unions—most of these men, not all of them yet, are now being covered by proper unions. But what is to stop the same thing being done to another new group of immigrants, whether they are from Italy or Portugal—we are now getting large groups of Portuguese—those who fear for their jobs, those who cannot speak out for themselves, those who have seen by experience that those who do speak out or join a union that the boss does not approve of, results in getting you fired.

What was done about all those employees who were fired? Nothing. The government knew about it; it is against the law. There is something very seriously wrong here and I suggest that the Attorney General has a responsibility—not necessarily to release that report, although I think most of it is now here in front of you—but he has a responsibility to follow the suggestions of the Ontario Police Commission, who were so appalled by what they discovered that they told him that there should be a royal commission to

look into the role of organized crime in this province. And for reasons which escape me, the Attorney General, for reasons which he has not stated—perhaps there is some reason—has refused to hold this royal commission. And if ever one needed it is needed now. Our commission is ready, our police forces are ready. They have the material, they have the information; they know who to subpoena. They have had support from American forces, because the people who travel back and forth were followed very carefully in the United States. This royal commission should be held.

That sums up what I have to say about organized crime in the labour unions. I would now like to go on to another subject, which is bookmaking in Ontario, although perhaps you may wish me to leave that till—

Mr. Speaker: I think it would be most appropriate if the hon. member at this particular point in his address would move the adjournment of the debate because little is to be served by five minutes' address.

Mr. Shulman moves the adjournment of the debate.

Motion agreed to.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, tomorrow we will consider Order No. 11, which appears on the order paper for today; and if time remains after a full consideration of that order we will resume the budget debate.

Hon. Mr. Welch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock, p.m.

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No. 140

ONTARIO

Legislature of Ontario Debates

OFFICIAL REPORT – DAILY EDITION

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Thursday, October 29, 1970

Afternoon Session

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 29, 1970

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: We have guests with us today in the east gallery, students from St. Anne's School of Iroquois Falls and from the Blantyre Public School of Scarborough.

Statements by the ministry.

Mr. D. M. De Monte (Dovercourt): Mr. Speaker, I rise on a point of personal privilege.

I will read from a prepared text because I want to choose my words carefully since the point of privilege arises from words chosen less than carefully by another member of this House.

Yesterday afternoon, the member for High Park (Mr. Shulman) was speaking of one gentleman named John d'Alimonte. During the course of his remarks relative to Mr. d'Alimonte and other people of Italian descent, I asked that he make sure that he pronounced the name right and that there be no innuendos about my name. In reply, and I quote, the hon. member said as follows in relation to my name: "I had forgotten, I do not see your name here yet."

Mr. Speaker, the use of the word "yet" in that response has most serious and significant connotations.

Firstly, by the use of such word "yet" he leaves the inference that my name might be there.

Secondly, by using the word "yet" there can be drawn the inferred threat that my name is there but that if I restrict my comments he would not use my name.

Thirdly, by the use of the word "yet" whether my name is ever used by the member in any speech, there remains the implication that my name might have been there.

Mr. Speaker, I do not take this matter lightly and I hope that you and my colleagues in this House do not. I would ask that you have the member for High Park withdraw the use of the word "yet" but more importantly, sir, I would ask that you, as Speaker, within your abilities, see to it that there be no recurrence of this type of frivolous use of words and the concurrent guilt by innuendo to which there is no recourse.

Mr. M. Shulman (High Park): On this point of privilege, may I speak, sir? Unfortunately, the member for Dovercourt did not quote my entire reply which, if he has it in front of him, he will see the first line in that reply was: "No innuendo was intended on his name".

That is what I said yesterday when he rose, to my amazement and to the amusement of his colleagues who were laughing at his interjection. There was no innuendo intended about his name and it never entered my mind that he would confuse "d'Alimonte" with "De Monte" which, to an Italian, should be fairly easy to tell the difference. It certainly was to me.

Mr. T. Reid (Scarborough East): The member for High Park is insulting, he is truly insulting.

Mr. Shulman: Let me say furthermore on this point—

Mr. Speaker: Order!

Mr. Shulman: —inasmuch as the matter has been brought up of extraction, the only reference I made to the Italian people yesterday was to refer to the fact that a number of these people had been exploited. This is what I was objecting to and it comes very badly from this member to object to that. However, if he objects to the word "yet", I am happy to withdraw the word "yet".

Mr. Speaker: I presume this disposes of the matter satisfactorily.

Oral questions.

REPORT OF RESIGNATION OF PRIME MINISTER

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I know that the Premier would like an opportunity to comment on the report in today's *Telegram* of his imminent departure from the leadership of the Conservative Party.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I have to answer this question about once every 24 hours. The basis for this one was apparently—

Mr. Lewis (Scarborough West): That frequently?

Hon. Mr. Robarts: Sometimes even more frequently. Every time—and I think my good friends, the press, would confirm this—every time they ask me about anything, they always end up by asking me something about this. It reminds me of other events and other days, when I had to make an equivalent number of denials, but this particular instance—

Mr. Nixon: What was that all about?

Mr. Lewis: What was that?

Hon. Mr. Robarts: Apparently it arose out of the cancellation of a meeting of the national executive, or the national association of the Progressive Conservative Party. I have very little to do with the calling of those meetings. Mr. Stanfield telephoned me that he heard of this story and he said—

Mr. V. M. Singer (Downsview): Maybe it applies to Stanfield.

Hon. Mr. Robarts: He said there was no connection between anything he had heard, or knew, with what had happened. It was purely a routine matter that the meeting was cancelled. I did not even know it had been cancelled, to be quite frank with the member, so that any connection between that event and my future plans is completely irrelevant. Do not believe everything you read in the newspapers.

Mr. Nixon: We are greatly relieved.

Hon. Mr. Robarts: Thank you. Thank you for that vote of confidence.

RESPONSIBILITY OF ONTARIO IN FUNDING OF ROCHDALE

Mr. Nixon: Mr. Speaker, I have a question of the Minister of Trade and Development.

What is the responsibility of Ontario Housing in the funding of the Rochdale building and is there any negotiation between this minister and his federal counterpart on any proposed change in its status?

Hon. S. J. Randall (Minister of Trade and Development): We have no responsibility whatsoever with reference to the financing of Rochdale. Until the federal authorities make up their minds what they are going to do with it, they have not approached us in any way, shape or form.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Mr. Nixon: Not at this time, Mr. Speaker.

Mr. Speaker: If not, the hon. member for Scarborough West.

PAROLE FOR INDIAN WOMEN IN VANIER CENTRE

Mr. Lewis: Yes, Mr. Speaker, first, a question of the Minister of Correctional Services. In the case of the two Indian women who are in the Vanier Centre, Mr. Speaker. Since the sentence is being treated as an indefinite sentence by the dpeartment, who is in charge of the parole procedures in that case?

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, the Ontario Board of Parole.

Mr. Lewis: If I understand it, on an indefinite sentence the Ontario Board of Parole can grant parole at virtually any time. Is that not correct?

Hon. Mr. Grossman: That is correct.

Mr. Lewis: Why, in this case, since it is now within the Province of Ontario's authority to make that decision, has the Board of Parole not been convened for the explicit purpose of granting immediate parole under the circumstances?

Hon. Mr. Grossman: Mr. Speaker, I believe I have already drawn to the attention of this House the other day when I answered a question, that the Board of Parole had already had information from the assessment committee as to what their recommendations were.

Mr. Lewis: Having already served more than two months—a figure that the minister himself used several days ago as an example of how early parole could be granted—are these two women about to be paroled? Can that information now be given—

Hon. Mr. Grossman: Mr. Speaker, I—

Mr. Lewis: —and the sentence rescinded for being illegal?

Hon. Mr. Grossman: I must be consistent. I never interfere with the Ontario Board of Parole. Every now and then there is an impli-

cation that I do. I am not going to give anyone any satisfaction, even in this instance, by suggesting that I am going to interfere with the Board of Parole. They are a very intelligent, capable and humane group of people. They know what to do in every particular instance. I have the greatest confidence in them and I have the greatest confidence they will do what is the right thing to do in this instance.

Mr. Lewis: This is true even in the case of an illegal sentence? You would not interfere?

Hon. Mr. Grossman: Mr. Speaker, I do not intend to say any more about that today. There has been a tremendous amount of confusion already.

Mr. Lewis: It is not confusion. It is an effort to release innocent people who were inappropriately sentenced.

Hon. Mr. Grossman: I intend in the not too distant future—very shortly—there will be a statement made to this House explaining precisely indeterminate and determinate sentences. We have gone over this before in this Legislature. When the press asked me to explain to them, I warned them in advance that I doubted whether they would grasp it and, with great respect to members of the press gallery, there was not one of the newspaper reports which was completely accurate.

I understand the reason for this. It is a very complex and difficult thing to understand unless you have been living with it every day; therefore, all this is being documented and the members of this House will have a complete explanation very shortly, so that hopefully, at least for a period of time, everyone will understand what the difference is between a definite sentence, an indefinite sentence, or a combination of both and what happens when these cases are in court and decisions by judges.

Mr. Lewis: There are two women who are beginning to understand the problem of the difference, Mr. Speaker.

Mr. K. C. Bolton (Middlesex South): A supplementary: I would like to ask whether the minister believes that perhaps Judge Fregeau himself is one of those who was confused about the distinction?

Mr. Speaker: The question is not a proper question. The hon. member for Scarborough West.

An hon. member: It is pretty pertinent though!

PROJECTED CHANGES FOR 1971 IN MEDICAL FEE SCHEDULES

Mr. Lewis: A question of the Prime Minister:

Is the Prime Minister aware that the Ontario Medical Association has now published a full set of projected fee schedule changes for the year 1971, both by way of increase and by way of additional procedures, to be discussed at a meeting on November 18, and is the Minister of Health (Mr. Wells) involved in that discussion?

Hon. Mr. Robarts: No, I am not aware of this actual publication, although I would have to say that I was aware of their intent. The latter part of the question I think the member might direct to the Minister of Health.

Mr. Lewis: By way of supplementary on the initial part of the question, will the Ontario Medical Association be requested by the government to negotiate a further increase in fee schedules rather than their unilateral determinations of the past?

Hon. Mr. Robarts: Mr. Speaker, if I recall the wording of the Act I believe it says there must be "consultation."

Mr. Lewis: Yes, I—

Hon. Mr. Robarts: In any event we will carry out the terms of the Act.

OPP REPORTS ON ORGANIZED CRIME

Mr. Lewis: A question of the Premier again, Mr. Speaker:

The Premier, in listening to much of the material in the House in the last two days, has doubtless been in discussion with the Attorney General about the OPP report which the member for High Park has introduced. Has either the Premier or the Attorney General thought about pursuing this matter further by way of an inquiry?

Hon. Mr. Robarts: Mr. Speaker, I was not in the House when the member for High Park said whatever he said yesterday, but—

Mr. Lewis: And the day before.

Hon. Mr. Robarts: —I think I made my position very clear as far as that report is concerned. It is an interdepartmental working document involved in the administration of justice. We do not consider it would be proper that it be published and I just do not propose to discuss it, or its contents.

Mr. Shulman: A supplementary, if I may: Leaving aside the question of the report, if I can follow up my leader's question, will the Prime Minister order a royal inquiry as has been requested by the police commission to look into the problem of organized crime in the province, particularly in this area?

Is the Prime Minister not going to answer the question?

Hon. Mr. Robarts: Mr. Speaker, I have answered it on several occasions.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: One further supplementary: It is not out of the tradition of this Premier to call royal commissions into matters that relate to crime in Ontario; might he implement the request of this report before the end of this year?

Hon. Mr. Robarts: Mr. Speaker, I simply do not intend to answer that question. We, as a government, assess some of the necessities and the situations where royal commissions are required. We cannot live under a constant state of royal commissions. We have ways of assessing things ourselves, and I just am not going to answer a question either "yes" or "no" in connection with this particular report. I can only repeat that it is a document.

Now if it has fallen into the hands of somebody who is really not entitled to have it, that is another matter and it is on their conscience as to what they do with it and how they obtained it. But as far as I am concerned it is an interdepartmental document that has a great deal to do with the enforcement of justice and the enforcement of our laws, and improper use of this material, if it falls into someone's hands, must, I think, be the responsibility of that person.

Mr. Shulman: One final supplementary if I may, Mr. Speaker: Does the Prime Minister not think that he should follow the advice of the police commission, which he has set up for that very purpose, and call the inquiry which they have requested?

Hon. Mr. Robarts: To date, Mr. Speaker, the hon. member is the only person who has said that there is such a recommendation.

Mr. Speaker: The hon. member for—

Mr. Shulman: Does the Prime Minister deny that the police commission has recommended that to him?

Hon. Mr. Grossman: The member will only call it a whitewash, anyway.

Hon. Mr. Robarts: Mr. Speaker, I can only repeat that I do not propose to discuss the contents of that report.

Mr. Shulman: Well that speaks for itself.

Mr. Speaker: Does the hon. member for Scarborough West have further questions? The hon. member for Windsor-Walkerville.

RENT SUBSIDY FOR AGED UNABLE TO GET OHC HOUSING

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Trade and Development:

Is the minister still considering a rent subsidy programme to assist the many hundreds of Windsor senior citizens who have been unsuccessful in obtaining geared-to-income housing, either in the high rise on Ouellette Avenue, or in other Ontario Housing projects?

Hon. Mr. Randall: Mr. Speaker, we had discussions with the Ontario Housing Corporation with reference to this and I will be meeting with Mr. Andras, I hope, in the next few weeks to pursue the possibility of further accommodation on a rent-subsidized-to-income basis. There is some work going on at the Housing Corporation but no definite plans have been made as yet.

Mr. B. Newman: By way of supplementary: Could the minister be a little more explicit and specify a set date by which senior citizens can expect a rent subsidy programme?

Hon. Mr. Randall: No, I cannot be explicit on that, Mr. Speaker, I would have to look at the whole matter we have under review at the present time. I think we have done pretty well in Windsor with senior citizens' accommodation, and we are open to any further propositions that come along. This is one we are looking at at the present time, but I have no definite schedule on it.

Mr. Speaker: The member for Brantford.

NUMBER OF VETERINARIANS HIRED UNDER RESEARCH ACT

Mr. M. Makarchuk (Brantford): Mr. Speaker, I have a question of the Minister of Agriculture and Food:

Can the minister indicate the total number of veterinarians that were hired under

The Animals for Research Act, and how many of these were women?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I will have to take that question as notice. I am certain there were no ladies hired, and I cannot say how many veterinarians were hired. It runs in my mind that these were three or four.

Mr. Makarchuk: By way of supplementary: If there were no ladies hired, could the minister indicate why his department continues to discriminate against women veterinarians?

Hon. Mr. Stewart: Mr. Speaker, there is no discrimination whatever in our department against lady veterinarians. To my knowledge none applied.

Mr. Makarchuk: That is not true.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. D. C. MacDonald (York South): The minister walked into that one.

CENTRAL INFORMATION SERVICE FOR SENIOR CITIZENS

Mr. J. R. Smith (Hamilton Mountain): A question of the Provincial Secretary and Minister of Citizenship:

Would the minister explain why the Hamilton Social Planning and Research Council has not yet implemented its central information service for senior citizens, when it received its funding from the provincial government last June and from other government agencies at other levels during the summer months?

Mr. E. W. Martel (Sudbury East): The Provincial Secretary should wake up.

Mr. Makarchuk: Yes, you remember you got the wrong cues.

Hon. R. S. Welch (Provincial Secretary): Mr. Speaker, I think the hon. member is making reference to a grant which was made available to the Social Planning Council of Hamilton to inaugurate a pilot project for community information and advice. It was not related to senior citizens, that is what confused me a bit in the question.

I understood, last Saturday or last Friday in consultation with the executive director of that planning council, that they have just hired a staff person. And with the financing they have now from the province, from the city of Hamilton, from the Social Planning Council itself and the Junior League of Hamilton, if this is the same project, they expect to be under way before long.

Mr. J. R. Smith: A supplementary, Mr. Speaker, of the hon. minister: Did the council give any indication when they requested the grant as to when they might be able to have their bureau fully functioning?

Hon. Mr. Welch: No, I do not think there is any particular deadline. We are involved in the operations here. I think perhaps the fairest way to answer is that they had to have some commitment from the various grant-giving agencies first, so they would, in fact, know what finances they would have available. I think they themselves would be the first to admit that perhaps it had taken a little longer than they had originally planned.

Mr. Speaker: The hon. member for Scarborough Centre.

HYDRO AND WATER FACILITIES AT INDIAN RESERVES

Mrs. M. Renwick (Scarborough Centre): A question of the Minister of Social and Family Services:

How many Indian reservations and Indian communities in the Province of Ontario have both hydro and water facilities? How many have one or the other? How many are without either? Would the minister be in a position now to answer a question placed before the estimates committee, as to when the hydro-generating station at Winisk will be connected for that Indian community?

Hon. J. Yaremko (Minister of Social and Family Services): Mr. Chairman, I will take that question as notice; I do not know whether or not the information, with respect to the first half, is available. I doubt that it is at this point in time. With reference to the generator at Winisk, I think that The Department of Lands and Forests purchased the generators at Winisk. I do not know whether one of them was to be put into operation for the Indian community, and I do not know whether it has actually been put into operation. I will get that information for the hon. member.

Mrs. M. Renwick: Mr. Speaker, would the minister—

Mr. Speaker: Is this a supplementary question?

Mrs. M. Renwick: A supplementary question.

Mr. Speaker: It can hardly be a supplementary when the hon. minister has taken it as notice and will provide the answer at a later date.

Mrs. M. Renwick: Mr. Speaker, I am sorry. I was out of order. When the minister answered part of the question saying he did not know when the generator would be hooked up at Winisk, I thought he had answered the question.

A supplementary question, Mr. Speaker. Would the minister be able to direct this question to any other section or department of the government where the information might be obtained through the government of the Province of Ontario?

Hon. Mr. Yaremko: Mr. Speaker, the information which the hon. member is seeking would be within the purview of the federal department that has to do with Indian matters. The information we would have available in our department is with respect to those Indian bands from reserves that have brought themselves under the umbrella of the welfare administration within the department.

Mr. Speaker: The hon. member for Huron-Bruce.

LEVYING OF BUSINESS TAX ON FARM OPERATIONS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Agriculture and Food.

How is the minister proposing to deal with the situation in Huron county with respect to the levy of a business tax on some farmers in Huron county?

Hon. Mr. Stewart: Mr. Speaker, if memory serves me correctly, the hon. Minister of Municipal Affairs (Mr. McKeough) replied to that question during his estimates.

Mr. Gaunt: He said that the Minister of Agriculture was working with him. What is the minister doing with that?

Hon. Mr. Stewart: We have not arrived at a solution yet. I hope that one can be arrived at satisfactorily.

Mr. Gaunt: Does the minister's department propose to draft the legislation and hand it to the Minister of Municipal Affairs to introduce?

Hon. Mr. Stewart: No, Mr. Speaker, that is not the case. I simply expressed my concern with the business tax being levied against farm operations, whatever they may be, in Huron county. I would hope that under the new provincial assessment there would be no such business tax levied against those types of farm property.

Quite frankly, Mr. Speaker, if I may enlarge on the situation as I see it, when business tax is assessed against any particular farm operation, the basis of it seems to be that this farmer is specializing, perhaps in poultry production or egg production, or hogs or beef, or whatever it may be. To those who have come to me suggesting that this was in fact a business, I simply pointed out to them that, because of modern technology in agriculture, it is more efficient for a farmer in most instances to concentrate on one or two lines of production, or perhaps three, rather than to diversify in a whole variety of lines of production.

In other words, the farmer who should not be producing eggs on this particular farm is assessed business tax because he happens to have what might be looked on as a specialized production unit, but he is buying his milk from the farmer or from the dairy down the road, which buys the milk from some other specialist in the dairy industry, and he is buying his beef from some other farmer, and his pork from some other farmer. Surely, that does not mean that he has to pay business tax just because he is operating an egg producing unit on that farm, specializing in that feature. I just cannot see it at all.

Mr. Speaker: The hon. member for Waterloo North on a supplementary.

Mr. E. R. Good (Waterloo North): Supplementary of the Minister of Agriculture: Is he aware that the application of this is not uniform across the province? Is he aware that during his estimates the Minister of Municipal Affairs indicated that it would be the policy that no business tax would be imposed upon farmers, and that he should thus direct his assessors at the present time?

Hon. Mr. Stewart: Yes, I am very well aware of that, and I hope that this will be followed.

Mr. Good: Then why is it still being imposed?

Mr. Speaker: The hon. member for Windsor West.

ESTABLISHMENT OF TENANT ADVISORY COUNCILS

Mr. Peacock (Windsor West): Mr. Speaker, a question of the Minister of Trade and Development:

What accounts for the delay in the establishment of the tenant advisory councils which the minister announced during his estimates in June?

Hon. Mr. Randall: Mr. Speaker, I have not discussed that with the Housing Corporation as yet. But I assume that Mr. Riggs—before I went overseas we had a discussion on it—is getting the programme lined up. I do not think there is any major delay. I would think it is proceeding. But I would be glad to check it up and get further information for the hon. member.

Mr. Speaker: The hon. member for Huron-Bruce.

POSSIBLE PURCHASE OF POND BY U.S. INTERESTS

Mr. Grant: Mr. Speaker, I have a question of the Minister of Lands and Forests.

Has the Minister of Lands and Forests received the report from his field staff with respect to the possible purchase of the Benmiller pond by American interests?

Hon. R. Brunelle (Minister of Lands and Forests): I have not as yet, Mr. Speaker, received that report.

Mr. Speaker: The hon. member for Sandwich-Riverside.

INCREASE IN COST OF COAL FOR HOME HEATING

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Financial and Commercial Affairs:

Has the minister verified the Windsor complaints of reported price increases of coal for home heating from $34 last spring to $41 this fall?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): I received correspondence with regard to this situation. We have no jurisdiction to fix prices. What I did was forward the problem to the federal authorities to investigate whether or not there was any combination in restraint of trade or restrictive trade practices, or practice, or combine involved. But I think the member realizes that neither at the federal or provincial levels do we have the power to fix prices.

Mr. Burr: A supplementary question, Mr. Speaker: Would the minister not agree that people who are still using coal for home heating are chiefly those who have not been able to afford to change to other fuels and that this does work a great hardship on them? Has the minister had any reply from Ottawa yet?

Hon. A. B. R. Lawrence: No, I have not.

Mr. Speaker: The hon. member for Waterloo North.

OPENING OF PROVINCIAL PARKS AS LATE AS THANKSGIVING

Mr. Good: I have a question of the Minister of Lands and Forests.

Would the successful experiment of opening Craigleith Provincial Park on Thanksgiving weekend indicate that next year provincial parks in southern Ontario will be left open on all weekends up until Thanksgiving rather than being closed after Labour Day?

Hon. Mr. Brunelle: As the hon. member knows, we have opened several parks for Thanksgiving weekend and it is our policy to extend the season as the public demand warrants it.

Mr. Speaker: The hon. member for Sudbury East.

TABLING OF DEATH CERTIFICATES

Mr. Martel: I have a question of the Attorney General.

Why has the Attorney General, to this date, not tabled the death certificates that I have requested on two or three occasions?

Hon. A. A. Wishart (Minister of Justice): I will have to check to see. I thought that information had gone to the persons interested.

Mr. Speaker: The member for Brantford.

INCREASE IN PRICES BY TWO COPPER MILLS

Mr. Makarchuk: I have a question of the Minister of Financial and Commercial Affairs.

Has the minister made or does the minister intend to make any representations to Ottawa on the fact that two copper mills located in Ontario have increased the price of their products despite the fact that the copper prices have been cut on the other hand?

Hon. A. B. R. Lawrence: No, Mr. Speaker. I am not aware of this situation and even if it does occur, I think my answer would be similar to the one I made a few minutes ago, that it is my habit to refer these immediately to the combines investigation branch in Ottawa to see whether or not there is any conspiracy involved.

Mr. Makarchuk: By way of supplementary then, will the minister refer this particular case to see if there is any conspiracy involved in price fixing?

Hon. A. B. R. Lawrence: Yes, Mr. Speaker, I will.

Mr. Speaker: The hon. member for Sandwich-Riverside.

CONTROL OF CABBAGE LOOPERS

Mr. Burr: Mr. Speaker, a question of the Minister of Agriculture and Food regarding the difficulties with cabbage loopers—cabbage worms—which were experienced in Essex county this past season:

Is the minister encouraging the new biological control methods that have been developed by the United States Department of Agriculture and are being marketed, I believe, under the trade name of Dipel which claims to have frequent, nearly 100 per cent success, with the lowest results of all tests around 70 per cent?

Hon. Mr. Stewart: Mr. Speaker, The Department of Agriculture and Food is always interested in, and does encourage the use of biological control of all insect pests wherever it is possible. This is a new programme that has just been introduced with some success in the United States, and I should think would be expanded into Ontario, probably next year, on a greater extent than has been indicated to date. We are certainly encouraging it. Our research people are very much more of it; I read a full report of it just this last week and it does appear to have a great deal of promise.

Mr. Speaker: The hon. member for Scarborough Centre.

INTRODUCTION BY OHC OF NEW LEASES

Mrs. M. Renwick: A question of the Minister of Trade and Development.

Are the minister's housing units all now under the new leases or is the minister operating under the system that when the old leases expire, the tenants will be provided with the new ones? And are all tenants under OHC now on the changed rental scale?

Hon. Mr. Randall: It is my understanding, to answer the hon. member's last question first, that the rent scale has been approved and everybody is on the new rent scale. So far as the leases are concerned, they are being renewed as quickly as they run out and the new leases are being used. I do not have any further information on anything any different to that, so I presume everything is in good shape.

Mr. Speaker: The hon. member for Sudbury East.

NUMBER OF LIVES LOST AT FALCONBRIDGE, COPPER CLIFF

Mr. Martel: A question of the Minister of Mines.

Could the minister indicate how many men have lost their lives in the Sudbury area this year (a) on Falconbridge holdings and (b) on Copper Cliff holdings since the new agreement came into effect?

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Mr. Speaker, I would request that a question of that nature, calling for statistical summaries, should go on the order paper.

Mr. Speaker: The hon. member for Scarborough West.

COMMUNITY DEVELOPMENT WORK BEING DONE IN TORONTO

Mr. Lewis: A question of the Provincial Secretary, Mr. Speaker.

It has been reported that the minister has three full-time staff people of his community branch working in Metropolitan Toronto. Can he inform the House who these people are and what they are doing?

Hon. Mr. Welch: I should take that question as notice in order to be sure that the names of staff persons are not just confined to Toronto; though may I say they are available for the type of community development work that is required of them all over the province. But I would be very happy to provide the hon. member for Scarborough West with the names of our community development workers and the areas in which they work.

Mr. Speaker: The member for Brantford.

SUBSTITUTE FOR DDT SOUGHT TO CONTROL CUTWORMS

Mr. Makarchuk: A question of the Minister of Agriculture:

Can the minister indicate whether his department is seeking some new insecticide to replace DDT for control of cutworms?

Hon. Mr. Stewart: Yes, Mr. Speaker, the interdepartmental committee on pesticides, working with the various agencies in the field of manufacture of such pesticides, are seeking to find some type of effective pesticide that will replace DDT in cutworm control.

I am not sure whether the hon. member is referring to tobacco cutworm or cutworm generally, because in some instances you can use a pesticide on cutworms that are affecting various crops that cannot be used on other crops because of the effect on the particular crop involved. So this is a very complex question.

We are seeking the answer but I should point out, Mr. Speaker, that there is a growing basis of opinion among a great many professional scientists in the field, that the restricted use and effective control of DDT could provide a very beneficial continuing pesticide were it to be permitted to be used in the future. I think perhaps that has a great deal of merit, and I am not suggesting for one moment, Mr. Speaker, that there should be unrestricted use of DDT, but DDT does hold considerable merit for certain pest control.

Mr. Makarchuk: By way of supplementary, Mr. Speaker: Can the minister assure us that this other chemical will be available before the seeding next spring?

Hon. Mr. Stewart: Mr. Speaker, we cannot make such a blanket commitment as that simply because of the reasons I pointed out. There are certain pesticides that are available that can perform a function, but not necessarily on all crops. We feel we do not know enough about some of the substitute pesticides that were used this year to recommend their wholesale use in the future.

It again brings to my mind the inherent danger that is always possible when you ban something; what do you put in its place? Is the chemical to replace DDT potentially more dangerous than DDT? And I am wondering if perhaps, because of the reported damage that is indicated from PCBs, there may be some problems there that were attributed to DDT that really were not the fault of DDT at all and perhaps should have been more properly described as the results of PCBs.

Mr. Speaker: The hon. member for Sudbury East.

REQUEST FOR SATELLITE TOWN DEVELOPED BY OHC IN SUDBURY

Mr. Martel: A question of the Minister of Trade and Development:

In view of the fact that the city of Sudbury has a vacancy rate of 0.03 for housing; in view of the fact that the Sudbury Housing Authority has 4,033 families on the waiting list; in view of the fact that the mining companies continue to bring in men who cannot bring their wives or their families with them, would the minister consider the possibility of a satellite community developed by OHC in the Sudbury area?

Hon. Mr. Randall: I would be delighted to consider any proposition that would build housing in or around Sudbury, I can assure the hon. member. I will discuss it with the housing officials and get a further answer back to the hon. member and see if there is a possibility that that could take place.

Mr. Speaker: The hon. member for Waterloo North.

SALE IN ONTARIO OF PILLS DEEMED UNSAFE IN U.S.

Mr. Good: A question of the Minister of Health: Was there any Ontario distribution of the iron pills which were withdrawn from the American market by a California firm because their manufacturing source was seal's liver with a mercury content beyond tolerable limits for human use?

Hon. T. L. Wells (Minister of Health): Mr. Speaker, I will have to obtain that information. I cannot tell the hon. member now, but I will get the answer for him.

Mr. Speaker: The hon. member for Wentworth.

DISPUTE IN HAMILTON AMBULANCE SERVICE

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question of the Minister of Health.

Would the minister investigate the recent report that ambulance operators and dispatchers in the Hamilton area were having a

serious dispute with those in charge of the operation, and determine what can be done to assure that there will be no loss of service to the area as a result of it?

Hon. Mr. Wells: Mr. Speaker, I can certainly assure the hon. member that we will be sure there is no loss of service to the area. Whether there is a dispute or not I do not know, but I will be happy to look into it.

Mr. Speaker: The hon. member for York South.

LIST OF OHC-OWNED PROJECTS REQUESTED BY MEMBER

Mr. MacDonald: A question of the Minister of Trade and Development:

Is the list of OHC-owned housing projects —whether administered directly by OHC or local housing authorities—public property, and if so would he supply me with a copy?

Hon. Mr. Randall: I will have to check into that and get the information for the hon. member, sir.

Mr. MacDonald: Is it public property?

Hon. Mr. Randall: I cannot answer that, I would have to check into that. I would imagine it would be available; I see no reason why we should keep it secret, but I will get the details for the member.

Mr. MacDonald: It seems rather strange that the minister's department would be operating secret housing projects.

Hon. Mr. Randall: That is right, I think it would be strange too, but if it is available we will get it for the member.

Mr. Speaker: The hon. member for Scarborough West.

PROJECTED CHANGES FOR 1971 IN MEDICAL FEE SCHEDULES

Mr. Lewis: A question of the Minister of Health, Mr. Speaker:

Is the Minister of Health engaged in consultation or negotiation with the Ontario Medical Association about its proposed increase in the 1971 fee schedule?

Hon. Mr. Wells: Mr. Speaker, I have been, and am, carrying on discussions with them about this and other matters.

Mr. Lewis: By way of supplementary, will the minister have representatives at the meeting on November 18 next at the Inn on the Park when the precise fee schedule is to be presented and approved?

Hon. Mr. Wells: I cannot tell the hon. member whether I will have representatives there at that time, Mr. Speaker. I am not sure exactly what meeting he is referring to but it is probably a meeting of the association itself and not one of the meetings that we would carry on as part of our discussions.

Mr. Lewis: By way of supplementary, are the people of Ontario to be presented with another fait accompli, or will we know what position the government has taken in these discussions?

Hon. Mr. Wells: Mr. Speaker, in due time and in the proper place we will certainly make known what the position of the—

Mr. J. B. Trotter (Parkdale): In the fullness of time.

Mr. Lewis: They are all listed; the minister might as well make them known.

By way of final supplementary, Mr. Speaker, since he is in consultation on this and other matters, to quote him, the minister has surely seen the projected list of changes. Is there not a position that he can indicate to the House that he is taking, as a government, of approval or of alteration?

Hon. Mr. Wells: Up to this point Mr. Speaker, there are many things that have to be done with the proposed changes by way of verifying percentages, by way of finding out what their impact is on the total cost of health care, and these things have not been completed yet. When they are completed, when our negotiations are carried on a little further, we will then have a position to announce.

Mr. Speaker: The hon. member for Middlesex South.

MADAME VANIER INSTITUTE TO CURTAIL SERVICES

Mr. Bolton: A question of the Minister of Health, Mr. Speaker.

Is the minister aware that the Madame Vanier Children's Services have announced that they must discontinue or curtail their services to the counties adjacent to London because of a reduction in their budget—they

have a deficit of $9,000? In view of the fact that there is increasing demand for psychiatric services, will the minister review the budget to see if something can be done to prevent this curtailment of service?

Hon. Mr. Wells: Mr. Speaker, we are working on this matter. We have been holding discussions between people in my department and the Madame Vanier Institute and we are looking at ways to help them in their situation. What will be done I cannot say at this point.

Mr. Speaker: The hon. member for Scarborough Centre.

LEGISLATION DEALING WITH SOLID WASTE

Mrs. M. Renwick: A question of the Minister of Energy and Resources Management:

Would the minister be able to indicate now when legislation governing solid waste, as recommended by the Ontario Medical Association, might become effective in the Province of Ontario?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, I replied to the hon. member's question last week. I was assuming that she was talking about general solid waste, in respect of which our new legislation, The Waste Management Act, now deals. It deals with all types of solid waste, including industrial liquid waste. If I can get some information as to just what the Medical Association was recommending, I would be happy to look into it.

Mrs. M. Renwick: Mr. Speaker, may I say to the minister that the minister received the recommendation presented to the council of the Ontario Medical Association. This is the *Ontario Medical Review* publication of the recommendations that were from the committee of public health, but governed by the hon. minister's department.

Hon. Mr. Kerr: I will have to look into that, Mr. Speaker.

Mr. Speaker: The hon member for Sandwich-Riverside.

SWIMMING POOL CHEMICALS SAID TO CONTAIN MERCURY

Mr. Burr: Mr. Speaker, a question of the Minister of Health.

Has the minister's department investigated the report that chemical compounds containing mercury are on the market for use by swimming pool owners who may attempt to control algae?

Hon. Mr. Wells: I do not know anything about that, Mr. Speaker. I will be glad to look into it and see. Perhaps the hon. member can supply us with a little more detail and we can check this out.

Mr. Burr: Thank you

Mr. Speaker: If there are no further oral questions we will move to the next order.

Presenting reports.

Mr. Demers, from the standing natural resources and tourism committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 2, An Act to amend The Mining Act.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Motions.

Introduction of bills.

STOCK YARDS ACT

Hon. Mr. Stewart moves first reading of bill intituled, An Act to amend The Stock Yards Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Yaremko: Mr. Speaker, before the orders of the day I wish to correct an error in fact which I made before the committee on Social and Family Services on October 27.

The member for Parkdale asked a question about the cost-sharing arrangements for the purchase of counselling and other services by municipalities under section 17 of the regulations of The General Welfare Assistance Act.

I replied 20/80. This was an error, I should have said that the arrangement is 50 per cent from the municipal government and 50 per cent from the federal government under the Canada Assistance Plan.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 183, An Act to amend The Judicature Act.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): The amendments that we discussed in committee are all contained in it?

Hon. A. A. Wishart (Minister of Justice): I believe the bill has been reprinted with the amendments that we undertook.

Mr. M. Makarchuk (Brantford): Mr. Speaker, on a point of order regarding Bill 2, we were under the impression the bill was going to go into Committee of the Whole House and before we had a chance to say "opposed", as some of us did in a quiet voice, you passed it on for third reading. I would recommend that the bill go into Committee of the Whole House clause by clause.

Mr. Speaker: Bill 2 has been directed to Committee of the Whole House.

Mr. Makarchuk: Has been?

Mr. Speaker: It had been, yes, to go to Committee of the Whole House.

THIRD READINGS
(continued)

Bill 184, An Act to amend The County Courts Act.

Clerk of the House: The fourth order, consideration of Ontario proposals for tax reform in Canada, and of Ontario studies in tax reform No. 1—analysis of federal tax reform proposals.

TAX REFORM

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I am very happy to open the debate for discussion on the proposals that Ontario put forward at a meeting of the Ministers of Finance and Treasurers of Canada which was held in Winnipeg in June of this year.

It is our intention that this debate shall continue in the House as long as there are members who wish to participate in it and have some comments to make. I do not think that it will be necessary to have any vote because there is really nothing to vote on; it is a matter of discussion as to the positions that we put forward at that time.

The publication of our paper, "Ontario Proposals for Tax Reform in Canada", which was tabled in this House at the same time as it was presented to that meeting in Winnipeg, was a culmination of a continuing response which this government has made to the national debate surrounding a proposed new taxation system for Canada. I was particularly pleased, Mr. Speaker, to read this morning that the federal Minister of Finance has fully accepted that tax reform involves both the federal and provincial governments, and that he will be consulting with the provincial Treasurers so that tax reform at both levels can be co-ordinated. This has been one of our positions from the beginning and we are happy to have it recognized. We welcome these announcements and, of course, we will participate to the fullest with the federal government in order that we may attain the best possible tax system for the somewhat hard-pressed taxpayers of this country.

This spirit of co-operation and recognition of the role of the provinces has not always been a part of the federal attitude toward tax reform. Members will recall that when the Carter Royal Commission on Taxation was established by the federal government, it was instructed to consider only the federal taxation system. Because we believed that tax reform can only be effective if it considers all elements of the Canadian tax system, including the provincial-municipal arrangements and levels, we established in 1962 the Smith Committee on Taxation to parallel and to complement the study being done by the Carter commission, and several other provinces did likewise.

Therefore, since 1962, the government of Ontario has been participating in a positive and constructive manner in the process of developing a complete plan of tax reform. In the 1969 budget, as presented by the Treasurer (Mr. MacNaughton), we set out a comprehensive programme of tax reform in Ontario—a programme which included among many proposals the establishment of a capital gains tax. By doing so, the government of Ontario was the first government in Canada to endorse the proposition that capital gains should be taxed. Also, I think, we have perhaps indicated that this is a shared idea of taxation and should not be pre-empted by the federal government.

Mr. R. F. Nixon (Leader of the Opposition): That is the first time we have heard that argument.

Hon. Mr. Robarts: I thought it would be obvious to anyone who had the interests of this province at heart.

Mr. Nixon: I think the Premier is making it very obvious.

Hon. Mr. Robarts: I thought it would be obvious to anyone who really had the interests of this province at heart. If we are to have a new area of taxation opened up in this country and if it is an area that is shared by the provinces and by the federal government, would I not be derelict in my duties if I did not stake out Ontario's position—

Mr. V. M. Singer (Downsview): Why has the Premier not implemented it then?

Hon. Mr. Robarts: —in this tax field? It is quite obvious.

Mr. Speaker, the hon. member says, "Why did we not implement it?" I think this matter has been discussed here before too, and I think from a practical point of view it must be obvious to even the Leader of the Opposition that you would produce some very odd effects if you had a capital gains tax imposed in only one area of Canada.

Mr. Nixon: The Premier wants the money but he does not want to implement the tax.

Hon. Mr. Robarts: It could have all kinds of distorting effects upon investments, upon economic development, in fact the side effects of introducing a capital gains tax in one area only—in one province only or in one region only—would be something that I would not think would be a proper thing to do.

Mr. Nixon: In fact, it is a federal tax, Mr. Speaker.

Hon. Mr. Robarts: No, it is not; constitutionally it is not.

Mr. Nixon: Yes, but the Premier will not put one on, will he?

Hon. Mr. Robarts: We would be happy—

An hon. member: Would he?

Hon. Mr. Robarts: —to share in the imposition of capital gains tax. We would be happy to reach some agreement whereby it could be done.

Mr. Nixon: I know the Premier wants to share in it; so do we all.

Hon. Mr. Robarts: Does the Leader of the Opposition not want to share in it?

Mr. Nixon: Sure, we want all the money we can get.

Hon. Mr. Robarts: That's the boy! That is the first time we have had this admission.

We felt all this time, Mr. Speaker, that there were certain arguments being produced in this House in defence of the federal government, but we are now glad to hear that our friends opposite are going to join with us—

Mr. Nixon: But the Premier is going about it in such a sly way!

Hon. Mr. Robarts: —in our efforts to look after the interests of Ontario.

Mr. S. Lewis (Scarborough West): Sly? Nothing sly. I think it was pretty open.

Hon. Mr. Robarts: Yes. Mr. Speaker, with these few admissions from the Leader of the Opposition, I will proceed.

Mr. Lewis: What a concession!

Hon. Mr. Robarts: When the federal white paper on taxation was released, we accepted the invitation of the federal government—an invitation, I might say, which was extended to all Canadians—to examine its proposals, to comment and make suggestions; and this we did on a number of occasions. Finally, last June, we presented to this Legislature, to the federal government and its Parliamentary committees, and to this meeting that I have mentioned in Winnipeg, Ontario's response to the federal white paper, the document "Ontario Proposals for Tax Reform in Canada," which we are considering in this debate.

We put forward our proposals for alternative reforms of income taxation, not for narrow or self-serving interests, but because we genuinely are seeking a sound and workable tax plan to serve the needs of all Canadian taxpayers, including our own Ontario taxpayers. Because the income tax fields are shared by the provinces as well as the federal government, it is our responsibility to ensure that income tax reform results in a workable and properly conceived system which can be used by both levels of government. More than this, however, we felt it was our responsibility to point out what we believed were shortcomings in the federal proposals and to work energetically to modify these proposals in the interests of all Canadians.

The appearance by the government of Ontario before the federal Parliamentary com-

mittee studying tax reform, to exchange ideas and present our views, demonstrates our interest in a genuine partnership approach toward developing a new tax system for Canada. It is worth noting that the Commons committee reached one conclusion, on the basis of its discussions with interested parties, that "no tax proposal is exempt from valid criticism in a complex society with multiple objectives, and that no country has achieved a perfect tax system." So, it is against that background and their findings that much of these discussions take place.

By positively advancing our ideas on this matter vital to all Canadians, this province surely has strengthened the fabric of Canadian federalism and reinforced the process of achieving national goals by co-operation and consensus.

A reading of both the Ontario and federal proposals for income tax reform will make it obvious that there are substantial differences of view between this and the federal government on the matter of income tax reform. These differences are not merely differences in methods and means, they are differences in ultimate objectives, in philosophy and purposes of tax reform.

The major purposes and direction of reform that Ontario believes must underlie any plan to achieve a fairer and better tax system for the people of Canada and Ontario can be divided into five distinct segments.

The first of these is our belief that tax reform is for people. As is clearly stated in our "Proposals for Tax Reform in Canada", the Ontario government begins with the basic premise that tax reform should meet the needs of people first and governments second.

We believe that the pressing need for reform of the taxes bearing on Canadian individuals and families should not be allowed to take second place to highly technical, complex and experimental changes in the taxing of corporations.

We want tax changes which will help and encourage people, reforms which redistribute tax burdens so that every Canadian bears no more and no less than his fair share of taxes. We do not want new complexities and inequities which do not advance national goals. Nor do we want tax changes which are at odds with the realities of the world economy. Our proposals concentrate primarily on the personal income tax itself, whereas the major emphasis in the federal white paper lies in the area of corporate and shareholder taxation.

Second, we believe that lasting tax reform requires containment of public spending and total tax burdens. The biggest problem with our existing system is that taxes in the total are too high. Our tax structure has become overloaded with the steady diet of tax increases during the last 20 years which have been necessary to finance rapid growth in public spending as we caught up the backlog of work set aside during the 1930s and the Second World War. The continuation of this excessive growth in public spending will undermine any reform because everybody will inevitably wind up paying more taxes.

There is no relief in sight for taxpayers unless positive and concerted action is taken by all levels of government to control spending. We are firmly convinced that the total tax burden on the individual is now intolerably heavy.

In its two 1970 reviews, the Economic Council of Canada devotes considerable attention to the growth in public spending and taxing over the last decade. For example, the council suggests that if past rates of growth in education and health spending were to continue, there two areas of activity alone would absorb Canada's entire gross national product by the year 2000. Of course, this is a situation which will never occur, because it could never occur. But it can only be rectified by controls being placed on that spending.

The Economic Council also makes clear that much of our recent problem of inflation can be traced directly to government actions. People live on take-home pay, not on gross pay. When governments increase taxes and reduce the take-home pay, taxpayers respond by bargaining for compensating wage and salary increases.

Ontario has consistently pointed out this elementary fact about government spending and tax reform, namely, that unless the trend in total public spending is brought under control, the benefits of tax reform will only be transitory, if not illusory. We believe that the great majority of taxpayers would regard as a major reform some guarantee by governments that their taxes would not continue to rise inexorably, as they have in the past.

That is why the government of Ontario, in both the 1969 and 1970 budgets, stressed the need for a constructive and fair-minded review of all government spending in order to establish overall priorities and regain control of taxation. In short, we have urged and we continue to urge that expenditure reform be pursued hand in hand with tax reform.

One of the best ways of achieving this control of expenditures is to leave resources in the hands of the people in the first place,

rather than always seeking to squeeze more revenues out of the system. Tax reduction was the major thrust of the recent tax reform in the United States, and now the British government has also introduced a programme of substantial income tax reductions. We believe that Canada's programme of tax reform should be moving in a similar direction. However, the Canadian federal white paper provides no suggestion of a comparable concern over the trend of total taxes and total spending in this country.

The third point we make is that real tax reform must be comprehensive reform embracing all three levels of government.

A major fiscal reality of the last decade is the fact that there is no meaningful co-ordination in taxation policies among the three levels of government. The federal and provincial-municipal levels have not been successful in rationalizing their taxes into a coherent and controllable overall system—a system which recognizes the final and real needs and capacities of each level of government and the fact that there is only one taxpayer who must serve the requirements of all levels of government.

The problems of continuing to operate under such an uncoordinated federal-provincial-municipal tax structure are many, with the taxpayer always having to dig deeper into his pocket.

Each level of government must respond to the fiscal pressures at its particular level and must scramble for the required revenues. Tax changes made at one level can be diluted or negated by equally sound changes made at another level. Taxpayers are bounced back and forth within such a competitive taxing framework and of course, inevitably and finally emerge as the losers. Moreover, the tax commissions of the last decade did not suggest a way out of this jungle because each was an incomplete study.

The Carter commission concentrated on the federal system and the Smith committee on the provincial-municipal system. But nobody made recommendations on how to reshape the total system. Nor did the federal white paper recognize this need for comprehensive reforms explicitly linking the federal and provincial systems into a coherent whole. Our 1969 budget suggestions represent the only attempt to develop a plan for achieving the essential integration of federal, provincial and municipal taxes.

The position of the government of Ontario is that meaningful reform of the Canadian tax system must involve reconstruction of the tax systems of all levels of government and the development of workable forms of intergovernmental fiscal relations. To achieve such comprehensive reform, Ontario has advocated realistic tax-sharing, explicit linking of federal-provincial-municipal taxes through a system of income tax credits and reallocation of tax fields between jurisdictions. A prime example of this approach is the capital gains-death tax area where we have argued for complementary rather than independent change. In other words, when you go into capital gains tax you must at the same time look at death taxes. Again, the personal income tax is vital to the integration of federal-provincial-municipal tax burdens, because it provides the only vehicle for relating tax burdens to the ability of the taxpayer to pay.

The fourth position which we have taken deals with the redistribution of tax burdens through reform. The government of Ontario regards tax reform primarily as a matter of redistributing tax burdens so that every Canadian bears his fair share of taxes. In working towards this goal of equity, we believe that there is one paramount priority. This is to lift the burden of taxation from our poorest people and those who have not shared fully in the economic advance of recent years.

Now let me make clear that the Ontario approach and the federal approach to redistribution or equity are quite different both in concept and in degree. The federal government appears to view equity in a rather narrow and static sense, hence seeks a fairer distribution of present income taxes alone. We think much more is required. It is the regressive taxes such as property taxes and retail sales tax—not the income tax—that bear most heavily on the poor.

Mr. Nixon: Better add Medicare premiums to that!

Hon. Mr. Robarts: Meaningful redistribution must reduce the burden of these taxes.

To accomplish this, Ontario has proposed a major innovation in the income tax system through a system of refundable income tax credits against income tax liability. This would be in recognition of the sales and property taxes paid to provincial and municipal governments.

Initially at least, we have suggested that such refunds be available only to those 1.5 million to two million individuals and families who do not earn enough to pay any income tax. This integrated tax credit approach would take the total tax burden into account, not just income tax burdens, and because we

would take into account the total tax burdens we would provide real relief to those taxpayers who most need equity.

I would remind the House that this integration of taxes has been a long-established feature of the US tax system. The tax laws in the United States allow generous deductions to homeowners for such expenses as property taxes and mortgage interest. In lieu of these itemized deductions, apartment dwellers in the United States are guaranteed a standard deduction which, under the new United States tax reform legislation, will rise to 15 per cent of income up to a limit of $2,000. In addition, many states allow deductions or credits for sales taxes against state tax liabilities.

In addition to the suggested reform proposals related to personal income tax, Ontario's other reform proposals such as credits for working mothers and low income allowances are deliberately designed to provide maximum benefits to taxpayers in the lowest income ranges. At the other end of the income scale, Ontario would retain a 65 per cent top marginal rate rather than reduce it to 50 per cent on the grounds that while some reduction is merited, there is no reasonable case for providing substantial tax reductions to the highest income groups. You will have noted that in this aspect of reform, as in many others, the Commons committee report made suggestions which fall between Ontario's proposal and those contained in the white paper.

The fifth point in our proposal deals with tax reform and economic growth.

A major source of difference between the government of Ontario and the federal white paper is related to the economic consequences of tax reform and the use of the tax system to shape national objectives. Here the key question which arises is this: What should Canada be trying to achieve through the vehicle of tax reform? Should it be a tax system which will serve Canada well in the future, or a remedy for certain defects that have accumulated in the past? We strongly opt for the former. Tax reform should look to the future.

We must strive to design a new tax system which will best suit our uniquely Canadian needs and serve Canadian objectives in the 1970s and 1980s. A reformed tax system should contribute positively to the realization of our basic social goals: A higher standard of living for more people, an improved quality of life and greater opportunity for all Canadians. As we state in our proposals for tax reform, the "essential foundation for these ends is a dynamic and efficient economy producing a growing national income for distribution among our citizens."

Mr. E. W. Sopha (Sudbury): Sounds good!

Hon. Mr. Robarts: It is not only good, it is absolutely necessary, is it not?

An hon. member: The Premier cannot borrow it!

Hon. Mr. Robarts: Ontario has advanced reforms which aim for a fair society and an incentive society; a tax system which will encourage savings, initiative and enterprise; a tax system which will generate the economic growth and create the jobs upon which people's ultimate well-being depends.

It is noteworthy that the three major modifications to the original white paper proposals, which the federal Minister of Finance has agreed to make, centre on the area of economic effects.

The guarantee of zero revenue gains—in other words, these new reforms will not produce additional revenues—the reinstatement of incentives to resource industries were strongly urged by Ontario. These changes were surely essential if we were to attain anything like a workable and sensible tax reform programme for Canada. I would also mention at this point that the recent reports of the Senate and Commons committees also strongly emphasized the need for tax reforms which preserve an economic climate favourable to growth. Indeed, the Commons committee report concluded by saying:

> The committee believes adoption of its recommendations on the taxing of capital gains, on incentives for extractive industries, for the growth of small business and for a reduction in the weight of estate taxes would remove the chief causes of concern that the white paper proposals would adversely affect Canada's rate of economic growth.

While it is, Mr. Speaker, hazardous to predict how the federal government may react to the modifications suggested by the Commons committee, the changes they have recommended would at least move in the direction favoured by the government of Ontario for lower income tax rates, less severe capital gains taxation, reduced death duties and strong and effective incentives.

Mr. Speaker, I have stated in very broad terms the positions taken by this government. I look forward to hearing the comments of the other members of the Legislature, not only dealing with the Ontario proposals but

their own suggestions for tax reform in Canada, within the framework of what we propose and within what the federal government has proposed.

I would say to you that this is a matter of really very great concern to all the people of Ontario and all of the people of Canada, and I think the expressions of considered opinion by members of this Legislature in this form will be a very constructive addition to the current debate.

I hope that the suggestions that we will hear during this discussion will be of assistance as we strive to develop a total, integrated tax system for Canada. Mr. Speaker, in the procedure here the Treasurer of the province will wind up this discussion on behalf of the province.

Mr. Nixon: Mr. Speaker, I regret that this debate did not take place earlier in this year, more closely following upon the tabling of the proposals that we are discussing this afternoon. The order for such a debate was put on the paper last spring and I feel that there might have been more intense interest in the views expressed by the Premier and his colleagues, as well as the private members of the House, if we had had a chance to express them then.

We must realize that not only have the Senate and Commons committees given their report to the government, but I understand that something like 1,500 other views, formal and some not so formal, have been expressed to the government of Canada and they must surely now be in a position where they are considering their course of action after the democratic participation in what has amounted to a great debate all across this country.

Mr. D. C. MacDonald (York South): We hope!

Mr. Nixon: Nevertheless, we are now given an opportunity in this House to discuss tax reform at the federal level, and as the Premier clearly pointed out involving tax reform in this province as well. From his prepared remarks I have selected one sentence which certainly must speak for us all, whatever our political affiliation both here and in other chambers, and I quote:

> A reform tax system should contribute positively to the realization of our basic social goals; a higher standard of living for more people; an improved quality of life and greater opportunity for all Canadians.

Nobody can argue with that, and if we can start at least from a point of complete agreement and perhaps branch out a bit, then I would be pleased to do so with the time at my disposal.

Elsewhere in his remarks the Premier indicated that the time had come when taxes should be reduced or at least some move toward this very hopeful change might come about, and in so doing he was severely critical of other levels of government in their propensity toward spending money and thus continually forcing taxes up. I well recall a local reeve coming to me with a letter signed by the Premier himself—I believe backed up by one from the Treasurer—asking, in fact, practically instructing, that expenditure at the local level be curtailed and anything of a capital nature, unless it was completely necessary, be postponed in these trying times.

We need only look at how the Premier and his advisers have followed this instruction themselves within sight of this very building to realize that we have been treated to the most expensive capital expansion of our facilities of government—related very closely with the centralizing tendencies of the policies of this minister, the Minister of Municipal Affairs (Mr. McKeough), and others—to indicate that he certainly does not follow his own advice. As someone whispered in my ear a moment ago, only the devil can properly rebuke sin, and that certainly falls very directly on the rebuke that the Premier has levelled at other levels of government, when he himself is perhaps the most guilty of this sin of uncontrolled public expenditure.

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Is the Leader of the Opposition rebuking us?

Mr. Nixon: It is not my aim this afternoon Mr. Speaker, to spend valuable time listing these buildings. We have done this on other occasions, but it does seem ridiculous that the Premier should be so critical of other levels of government over which he has no control, and so specific with those levels of government over which he has some control; he has used these powers to restrict local expenditure in the municipalities, without putting his own colleagues, and even his own decisions, under the same restriction.

The Premier referred to the evolution of at least an approach to tax reform. We have had precious little of it either in Canada or Ontario since 1962, when the whole situation was put on ice by the appointment of the two royal commissions. We will remember, Mr.

Speaker, I am sure you will agree, the debates year after year in which tax changes were proposed, actually on all sides, and ministers themselves referred to certain changes which would be forthcoming as soon as the careful review of the tax system had been completed by the two royal commissions.

The report, of course, was made public in Ontario in late August, 1967. I well remember the sequence of events because that was the time, actually, that Mr. Stanfield was being selected as the leader of the federal Conservative Party. In all the hubbub and enthusiasm associated with that event, the Premier mildly mentioned that we were going to have an election a few weeks after that.

Talk about a low profile beginning! As I recall, it took about three weeks before even my local association realized that, in fact, we were faced with an election campaign.

Mr. MacDonald: Slow learners!

Mr. Nixon: But in order to give it—well we were successful all the same, and did not have much trouble staying ahead of the NDP.

Mr. MacDonald: The member should come out to York South and see what happens to him.

Mr. Nixon: Yes, the future looks pretty grim. Was it "67 in 1967"? And did not the hon. member for High Park (Mr. Shulman) say 71 in 1971? We will see.

Mr. Lewis: That is good enough for us.

Mr. MacDonald: We will see, but the Leader of the Opposition will not.

Mr. Nixon: We will see!

Mr. Speaker, with the tabling of that report, the Premier indicated at once that he was prepared to begin the process of tax reform in the Province of Ontario by very properly accepting the costs of the administration of justice, something which had been recommended on all sides; really it was just waiting for the formal recommendation from the experts before we proceeded. Another recommendation was a little more complex and that was for the payment of a basic shelter exemption, or as we have now come to call it, a shelter grant, which was also accepted immediately.

There were those who felt at the time that it was really little more than an election handout, and in my view it has continued this way. I would have thought that the better judgement of the government and particularly The Department of Municipal Affairs and its present minister, might have found something a little more efficient to meet the crying needs of tax reform at the municipal level, which has been ignored by this government for so long, and continues to be ignored.

The course of tax reform began rather bravely under the pressures of the 1967 election, and the government was eminently successful in that election. We were then treated to a variety of new pressures from that time on. The possibility of further reforms, of course, disappeared immediately with the success of the election, and we began to hear the complaint that has continued for so long, that nothing really could be done in Ontario until the delinquent federal government made up its mind as to the course of its reform. Once again, little or nothing of a positive nature has been accomplished in this province since 1967.

Unfortunately, it is the political tradition here for the last 25 years and more, that we have three years of relative inaction—minding the store—followed by a few months of programmes in the disguise of tax reform which we have learned to recognize simply as handouts to those members of our own community who are in most pressing need and suffering from being ignored by government policies for the previous period of time.

This is what has happened since then. The government took over the cost of the administration of justice and accepted the recommendation for the shelter grant, which has been amended slightly since then. The government thought of giving it up, but whether or not it was simply the perspicacious Minister of Municipal Affairs or some kind of research done by the Minister of Trade and Development (Mr. Randall) that indicated that it was very popular to some groups, they decided they would maintain it, and in fact expand it.

Then in the so-called provincial write paper, that blueprint for overall tax reform that was brought before this House by the Treasurer two years ago, we were told that Ontario was going to implement a capital gains tax unless the federal government acted; but of course if it had to be enacted at the provincial level it would only be at nominal rates—in other words, simply to stake out a claim to the revenues from capital gains which the Premier reinforced in his opening remarks today.

I am sure his statements will be waved in the faces of the other provincial Treasurers and the Minister of Finance on some occasion in the next few months—and; I would say, very properly—when Ontario does its best

within the reasonable dimensions and constraints of co-operation and democracy to get the very best possible financial deal for this province, and with a recognition of our place in this nation as Canadians.

So we had the announcement of a capital gains tax, and we have heard nothing about it of any substance until today, when our claim on a share of that tax was put forward again, and I interjected simply to draw attention to the fact that really this was why it was included in the Premier's statement—simply to stake out a claim for this province for the revenues of a federal capital gains tax.

I have said many times, and I said it in response to the provincial white paper when it was put before us, that Ontario should not have a capital gains tax itself, although I favoured such a tax, but that it would be iniquitous and inequitable if it were placed on residences and businesses and individuals only in this province.

Beyond that, we were told that we were going to have a separate income tax because of the intransigence of the federal government in 1968; we could wait no longer and we would have to impose a separate tax that would be completely under the control of this government and we would then have our financial destiny in our own hands.

They quickly withdrew from that—once again, I do not know whether it was the Minister of Municipal Affairs who provided the advice or the Minister of Trade and Development, who apparently has had enough of this debate—

Hon. W. D. McKeough (Minister of Municipal Affairs): When is the member going to say something?

Mr. M. Gaunt (Huron-Bruce): The minister is not in his seat.

Hon. Mr. McKeough: The member is just talking history.

Mr. MacDonald: The minister is not in his seat; he should not even speak.

Mr. Nixon: —and who is basically in charge of keeping his thermometer in the political pot so that he can see just what the temperature is with regard to these various issues as they come forward. Although the Treasurer indicated that he felt we should have provincial income tax separate from the machinery at the federal level, he has certainly backed down from that untenable position; in fact, he backed down in a hurry.

At the same time there was a further statement that we were going to make a brave new approach to assuming a larger share of the cost of education and that by 1972 or 1973 we would be paying about 60 per cent; and as a first step we would raise it from 46 or 47 per cent to 51, a level which we have now achieved. This essentially was all the tax reform that was possible because, in the words of the Premier, the federal government had not made its decision and all other decisions would be postponed.

Nevertheless, when this session resumed on October 6, the Provincial Secretary (Mr. Welch), reading for the Premier who was unavoidably absent, informed us that reform was going to proceed; that in fact the hard-pressed farmers of the province were going to have a rebate of 20 per cent of their taxes —25 per cent. I would tell you, Mr. Speaker, in my case this will amount to something more than $250—almost enough to change my politics but not quite—but certainly designed to have such an influence on those in the province with, perhaps, more flexible political thought.

The second one—the second so-called reform—was the $50 handout designed to appease those people living on pensions in this province who have for so long been ignored by this government and, yes I will say so, the government of Canada. Mr. Speaker, we have felt for a long time and put forward strongly from these benches that this province has the prime responsibility to look after the welfare of our senior citizens. Ontario at one time had additional payments which recognized the special difficulties and cost requirements of living in a high-cost province such as Ontario. We have not had these advantages for many years even though other provinces have maintained them.

Of course, there have been other attempts to reform the tax system of the province. The Minister of Municipal Affairs, and I mention him again, has centralized assessment which he feels is the basic step required to reform municipal grants in the municipal tax structure. He recalls, as do I, the statement that can be read from the Smith report which called the present grant system administered by the province for the municipalities, chaotic; and says further that such a system is related to nothing whatsoever. In other words, the overlapping grants amounting to more than 100 different programmes are seriously archaic and do not meet the needs of our municipalities.

An approach to reform in this connection was broached at the provincial-municipal conference. I understand the highlights of such a conference have been filmed and are presented to municipal groups which will sit still to watch them. It is quite a dramatic event, Mr. Speaker; the event on film is apparently much more dramatic than the actual circumstances of the programme at the Science Centre, presided over by the Premier himself with the assistance of so many of his colleagues.

Mr. J. R. Breithaupt (Kitchener): Very careful editing.

Mr. Nixon: I notice also that the Minister of Trade and Development, who was no doubt responsible for the cost of filming that programme and its editing, also had a full camera crew present at the Great Lakes environmental conference. This is just a little off the track, but I know you will permit just one moment, Mr. Speaker. This group was front and centre prepared to film all of the statements made by the various governors and the Premier in this particular matter. This is a part of the public relations approach of the government to record on an edited programme what is transpiring in these various meetings which themselves are of substantial importance.

At the provincial-municipal conference there was a phrase bandied about, and I believe it was "a new partnership," which is the sort of thing that made the reeves, the mayors and the council members sit up and really think that they had entered into a new approach to municipal affairs. The Tory leopard had changed its spots and was about to listen to the municipalities and co-operate with them in the development of a modern tax system which would meet the needs of the municipalities.

Unfortunately such was not the case. We still have the overlapping series of grants; we still have the handouts based on political realities—such as the shelter exemption, the payments to farmers, the payments to pensioners, which, in fact, amount simply to gross over-taxation. In this case, we are now approaching $200 million in these programmes. The money is extracted from our citizens; it then goes through the careful nurturing hands of the public service and is returned to the taxpayers at some suitable time in the guise of tax reform.

Many of these so-called reforms, Mr. Speaker, hark back to many of the statements made by the hon. Minister of Revenue (Mr. White), who unfortunately is not present today. I am surprised at this because I feel that his attitudes authored many of the programmes. The deliberations of the so-called White committee, undertaken under the chairmanship of the hon. member who is now the Minister of Revenue, stressed this approach. I well remember him trying to sell the government—and I believe he had the government sold—and the people of the province on the need to expand the tax base, particularly through the sales tax, and that everything we bought would be taxed, including food.

Surely, Mr. Speaker, you remember your own constituents getting on the telephone saying that if you did that you would be turfed out. In return, a year later, the government would give some sort of a grant, some sort of a handout, something that you might call a better name—a tax credit—which would make up for this sort of over-taxation in the first instance.

Mr. MacDonald: Free loans to the government to help the cash flow.

Mr. Nixon: The government, of course, withdrew from that very rapidly. I am sure that this sensitive antenna of a government, which is so sensitive that in the words of the Premier it will last forever, realized that if it stuck to that policy, it would not last beyond the next election, if, in fact, the people did not rise up and turf it out even before.

The Minister of Revenue had this kind of approach. I am not really advocating the thing that is in the mind of the Minister of Justice.

Mr. MacDonald: Sounds like the Tory equivalent of the FLQ.

Mr. Nixon: Would you speak to the Minister of Justice? He is signalling somebody in the gallery.

Mr. Speaker, the influence of the Minister of Revenue was quite strong for a few weeks until the people of the province spoke through their elected members—and this is the way I feel they should—and it became apparent to the government that they had better move away from that, just as they had moved away from the separate income tax. Just as they had moved away from the emphasis on an Ontario capital gains tax and so many other kites that had been flying in the sky in those days.

Mr. MacDonald: The Minister of Revenue was spanked again.

Mr. Nixon: The postponements began in 1968 and they continue to this day. It is only the feeling that sometime within the next 12 months we will be going to the polls to have the taxpayers and citizens of this province express their views explicitly, that has cranked up this government into some action which they say is tax reform. It is added to the list of direct payments which they may call tax credits, or something of that style, but which really means that as a result of over-taxation we are simply embarking on a complex programme of handouts which is designed, first—and I will admit it, I will assert it—to meet the needs of some members in the community of Ontario who have been too hard-pressed for the last five to 10 years; and second, to shore up the sagging political fences of a government that is doomed to defeat.

While all this has been going on the federal government and the taxpayers of this province, in their responsibilities as citizens of Canada, have been waiting for federal tax reform. It is terribly important to us since we pay 45 per cent of the total income tax revenues and in return—and the Treasurer is aware of this figure—we receive from Ottawa about $1.7 billion in an overall budget approaching $4 billion. We are closely related—that is correct; the government adds it up in its own budget in those back pages.

Hon. C. S. MacNaughton (Treasurer): The member should add up what goes out, too.

Mr. Nixon: All right. The minister emphasizes that. I am saying it is a balance and, Mr. Speaker, I mention the figures only to show that I agree with the Premier that when tax reform occurs in Ottawa it certainly affects us more than any other province.

Mr. Speaker, we are late in having an opportunity to put our views before the House, and for the consideration perhaps of those people in Ottawa who have to make the decision. But we have had a chance as citizens of Canada ever since the federal white paper was tabled about a year ago now—I think it was in November, 1969—to express certain views and to hear lots of views expressed temperately and intemperately by people in the community. This really has meen a debate based on proposals for tax reform, and I think that while many people have found it eventually quite monotonous, it has lost its impact, which is another reason why I regret the fact that we are having this debate so late in the year.

Still, it has been an exercise in what Pierre Trudeau used to call participatory democracy —I am not sure what he calls it now—which has been very valuable. And, in fact, it has been necessary, if the people of Canada were going to exert their right to participate in government decisions a little more effectively and meaningfully than they could in the traditional way of simply bringing in a tax bill and forcing it through Parliament which in fact has been the way reform, such as it is, has occurred in this province.

So this debate on the white paper has continued for a good long time. The only changes in the federal tax system were those enacted, really, againgst the wishes of the majority of the House of Commons at one stage, to impose a surcharge on the income tax to finance general revenues, but specifically programmes dealing with the welfare—particularly the medical welfare—of the people of Canada.

Mr. MacDonald: At least the majority were there!

Mr. Nixon: All right, I said it. The member can say what he wants in that regard.

That is really the only change in the tax base of any effect that has taken place in recent years. This temporary tax increase appears to be suffering the same fate of the temporary imposition of income tax back in the first war, but I doubt very much if we, as citizens of Canada, will ever be living in a time when we do not pay income tax. As a matter of fact, when we do not realize it, income tax becomes a more and more major part of the tax responsibility that we bear. I regret that the temporary surcharge appears to be built in permanently to the system.

I would agree, not only with the Premier but with every other taxpayer in Canada, that our taxes are too high. But I would disagree with him when he points the finger at the federal government as alone being responsible for these difficult circumstances.

Hon. Mr. Robarts: In all fairness, I did not say that.

Mr. Nixon: Perhaps I misinterpreted the Premier, and there is a tendency for me to think that he is unduly critical.

Mr. MacDonald: Has the Premier seen this profile of the Treasurer in the *Executive* magazine and the quotation "Ontario's Income Taxes Already Too High." So if he did not say—

Hon. Mr. Robarts: I did not say—

Mr. Speaker: Order, please.

Hon. Mr. Robarts: Mr. Speaker, may I just explain my interjection? I was simply saying I did not exclude this government when I was talking about taxes being too high. How could I? It would be a ridiculous statement. I was talking about the total of taxes in our country—the municipal, provincial and federal —as being too high. That includes all levels of government.

Mr. Lewis: Very complimentary picture.

Mr. Nixon: Mr. Speaker, I am glad to hear the Premier say that he, too, or his government, is responsible for the taxes being too high. He is one person here who can do something about it. While—

Mr. Lewis: Good picture.

Mr. Nixon: —we hope it will be—

Mr. Lewis: We will be saying something about the Treasurer's photograph later on.

Mr. Makarchuk: Do not be too modest.

Mr. Speaker: Order please! The hon. Leader of the Opposition has the floor.

Mr. Nixon: Thank you, Mr. Speaker.

While we hope that other jurisdictions can do something about it as well, this is the government which has imposed no new taxes of any significance for the last two years. This is the government that has balanced its budget for two years. This is the government that has had a surplus, an unexpected surplus, this year, amounting to well over $100 million, if you take into account the unforeseen and unprovided-for expenditures in the original budget. If any province should consider the reduction of taxes it is this one, and certainly we feel that the Premier will take that important step.

I want to talk specifically about Ontario's proposals, because of the booklet that has been made available to us now on three occasions—I came in here today and found another one one my desk. They must have had a substantial overprinting. However, that is fine, it is very convenient to have.

Hon. Mr. MacNaughton: Pass that around to your friends.

Mr. Singer: He is going to print it in four colours and run it as a jingle.

Mr. Nixon: It opens with a listing of the goals of tax reform that certainly must be the goals of every level of government which has control over a tax system. The Premier has pointed out, and certainly the Treasurer before him, the problem of establishing an equity position and of fostering economic growth as two goals of the same tax reform programme. Certainly we all realize that these two things, while not being mutually exclusive, must be balanced. I would think Mr. Benson realizes that. According to one report I read, he referred to this again last night.

While it is easy for politicians to stress the equity aspect of tax reforms too, if we are going to be talking about economic growth, it is necessary that funds be left in the hands of those corporations, particularly those which spearhead economic growth. We must have available the funds in order to undertake this development.

So the first two goals of tax reform—improving equity and fostering economic growth—have to be balanced. Individuals can come down more strongly on one or the other, but a responsible government obviously has to keep them in balance.

The third one, simplicity, appeals to everybody. I think that this is something that must appeal to this particular government, after the complexity of the introduction of the basic shelter exemption, which almost foundered, and which has been—

Hon. Mr. McKeough: Very simple.

Mr. Nixon: —substantially simplified.

Hon. Mr. McKeough: Not so.

Mr. Nixon: While we would all strive for simplicity, Mr. Speaker, so that the Minister of Municipal Affairs and the Leader of the Oppositon could both understand the programmes, as well as some other people, we must realize, and the Treasurer has often told us, that taxation—the imposition of taxes and the equity factors—is anything but simple.

This leads me to one specific recommendation in the Ontario proposals that I want to talk about.

Hon. Mr. McKeough: Good. Half an hour after the member started talking—

Mr. Nixon: Is there a time limit on this?

Hon. Mr. McKeough: No, but the Leader of the Opposition is now going to say something.

Mr. Nixon: Mr. Speaker, I hope that you will permit me at least the right to speak.

Whether or not I must insist on being heard is something else.

Hon. Mr. McKeough: But it would be nice if the member said something.

Mr. Nixon: I am.

Mr. Speaker: Order please!

Mr. Singer: The Premier said today he is not resigning, so the Minister of Municipal Affairs can stop working on his job.

Hon. Mr. McKeough: Who?

Mr. Nixon: I am talking about the proposal for Ontario which has to do with the allowances for working mothers. The government of Canada in its white paper has talked about a full deductibility of these expenses up to $2,000 per family. In an effort to simplify this, the government of Ontario said, "We should not do it that way because it is too complex, we will give a $50 tax deduction for everybody, whether they use it or not." Here surely is a case where simplicity is not in the best interest of the taxpayer. Surely this allowance should be granted to those families which, in fact, incur the costs of maintaining a family when the mother is working, or there is only one parent.

I use this only as an example, with reference to this third goal set forward by the authors of this report relating to simplicity in the tax structure. If you are going to stick with that, you are not going to serve the needs of individual groups within the community, which must be served and which you are attempting to serve by your counter-proposals here.

This government's proposal for an allowance for working mothers is not as good as that which is put forward at the federal level. The federal one is more complex, but it allows the families who spend the money to deduct this from their taxes. Those who do not spend it do not get the deduction. It is not replaced with a flat figure that everybody uses, as is presently the case in federal tax law for charitable deductions. I think this is a different sort of reform and one in which this government's goal of simplicity has not worked in the best interest of the people concerned.

When we are talking about simplicity, I feel, in fact, that this government oversimplified its proposals substantially when it did not include a schedule of payments, at various tax levels which surely should have been appended to this. While they are saying that under these proposals, certain groups will be exempted from taxation entirely—I believe about 200,000 more people across Canada would be exempted from taxation entirely—why do they not append any tax schedules to these reports which would give us a deficit—

Mr. P. D. Lawlor (Lakeshore): That was done with malice aforethought.

Mr. Nixon: —give us a way of determining just who would be excluded and who would suffer the brunt of the additional taxes necessary.

Mr. Lawlor: It would be too simple then.

Mr. Nixon: I think we should remember at this stage, Mr. Speaker, that the federal white paper proposals with their larger exemptions on basic income would increase the number of excluded people, that is people who do not pay taxes at all, by about 450,000, more than twice the group that would have this exemption under the Ontario proposals.

The balance of course is that under the Ontario plan more people would pay taxes, but of course there would be this back payment to reimburse the taxpayers for taxes they had already paid which, according to the Treasurer would lead to increased equity, and in my view he simply based this on over-taxation and by failing to come to grips with, I would think, more modern and effective and efficient taxation programmes.

The fourth goal that the proposals bring forward has to do with encouraging Canadian ownership, and while I realize that opposition parties and opposition members had substantially put this forward as a goal not only of tax changes, but as the general policy of this government and the policy of the government of Canada, I had not realized that the Conservative administration in this province was prepared to emphasize this as a goal, when in fact it is often very critical of politicians and others who feel that it should be emphasized.

In my view the present tax system, which does give a dividend tax credit for dividends based on Canadian investment, has at least pointed toward an area of solution; but this 20 per cent credit in no way is going to move towards the strengthening of Canadian ownership. It is sort of a glance in the right direction, not really a step, even, in the right direction. I, for one, believe very strongly—and I would like to move this goal up considerably in the priorities as they are listed in this book—that not only should Canadian ownership be encouraged but Canadian in-

vestment should be encouraged, Canadian business initiative should be encouraged, and I feel that this can be done more effectively than has been proposed either by the government of Canada or in the proposals that have been put before us. I feel, as a matter of fact, that the federal white paper proposals are considerably ahead of the proposals from Ontario to accomplish this particular goal and there may be some more to be said about that later.

Mr. Speaker, to go on with the goals for tax reform enumerated by the Treasurer, or at least the author of these proposals—and they are in fact his proposals—one or two of the others are not so impressive. The role of Canada in a world economy is something that concerns us all, particularly our place as a trading partner. The low cost of the administration of tax proposals — everybody would agree with that and if there are some areas for efficiency, we would support them.

In this line I would say that one of the most inefficient areas of government programmes lies in the funding of our own Medicare, OHSIP and hospitalization. The Provincial Sercetary, on behalf of the government, announced certain changes that would improve this efficiency 2½ years from now, but still for a government that sets low-cost operation of tax collection as one of its main goals, it is strange that this government should continue collecting premiums from three million citizens of this province, four times a year, for hospitalization separate from OHSIP. One cheque has to be made out to the Treasurer of Ontario; the other to the Health Insurance Registration Board. This is the kind of inefficiency that costs money, and I say once again, "Physician heal thyself."

The staging goal, of course, is important. No tax changes that are going to be significant can be accomplished overnight. I would think that the community of taxpayers, the business community, and everyone who is so concerned with tax changes in the province or Canada wants to know what those changes will be and the timetable for their implementation, which should not be precipitate. We should be able to make business and personal financial arrangemements so that these changes can be absorbed into our personal planning and business planning.

The last goal is provincial uniformity. I believe very strongly that no province should set itself up as some kind of a tax haven, either for corporation taxes or death taxes or anything else, and I would think that it is incumbent upon the Treasurer of Ontario and the policy of this government to use all of their persuasive and co-operating powers to see that we get rid of death taxes entirely; that we negotiate an agreement whereby they are all collected by Ottawa; that they are based on one tax base—is that what you would call it?—one taxing statute and that we negotiate a share of this. This is something in which I feel that we have been very slow to move.

There have been offers from the government of Canada for the specific transference of relating tax points to the province in return for the transference of some of these programmes and still the Treasurer and the Premier have said we cannot act until the federal government acts.

There is another specific case that comes to mind. The Minister of Finance for Canada, in reference specifically to resource taxation, more specifically to mining taxes, has said that as far as the corporation tax associated with this is concerned, he is going to reduce the federal tax of 40 per cent to 25 per cent, thus leaving 15 per cent of corporation tax to be imposed on the mining industry at the complete discretion of the government of the province.

Now the Premier has been calling for tax room for a long time. Here is quite a nice chunk of tax room, because that 15 per cent is now going to be directly under the control of the province; to it can be added the 12 per cent of corporation taxes which we already control. So here is a big chunk of corporation taxes involving only the resource industry, and the decision of this government as to what to do with that is going to be terribly important, because no longer can the government of Ontario say—

Hon. Mr. Robarts: What is the member's advice?

Mr. Nixon: Well, I am going to give some advice. This government has got this open room and the mining business has been waiting for some expression of opinion from this government. The government of Quebec have already acted and they say they are not going to occupy that room. I am not sure of my facts, but I do not think they are going to occupy any of it; they are going to let that whole 15 per cent revert to the mining business.

In my view, I think that we can use this room to provide incentives for exploration and for utilizing the raw materials from the mines in Ontario. This of course is what this government is already attempting to do through

the statutes administered by the Minister of Mines and Northern Affairs, but I think that instead of applying the stick that he has in his hand and has not used very effectively as yet, this government can use the carrot of the tax room that is provided by the federal government to improve the basis of the resource industry here. Now, we have got to remember one thing, that basically—

Interjection by an hon. member.

Mr. E. R. Good (Waterloo North): Oh, the member has not even been here.

Mr. Nixon: Basically, Mr. Speaker, the resource industry is owned to far too large a degree by foreign interests and if we are going to use that tax room to put a lot more money in their pockets, then I say I am against it.

Here is the problem: We want to develop our resources. We want to make jobs in the north. We do not want those great huge hundred-car trainloads of ore to continue to go down into the United States. We want it used and manufactured and developed here for our own good and for the good of our own people. So somewhere in between is the use of this 15 per cent plus the 12 per cent that is completely under this government's direction without any interference from the government of Canada in the resource industry.

I hope and recommend that this government will use a substantial part of it for goals which are very plain; that is, to increase Canadian ownership and, let us say, equity in our resource development for a programme which will see that much more of our natural resources are developed in Canada and not exported in a raw state. And this would go in conjunction with the attempt of the Minister of Mines and Northern Affairs, who has a—

Hon. A. F. Lawrence: We do that.

Mr. Nixon: What? We are still shipping it over to Norway.

Hon. A. F. Lawrence: We provided tax incentives.

Mr. Nixon: All right. But we are still shipping it over to Norway or some place over there.

Interjections by hon. members.

Mr. Nixon: And this should be the goal of the use of those percentages. And so we talked about some of these—

Hon. Mr. Robarts: Very good advice.

Mr. Nixon: Mr. Speaker, I have talked about the goals put forward in these proposals. Nobody can argue with them. There are not priorities put on them particularly. They fall in the same category as the Premier's statement earlier in the day, which I read to members at the opening of my remarks. They are goals which would be accepted by anyone having these responsibilities.

The Treasurer has made a lot of the fact that the white paper proposals in fact would tend to increase revenue. And in his opening remarks the Premier said that he was glad that the Minister of Finance had finally acceded to the pressures exerted by Ontario, and said that in fact the reform of the tax system would not be associated with an increase in revenue.

If the Premier wants to take credit for that —I do not say that is fine; there is not much I can do about it—I would just say that probably he is a bit puffed up over his own influence on the Minister of Finance for Canada. Surely everyone from the beginning realized that the reform proposals are separate, and must be separate, from the revenue proposals and any change in the revenue?

I know there has been a lot of concern as to what the results of the federal white paper proposals would be when they were fully implemented. And I do not intend to spend very much time in the bickering and fruitless arguing that has been taking place between the Treasurer of Ontario and the Minister of Finance for Canada, because I guess nobody is going to win that argument; there is going to be no impartial judge—unless the Treasurer lets me be the judge, in which case I say he loses—so there is not much sense in arguing about who is right.

The Minister of Finance has said time and time again that he does not intend to use the reform proposals per se as a revenue-increasing programme; if they feel the taxes have to be raised, they have the responsibility which they have used at least once already, to their embarrassment, of coming before the Parliament of Canada and saying, "We need more money, and here is the surcharge that will provide it." Whereas this government has other methods of raising its revenue and those are seeing that it stakes out a larger and larger share in the federal revenues which are raised under the powers of the Parliament and government of Canada.

Hon. Mr. MacNaughton: Out of the total revenue?

Mr. Nixon: The total revenue, right. And the Treasurer knows as well as I that this year our share of the federal income tax take is close to $1 billion—$980 million. And probably, barring a recession, God forbid, in the next fiscal year, it will be well over $1 billion that will be collected by the government of Canada and come back in some kind of a Brink's truck to the government here in the Province of Ontario.

Hon. Mr. MacNaughton: They usually send a cheque.

Mr. Nixon: All right. This year they are going to send it in nickels.

I just want to read something here into the record—the Treasurer I am sure will want to comment on this; it has to do with this argument as to whether the white paper proposals are going to be substantially revenue-raising or not. I have three short paragraphs that I want to read to you, sir, and to my colleagues in the Legislature. They come from the *Financial Times of Canada,* February 9, 1970, and the first is as follows:

> Ontario has mounted a major challenge to Finance Minister Benson's tax white paper. It reckons the reforms will produce $1.3 billion more revenue than the existing system, about double what Ottawa estimates. The Ontario figures are suspect but they serve to undermine the credibility of Mr. Benson's proposal.

I would say that actually in these proposals—

Hon. Mr. MacNaughton: What is the purpose of the exercise?

Mr. Nixon: Well, surely the purpose of the exercise was to get at the facts and not to undermine anybody else's opinion. We are talking about an impartial judge and since the Treasurer will not allow me to be the impartial judge, at least I am reading to members an impartial opinion. It goes on to say:

> Once they start using the same assumptions their figures will probably be fairly close, but by then the damage will have been done.

And I am sure this government is prepared to admit that is exactly what it intended to do—do damage to a federal initiative. Now I will read further:

> The white paper promises to yield about $165 million more than present taxes on the 1969 base, but Ontario figures indicate the yield would be $550 million higher.
>
> The apparent errors in Ontario's forecasting all tend to increase the revenue gain forecast from the new system. More realistic estimates that excluded the mining revenue, which will not be significant until the end of the decade, would leave Ontario's figures no more than $200 million higher than Ottawa's. That is within the range of forecasting errors and not enough to embarrass Mr. Benson.

Well I guess I am concerned as to whether Mr. Benson is embarrassed or not, but I do not want to take it any further other than to bring it to your attention, Mr. Speaker, that the Treasurer himself said that the purpose of the exercise was to undermine the federal initiative and I would say that he has certainly done that.

Hon. Mr. MacNaughton: We wanted the position clarified.

Mr. Nixon: Now it is clarified, not undermined? I see. Okay!

Hon. Mr. MacNaughton: I think I would just like to speak on a point of order, Mr. Speaker.

Mr. Singer: The point of order is, he did not mean to say what he means even though he meant it.

Hon. Mr. MacNaughton: I think he will be happy with what I have to tell him. There has been no exchange or argument—

Mr. Nixon: Oh!

Hon. Mr. MacNaughton: Excuse me a moment, I am not through—since June 23, when we met the Commons committee. I might say I instructed my people today who are preparing some notes for me, that I would not raise this subject again in this House. We may have to comment on it briefly. I would rather not. The arguments have been made. Nobody substantiated that either figure is wrong or right at this point in time.

Mr. Good: What was the Treasurer's point of order?

Hon. Mr. MacNaughton: To clarify this.

Mr. Nixon: I do not object to the clarification, Mr. Speaker. I want now to say a bit more on the basic concept of the tax credits, which appeared to have been sold to the government opposite by the Minister of Revenue, the former chairman of the tax review committee. The tax credit system was discouraged by both Smith and Carter, basic-

ally I suppose in Smith's position because he felt that the tax credit could not be extended to those people who did not own property.

Now the government has attempted to get around that problem by making the shelter exemption payable to people who are tenants as well as owners, but there are even more basic and theoretical objections to the tax credit system that both the Royal commissioners brought forward in their reports.

I know the Treasurer is aware of these and surely he must have taken them into consideration before he bought the load from the Minister of Revenue, which really is basically the tax credit system and as we see it revealed in the policy of this government, is simply a patchwork of payments to individuals and groups in the community to help them over the fact that basic tax reform has not been accomplished in this province.

The argument that sometimes is put forward is that if you do not have a tax credit and just have a larger exemption, you really are not helping the poor people at all. They do not pay taxes in the first place so how are you going to help them by reducing their taxes? It is a good argument and I want to say something about it, because I would refer to the proposals on page 16—

Hon. Mr. MacNaughton: Pretty costly, too.

Mr. Nixon: —and I quote: "For these Canadians in greatest need, the real burden of taxes arises from property taxes, health insurance premiums and sales tax."

Now those are specifically the taxes that are administered and controlled exclusively by this provincial government. And if they suffer more from those than from any other, then obviously it is in this area where we should provide assistance.

Perhaps I should say something else. Ontario itself has, and I have just had this calculated, the highest Medicare and hospitalization premiums in the country, the third highest retail sales tax, and a property tax base that must pay for half of the total education costs and that subsequently cripples municipalities which must provide basic services for their people and cannot do so.

Hon. A. F. Lawrence: Who wrote that speech?

Mr. Nixon: I wrote it myself. So, Mr. Speaker, this is the point: The government opposite is trying to help, they say, the poor people, the people who pay no income taxes at all, but surely if we are going to help them we should reduce these payments? We should be paying for Medicare directly on our income tax payments, there is no doubt about that.

We should be paying for a much larger share of education through the broad spectrum of tax revenues of this province, rather than leaving the responsibility on the small homeowners in the communities from one end of Ontario to the other.

This is obviously the kind of reform that Ontario needs, rather than the approach to over-taxation whereby the government gets about $400 million more than it needs and hands it out to needy groups. I cannot call that reform and if they continue to call it reform they will be beaten, the people will not buy that.

Interjections by hon. members.

Mr. Nixon: Mr. Speaker, our friends from the back row who sometimes take a more active part in the debate than others, are indicating that my proposals smack of Lewisism, socialism, something like that, and I know, sir, that you are aware that the payment—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Nixon: I am sure, Mr. Speaker, that you are aware that the payment of medical insurance costs is not socialism, it is not Conservatism. If you pay for it on the basis of tax returns it is just good sense, because it simply saves the bureaucratic costs that amount to more than $20 million for the Province of Ontario alone, and for OHSIP alone.

As a matter of fact, the NDP are still talking about reducing prmeiums to a manageable level, and that sort of thing. They will still be sending out the premium notices four times a year if they ever get the chance to have the control of the business, whereas at least three other governments in Canada, the latest of them being the province of Quebec, have decided that the provision of medical services is a cost on the whole community and should be paid by those who have the authority to pay and it should be placed on the income tax responsibilities of all concerned.

When we are talking about helping those people who are not presently in the tax-paying group, with some kind of a tax credit system, I cannot help but feel that an approach to the guaranteed minimum income, particularly through the negative income tax concept, would be better than simply the

government of the day deciding at a certain time, in relationship to their revenues in the next election, that payments to individual groups would then be forthcoming.

I feel very strongly that we in the Province of Ontario should take an initiative in studies which will lead to a guaranteed minimum income based on a negative income tax; that this is the approach that we should have instead of the tax credit system which is evolving—

Hon. Mr. MacNaughton: They are very similar.

Mr. Nixon: It is not the same thing at all, Mr. Speaker. The Treasurer and the leader of the Conservative Party have developed this system of payments of $50 on the average to homeowners, $50 once a year to pensioners, 25 per cent payments to farmers, which is not a guaranteed minimum income concept at all. If the minister thinks it is he just does not know what he is talking about. I think—

Mr. Lewis: And it is not a reform.

Mr. Nixon: Mr. Speaker, I realize there are no time limits to this debate and the Premier has indicated that it will go on until everyone has had an opportunity to say what they want to say.

I have a number of things I want to say and I hope that you will give me an opportunity to continue without too much interruption.

The next thing I am referring to is the need to broaden the tax base. There is that old phrase that somebody used. I guess it was the Minister of Finance a few years ago in commenting on the Carter report. He said that essentially Carter says a buck is a buck; if you earn it you pay tax on it. A lot of people are very much attracted to the concept that if it a part of your income then you pay tax on that income.

As soon as you start the necessary complications as to where the buck comes from—whether it comes from an investment in a Canadian industry or a closely held industry or corporation, or whether it is a buck that is earned from other source, like unemployment insurance, or a medical premium paid for you by your employer, or if, in fact, it is straight pay—as soon as you start dividing it down into just what the source is, then, of course, that beautiful simplicity of paying a tax on your income without reference to where the money comes from, is lost.

I guess the buck-is-a-buck concept cannot stand very long. We must make some differentiation if, in fact, the goal of the tax policy is to encourage Canadian investors and the Canadian ownership of our resources industry and other industries. That goal of simplicity simply does not survive very long. The concept is an excellent one and the closer we can stick to it the better, and if you have a dollar income from any source then you pay a tax on that income without regard to the source.

Having said that, I have got to move off into the very first problem area—capital gains. We in Ontario have a well staked-out claim to the revenues of any capital gains programme that would be implemented in the future.

Hon. Mr. MacNaughton: Hopefully.

Mr. Nixon: Great horse traders over there.

Hon. Mr. MacNaughton: What would the member have said if we did not stake it out?

Mr. Nixon: I think it is like any other source of revenue that under our constitution belongs to the province, or must be shared with the federal government. We will get our share and that share must be negotiated with the cornerstone of those negotiations realizing that the tax base serves us as citizens of Canada first.

Hon. Mr. MacNaughton: Right.

Mr. Nixon: Sometimes I do not think the minister agrees with that.

Now I have already said that I feel that the five-year deemed realization proposal in the federal white paper cannot continue. The Minister of Finance has said as much himself. He has said himself that the proposal is just a proposal and why should he withdraw it since everybody must realize it is a proposal. It has been kicked from one end of the country to the other and I do not really see that they can stick with the five-year deemed realization proposal.

The second one, and there is agreement with—

Hon. Mr. MacNaughton: It is only very limited.

Mr. Nixon: The second one is something that was mentioned by the Premier in his opening remarks, and I think is echoed even by the proposals of the federal white paper itself, and that is some protection for farmers, so that the farms can be passed from one generation to the other without succession duties or death taxes and capital gains wiping out that possibility.

I agree further that death taxes and capital gains cannot be imposed on the same holdings at exactly the same time. This kind of double taxation would amount to confiscation. But I do believe that the federal white paper proposals, if they do not definitely offer a way out of that problem at least recognize it, and I would just like to read something that was written by an authority which I found very interesting. It is a gentleman named A. R. A. Scace, writing in the—

Hon. Mr. MacNaughton: *Tax Journal*—the *Canadian Tax Journal.*

Mr. Nixon: That is right, the *Canadian Tax Journal.*

Mr. Lewis: He did not think much of the Treasurer's plan.

Hon. Mr. MacNaughton: No, I did not think much of his observations either.

Mr. MacDonald: Seems to be a bit of credibility gap there.

Mr. Nixon: And on page 316 of his remarks he says as follows:

> On balance it is not clear that either the provincial or the federal government has discovered the method of taxing capital gains. Both schemes would be complex and require an immense administrative staff. Even worse, the economic effect cannot be forecast with any degree of accuracy. It can only be hoped that the price will not be too high.

I am not competent to talk about relative rates. As I said a few moments ago, I would like to think that if a person earns a dollar of income from any source that he would pay taxes at the same rate as anyone else. But I realize that there are complications here which are finally going to be decided by the Minister of Finance for Canada and he has had plenty of advice. He has put forward his proposals. Certainly, they are far different from the original provincial proposals which call for nominal taxation only. So I cannot say which of them is right.

I feel like saying, "A plague on both your houses," because I think both recommendations are going to lead to a very top-heavy and expensive administrative approach, while practically all citizens who are thoughtful in this country and in this province accept the concept of a capital gains tax, and certainly, we on this side do as well.

Hon. Mr. Robarts: Does the member think this should be shared—

Mr. Nixon: Yes, I think the minister should share, and I believe that if he does not share directly it will be—

Interjections by hon. members.

Mr. Nixon: I would say, Mr. Speaker, that if you do not share directly in that aspect of facts, it can be used as a part of the negotiations which would be applicable to the general sharing—

Hon. Mr. Robarts: Do not laugh at me when I suggest it.

Mr. Nixon: I am not laughing at the Premier suggesting it; I was simply amused that he used the occasion to stake out that territory.

Hon. Mr. Robarts: Why not? What better occasion than in this House?

Mr. Nixon: The Premier is standing up laughing—la de da da! It is like a dog in a backyard who barks when somebody walks by.

Hon. Mr. Robarts: In any event, the Leader of the Oppositon may ridicule me but he agrees with me.

Hon. A. F. Lawrence: Surely a buck is a buck when you receive it.

Mr. Nixon: I would like, Mr. Speaker, to say something about what the author of these proposals calls new dimensions in taxation. Because I felt quite good about the fact that the Treasurer or those people advising him and writing for him are not prepared to simply follow directly the initiatives of the federal proposals and to criticize or comment on them but to say, "Besides this, here are some new things."

The first one is the proposal for the reduction of income tax on moneys earned on overtime or second jobs. A very attractive thought indeed, and I would think that since I work here full-time as a member of the provincial Parliament, the Treasurer would feel that any moneys that I might earn on my farm in Brant county would come under those proposals he asked for.

Hon. Mr. Robarts: Which is basic!

Mr. Nixon: Yes, it depends which one comes first.

Hon. Mr. MacNaughton: Where is the member doing his moonlighting?

Mr. Nixon: I would think that even by careful arrangement with the Provincial Secretary or the auditor of the province of Ontario, we could arrange that only a part of our indemnities would be payable for what we do here and then as soon as the session goes over 30 days, for example, we would be in overtime and that would be taxed at a different level.

My point is this, Mr. Speaker, there is no way that you can administer this, just no way. It is a very attractive proposal that industry is going to be rewarded but, in fact, I am afraid the Treasurer might be subsidizing inefficiency, and I cannot imagine a government, federal or provincial or any other level, being able to do anything with that.

The second new dimension is the idea to give some tax concessions to special forms of approved savings. I like this idea too, very much. I like this idea. You recall during the war we had the compulsory savings, the money was deducted from the payroll.

The federal government used it, of course, as a source of finance to carry out the war effort and those people who were working at somewhat inflated wartime wages had some money left over, over which they did not have direct personal control, and when the time came they got it back. I am sure they too, thought that as a part of the war effort, at least, and in their own circumstances it was a great idea.

I do not know how the government is going to approve certain kinds of savings and not others. I know of people like myself who operate a farm and who feel that the farm itself is the savings bank. Certainly all the extra nickels and dimes go into an investment there which, in a sense, can be withdrawn if need be under certain circumstances. It is not money buried under the haymow.

The only thing that appealed to me was that possibly, in the Province of Ontario, the only approved savings would be those deposits in the accounts of the Provincial Savings Office because those funds then would be directly available to the Treasurer as, I would say, relatively cheap sources of capital income. They would be guaranteed savings and in fact we would use this proposal to attract the savings of our citizens more and more into this specific channel.

Another thing wrong with it, of course, is that the president of the Toronto Dominion Bank might not think it would be such a good idea. I am prepared to suffer his wrath if the Treasurer is, and I think that the Treasurer might consider this, because our savings office now has $200 million on deposit which is available. It is transferred directly to the consolidated revenue fund of the province and is used to pay the government's bills, and the more money we can get in there the better. We would not necessarily be competing unduly on interest rates. I have to admit that this would be unfair competition, at least it would be unusual competition for the banks, but it is something to be considered and I personally like the idea.

Mr. Sopha: There is no competition now.

Mr. Nixon: As the member for Sudbury points out, they certainly have no competition now. We can build buildings almost as big as theirs but our revenue comes from another source.

Mr. Speaker, I want to say something about the effects on proposed changes in corporation taxes on small businesses. You know, sir, that one of the proposals that seems to have really set the business heather on fire is the proposal from the federal authorites that a uniform rate would be applied on all businesses and the special exemption on the first $35,000, where it would be taxed at 21 per cent, would no longer continue.

Hon. Mr. MacNaughton: It is 23 per cent in Ontario.

Mr. Nixon: Because of our extra two per cent, right! I think we must recall that this special exemption costs the people of Canada $400 million and in the past there are many people, myself included, who would say that this $400 million has, in fact, buoyed up the industrial climate and given small business funds with which to expand. We must not forget, however, that this special favour is not restricted to small business; the big business gets it as well and undoubtedly they get a major share of that $400 million and I am not so sure they need it for their expansion programmes.

I feel that it is a subsidy for business which is a bit broad in its application and I can well understand why the advisers to the federal Minister of Finance would think that it had gone on long enough. It had gone on long enough, because in order to be payable the business must be incorporated which immediately puts beyond its usefulness a good many individuals and small businesses of the type that we are interested in which are not incorporated.

It has got loopholes which authorities particularly opposed to the federal white paper said do not exist but which most of us

realize do exist, where individuals will incorporate so that part of their income which would be taxed under the new proposal at 50 per cent and under the present system up as high as 80 or 82 per cent, that part of that at least would come under the exemption for the first $35,000.

I would say that the proposals could be implemented, and in fact should be implemented, if they can be balanced with more programmes that more narrowly concentrate on assisting small business. As nearly as I can read—and I have not read enough on this—I cannot see in the federal proposals programmes that do effectively balance this, although certainly, there are some. I would say that the main responsibility would lie with the government of Ontario to do something for small business because you tax them at the rate of 12 per cent and the government does not give them any special dispensation or decrease in the rates if they are big, or small or middle-sized, or incorporated or anything else. The government taxes them all the same way and takes all the money for its own use.

I was quite amazed to hear the vehemence and fire of the statement made by the Treasurer and statements made by the Premier in criticizing this federal proposal without saying that we in Ontario were prepared to give that exemption on the provincial tax as well.

Hon. Mr. Robarts: Not enough leverage—

Mr. Nixon: Now it is easy to say that we only have 12 per cent of our own and in mining corporations it is soon to be 27 per cent or would be right now.

Hon. Mr. Robarts: Which is different, 27 per cent.

Mr. Nixon: The Premier says it is different, but let us talk about the principle. He was quick to criticize them in Ottawa for removing this special advantage, but he does nothing at all to encourage small business here. And if I can find a quote I think it is worthwhile digging up in this report, in *The Canadian Tax Journal,* because I think that the point is well made. On page 316 in the article by Mr. Scace, he says, and I quote:

> Ontario has done nothing to promote small business. The Ontario corporate tax rate of 12 per cent is levied irrespective of the level of income.

And that is the truth.

An hon. member: The Treasurer does not like that.

Mr. Nixon: Then we look at the programmes of the Minister of Trade and Development—the Equalization of Industrial Opportunity programme. I am prepared to accept the goal of that programme as a goal not to foster Canadian ownership—goodness knows it does not do that, it fosters anything but—but to foster jobs, to create jobs in those areas where not enough jobs now exist and for that reason we support that goal.

But some of those funds could very well be earmarked for what we would all call—and particularly the member for Eglinton (Mr. Reilly) who makes the most eloquent speeches about this—fostering the climate in which small business entrepreneurs in the business community can expand, whether they are incorporated or not, and whether it is a service industry or not. The EIO programme does not pay a dime to service industries.

Ontario has a role to play here, because the reform of the federal tax system would be possible if the province got up off whatever they are sitting on and took some co-operative initiative to back up the federal proposal. There could even be a transference of funds to do this. But rather than say to Benson, "If you remove this exemption for small business you must give businesses more money this way, or that way," the best way in a co-operative tax programme is for the Treasurer of Ontario and Benson to get together and say: "Now, you cannot do that. We can administer a small business programme and you can provide the funds to do it."

All right! Let us do that instead of simply saying that the federal proposals are going to destroy the business community, which has certainly been the kind of scare, hysterical approach that the government offices took before today. I think this government has simmered down a little bit to tell you the truth, Mr. Speaker.

Well, I am talking about co-operation—and you will be glad to know this is the last page of my notes, Mr. Speaker.

Hon. Mr. Robarts: I am enjoying the member's speech. Keep right on.

Mr. Nixon: Thank you.

We are talking about co-operation and the fact that the government of Canada has taken some tough initiative—initiative that we are going to hear a lot about this winter and next spring; initiatives which are designed to reduce the rate of inflation and which have had substantial side effects—let us say other effects not entirely unexpected, having to do with the rate of employment. It is predicted by

objective authorities and those not so objective that we may face an unemployment level of up to nine per cent, probably seven per cent in Ontario. We certainly do not look forward with any pleasure to that because it is going to put tremendous strain on our initiatives, even on our imagination, to cope with it.

One of the initiatives taken by the government of Canada was to constitute the prices and incomes commission and they set guidelines which I think most people would now say are unrealistic for wage and price increases. The level was supposed to be six per cent.

While the Prices and Incomes Commission met with business leaders and tried to meet with labour leaders, the position of labour was, "This is an illogical guideline, we will have nothing to do with it. Why should we pay the cost of maintaining an anti-inflation stand when business has not taken its share of the blame?"

There is a lot of sense in that approach, except that I feel that they might have met with the commissioners and put that argument there a little more effectively than just voice some of the rantings and ravings that put that view across Canada. It, in fact, deteriorated the respect with which the labour movement is held in this country.

Mr. MacDonald: That is the member's view.

Mr. Nixon: That is my view and I will put it to the House.

Mr. MacDonald: Ask Crispo, he will tell the Leader of the Opposition something.

Mr. Nixon: Crispo? Why does he not run for the Legislature?

Mr. MacDonald: He may.

Mr. Nixon: Yes, he may.

Mr. Singer: He would have trouble running for both parties.

Mr. Nixon: I think he would be a great member of the Legislature and his views could count here just as much as mine and just as much as the member's; all right.

Mr. MacDonald: But even though he is not here, his views count too.

Mr. Nixon: Mr. Speaker, I would say that six per cent guideline has proved to be ineffectual anyway and I would think that the Prices and Incomes Commission is going to face increasing difficulties in even carrying on with a programme of guidelines to control the economy.

One of the things that has undermined it, even more than the failure of the top leaders in organized labour either to co-operate or even to discuss rationally the problem, has been the failure of the provincial government, specifically this provincial government, to give any co-operation at all. They have been critical of the approach from the start, and in the event I feel that it has not worked out as well as many people would have hoped.

We have been talking recently about the nine per cent increase in hydro rates. For that to be approved, or let us say, to be imposed by Ontario Hydro without it being a policy decision of this government, I think, is unconscionable. The Minister of Energy and Resources Management (Mr. Kerr) when I raised it to him first, said that he obviously was offended at the way that this had taken place and was going to undertake some means whereby it would be reviewed.

I did my best to get the Minister of Trade and Development to be concerned about it because the cost of hydro is certainly one of the major ingredients in the cost of any production, including agriculture production. The Minister of Agriculture and Food (Mr. Stewart), because it applied only to rural areas, did not seem to care very much about it and it was not until—

Hon. A. F. Lawrence: We are all concerned.

Mr. Nixon: —I questioned him—he said so! He said so in this House. He said: "I do not believe it should be reviewed by this government."

Hon. A. F. Lawrence: That is not to say that he is not concerned about it.

Mr. Nixon: The minister read what he said! I am telling members what he said. It was not until the Premier yesterday got up and said. "It will not be reviewed," that it was laid to rest. I do not even know whether the Minister of Energy and Resources management knows what the Premier said about it, because he certainly was prepared to undertake a review.

On January 1, 1971, the cost of hydro will go up nine per cent. Surely, if this government is going to co-operate at all, this is one area where it could have said, "We believe that is one important way in which the government of Ontario can co-operate with the Prices and Incomes Commission". We are

not keeping down anybody's salary. The people in Hydro got their raise, Hydro is not going broke and they have the funds to meet that raise. The government could have said, "We are cutting this off at six per cent", and I wish you would still consider it.

I feel that the lack of co-operation in these lines — it is easy to explain from a political point of view; maybe I will get to that in a few minutes — is something that really has been deleterious to the whole programme of tax reform in Canada. I think that this government bears a tremendous responsibility.

I want to say some more about this lack of co-operation in agreement on figures. I have said enough about that specifically but I want to touch, for a moment, on the Treasurer's propensity to exaggerate our fiscal problems. Obviously, all he is trying to do when he talks about "fiscal nightmares" and projected $300 million deficits is to bark a little louder in the backyard, to frighten the federal government a little more as to their responsibilities in this province.

I feel, I believe — and if the minister will examine his conscience he will surely agree with me — that it is not designed to elicit the facts in a complex pattern of decision that must be arrived at by two governments. It is a snow job and the government has not got the moral strength to approach this tax reform in the way it should. Surely they should be criticized severely for this lack of strength.

Interjections by hon. members.

Mr. Nixon: This government is almost as up-to-date as the Toronto *Daily Star*.

An hon. member: Now the member has gone too far.

Mr. Nixon: I would say this, Mr. Speaker, that a good deal has improved since those palmy days when the Premier of Ontario, as he was then called, met with Premier Maurice Duplessis and Prime Minister King — and you know he used to be called Premier King around home for some reason — and they were trying to solve some of the problems along with the rest of the Premiers of an emerging nation. Basically, tax reform was one of them and when you read some of the proposals of the Rowell-Sirois Commission—

Hon. Mr. MacNaughton: Not a five-cent piece for a Tory government.

Mr. Nixon: Well, that was King.

Mr. Sopha: What did Drew say about family allowances?

Interjections by hon. members.

Mr. Nixon: That discussion got to the point where they were throwing buns and, according to some apocryphal reports, champagne bottles at each other. I would say that even this government's method of negotiating with the government of Canada is a small improvement over that, but I do want to draw my remarks to a close by quoting the final paragraph of the report of the *Canadian Tax Journal* on the Ontario proposals.

Mr. Singer: The Treasurer's favourite after-dinner reading.

Mr. Nixon: The conclusion of this examination is as follows:

> After five years of debate it must now be reasonably clear to all observers that the quest for a perfect tax system is an ephemeral task. Certainly the general public is now weary of the chase and would prefer any system, even the present one, to many more months of uncertainty.
>
> The purpose of this paper was to describe the major Ontario proposals in a reasonably comprehensive fashion. Although many are outwardly attractive, it is apparent, upon closer scrutiny, that they are just as deficient as their federal counterparts, if not more so.
>
> To the extent that certainty should be the chief objective, their generality and lack of precision has done nothing to resolve the central problem. A choice must soon be made. Unfortunately, the Ontario government has not really provided an alternative.

He ends by saying:

> We should all, therefore, expect a spring election.

I just close with that remark because the reference here is a bit obscure. I think that the author was talking of an election in the spring, not of 1971 when it might occur, but an election in the spring of 1970. He is referring to the possibility of a provincial election, because the tone and the approach of the criticism of the two gentlemen sitting directly opposite were so immoderate and so far removed from the facts, and so far removed from the aura of co-operation which both of these gentlemen protest on all occasions, that it led this objective observer to say that they must be building up for an election campaign —an election campaign, based not on provincial tax reform in which we are so deficient, an election campaign based not on

provincial issues, but an election campaign based on the Benson white paper.

Do not deny that is what they had in mind and what they probably still have in mind. I would say to you, Mr. Speaker, that if we have a tax reform election, so be it, because I hope there is a substantial issue in the election. I know of no issue upon which this government has the high ground, not one.

I would say further, Mr. Speaker, that we cannot postpone reform in Ontario of the tax system that we have here. It is regressive; it is a patchwork now 27 years old. Three years of inaction and a few handout programmes backed up by a cynical advertising campaign are all that we have had from this administration. Reform and economy are needed and the Conservatives offer neither.

Mr. Gaunt: I am voting Liberal.

Mr. Lewis: That is reassuring.

An hon. member: The member said that before all the evidence was in.

Mr. Lewis: Mr. Speaker, now that both an independent observer and an observer of marginal partiality have predicted a spring election, I would wish merely to confirm it for this House. It will be in the second week of June, and it will be a tax election and we all look forward to it.

As a preface to my remarks, I would like to give to the House some suggestion of an overview—

Hon. Mr. Robarts: I am not a June man myself, but that is all right.

Mr. Nixon: The Premier's predecessor was.

Mr. Lewis: No, the Premier has never been a June man. He wanted to be a June man in 1967, but there was an unexpected delay until October. It was a combination of property taxes and the present member for High Park and it effected an extension of the election date. That will not happen this time.

Hon. Mr. McKeough: The member for High Park is no problem.

Hon. Mr. Robarts: Hon. members opposite are real dreamers.

Mr. Lewis: Did the Premier not hear that theory? We were all assured of it at the time.

Interjections by hon. members.

Mr. Lewis: The elaboration which this party hopes to make over the next number of hours of this debate—and I do not particularly feel confined in the subject matter—Mr. Speaker, as you can appreciate—will cover those specific areas of the federal-provincial relationships to which the provincial Treasurer addressed himself with such feeling a few days ago.

Hon. Mr. MacNaughton: . . . Back on that subject.

Mr. Lewis: I am going to refer to it again, perhaps to draw the member in, in more explicit ways a little later on. I have a headline in front of me from the magazine, *Executive*. It is on an article, the caption of which is, it is September, 1970—"Why Charles Steele MacNaughton thinks that Edgar John Benson is a danger to all Canadians."

Hon. Mr. MacNaughton: That is what the editors must have thought.

Mr. MacDonald: I wonder how they got that idea? They could not have been listening to the Treasurer.

Mr. Lewis: There is an example of harmonious relationship if one ever saw it.

Interjections by hon. members.

Mr. Lewis: I did not know his middle name. That in itself was worth the article. I wondered what it was that was in his blood.

Mr. MacDonald: There are no Steeles in the Ottawa Valley or in the Chateauguay Valley, are there?

Hon. Mr. MacNaughton: There were.

Mr. Lewis: We hope to put a fairly comprehensive position in the areas of new tax revenues to be derived and of the need to reform the whole of the municipal and regional government tax base and to present some analysis of the public and the priavte sector. All of these, my colleagues, as listed, will address themselves to during the course of the debate as we systematically try to spell it out.

I will not engage in that great detail. I want rather to engage in some elaboration of the background and then some overview, and make an effort to deal centrally with this business of tax credits and rebates versus an alternative approach to the system of taxation in Ontario, which I think is a fundamental difference between us, and which is absolutely crucial to this whole debate.

Mr. Speaker, tax reform, Tory style in Ontario, is an epic saga. It results in a permanent mortorium on change. It has existed, as was pointed out, for 27 years but the profile of that tax policy rather more recently is typical.

After the first 20 years, Mr. Speaker, you will recall that, with a tax system obsolete and full of archaic laws, the government finally appointed what amounted to a royal commission in the Smith committee.

It took nearly five years to report, delayed purportedly, by the Carter commission, and then the report was referred to a select committee a year later. The government took almost another year to produce budget paper B in March, 1969, as its reaction to the report, and then it used the Benson white paper, which was issued in November, 1969, as an excuse for further inaction. The Ontario proposals came out in June, 1970.

Then, on October 20 last week, in response to the hon. member for Kitchener, the Minister of Revenue's reply indicated that for this government, in any event, there would be no qualitative tax reform in this or any other area, that it would be a simple matter of the most marginal changes in order to appease certain outraged sections of the electorate.

I feel as the Leader of the official Opposition feels, a certain frustration about it all, a certain futility about it all, because the report did come out in June. The federal proposals are more or less a fait accompli—much has been presented to them. It is a pity we could not have debated it at the time. But it is worth thinking through the background pattern which led to this document which is now before us, because if anything, Mr. Speaker, there has been in the entire unravelling of the Tory approach to taxes in Ontario, a continuity which is stultifying.

I return the Treasurer to the report of the Smith committee for just a moment or two. The Treasurer will recall that it was one of the most disappointing documents ever tabled, that it was a travesty of inaction and/or reaction in Ontario and would have made the tax structure only slightly less regressive.

It gave lip service to the ability-to-pay principle. But I remind the provincial Treasurer that it also espoused the benefit theory of taxation which the Treasurer still is rather fond of and which is surely nonsense in most areas because of the impossibility of measuring the benefits per person. That is what makes the government's tax credit rebate system so fallacious. The Smith committee fails to cope with the inequitable and creaking system in Ontario of taxation with anywhere near the forthrightness of the Carter commission, and so the die was cast.

There was no significant increase in revenue from resource industries. There was the continued heavy reliance on the sales taxes, the inadequate dealing with the property taxes. It ducked the reform of income tax entirely and there was complete failure to advocate elimination of the regressive flat-rate premiums and related impositions which are not called taxes by this government, but which are felt as taxes by the people who pay those premiums.

Now the key Smith committee policy which was adopted by the government, was the basic shelter grant; it became the residential rebate. It was nothing more than a fashionable election impulse, and although it served to reduce the burden to some degree in 1968, it has had no subsequent effect. It continues on the books as one of those testaments to the way in which politicians think that electorates can be seduced with regularity every four years. It was the first of the Social Credit gimmickry to which the government has now become addicted.

I want to discuss that in greater detail later on. I suppose for a Tory government in Ontario to mirror in some respect the policies of British Columbia and Alberta, is not unexpected—

Mr. MacDonald: The Tories are in the process of joining forces with the Socreds in Saskatchewan.

Mr. Lewis: —although to have embraced so completely the tax rebate proposition and the credit proposition in one area suggests that it has completely capitulated. We did not know it then, but the basic shelter grant set a pattern which now gradually dismembers the entire tax system in Ontario. That, I think, is the process in which the Treasurer is presently engaged.

Let me go on: The select committee met in the summer of 1968 and reported at the end of that summer, with rather greater alacrity than the Smith committee had done. The select committee came out full of progressive statements, due primarily to the erstwhile efforts of the hon. members for Lakeshore and Oshawa (Mr. Pilkey); they announced the rhetoric of the new era, though. And you could see the rhapsodic hand of the member for Lakeshore in some of the writing, if you viewed it very carefully.

Hon. Mr. MacNaughton: The member said rhapsodic?

Mr. Lewis: Rhapsodic; I think that is an appropriate adjective.

Mr. Sopha: The minister is not a poet.

Mr. Lewis: In many specifics, however, Mr. Speaker, the report was so inadequate that both opposition parties issued critical dissents. Because of the themes which continue to recur and I want to draw the continuity, let me remind you of the key theme of its rhetoric:

> The major premise on which our recommendations are founded is that the combined provincial and municipal tax burdens should be allocated in a manner which recognizes the ability-to-pay principle.

A recognition which to this day this government has not yet honoured.

> It is the opinion of your committee that this requires a progressive distribution of the burden. To achieve this we think that an increased reliance on corporate and personal income taxes is necessary, and we strongly recommend that when additional revenues are required these two taxes be used to yield an appropriate share of the increment.

All right. The Tory colours came through when the recommendations were analyzed.

The committee at that point rejected a capital gains tax. We will see how far the government has come since then. It proposed changes in the property tax but it would have shifted the commercial and industrial burden to the residential sector and, as my colleague from Wentworth (Mr. Deans) will point out shortly, that is also disastrous.

It rejected the proposal that education costs be taken over to the level of 80 per cent by the province. It refused to recommend any increase in revenues from the resource industries. And it failed to recommend a proper system of equalization grants for all municipalities. It failed again to propose any significant increase in inheritance taxes, despite stating that the area of wealth taxes has been inadequately explored.

In other words, when the chips were down, with the exception of the dissents which were offered, the select committee report on the inadequate document of the Smith committee took a Philistine view of tax reform; there were never so many muted trumpets in the same orchestra. And it was embarrassing that this province was prepared to indulge in perpetual deliquency.

I may say, Mr. Speaker, that if ever the government goes down in the next many months, as many of us think it will in the pattern of defeats of provincial governments over the last many months—it is an interesting pattern which the provincial Treasurer has acceded to in the House—

Mr. Nixon: They see the handwriting on the wall.

Mr. Lewis: —one government after another defeated in this country. Well, perhaps not the extremities of the country, but the central part of the country, has changed, Manitoba and Quebec and Nova Scotia and New Brunswick, while PEI and BC are the exceptions and to be viewed as such.

Mr. Nixon: Nova Scotia is more extreme.

Mr. Lewis: But the persistent pattern of defeat, sometimes irrational, I suppose—

Hon. Mr. MacNaughton: How the member rationalizes that, I will never know.

Mr. Lewis: —in the minds of those who have held office, faces this government as well; there is nothing they can do. But one can imagine the whirlwind that will be reaped by the Ontario Tories on the basis of tax inequity alone. On the basis of tax inequity alone in the province, they will be faced with defeat. I remind the Treasurer that this government need lose only nine seats in the Province of Ontario, and it will have forfeited power. And the taxation will forfeit power for the government more than any other policy. The expectation is high and the performance is nil.

Now all the phrases that came from that committee and which the provincial Treasurer was expected to implement by way of policy —and we on this side of the House anticipated it of them—have been in large measure denied.

The promise was held of an overhaul of the tax system restructured along more progressive lines in the interests of social justice and economic growth.

Let us see what this government has done in terms of redistributing the tax system in the Province of Ontario between 1967-1968 and 1970-1971; it is worth noting. It derived from income, corporation and inheritance taxes in 1967-1968, 53.2 per cent of its revenues; in 1970-1971, 54.8 per cent of its revenues—An increase of 1.6 per cent over the three years. That is the way the provincial Treasurer deals with the matter of social justice.

It derived from retail sales tax, tobacco, gasoline and motor vehicle fuel taxes in 1967-1968, 43.2 per cent; in 1970-1971, it will receive 42 per cent. That is what he calls social justice. Resource taxes gave one per cent in 1967-1968, and here is the minister in 1970-1971 who now receives 1.2 per cent of his revenues from the resource area. That is called social justice.

Mr. MacDonald: Tax reform moves with the speed of a glacier in Ontario.

Mr. Lewis: Right, right! And his miscellaneous taxes, his land transfer taxes and the others brought him 2.6 per cent in 1967-1968 and bring him 2 per cent now. In other words — and it is worth looking at—all his major promises of tax reform over the last three years have resulted in a net redistribution which is so inconsequential it does not merit further comment. And there is not a thing in the provincial Treasurer's dossier which suggests any other changes. The movement to many other more progressive taxes has also been indiscernible.

As a matter of fact, it is worth pointing out that any of the changes that have occurred in the last three years were wiped out by the introduction of the OHSIP premium. So that, in fact, if one were to measure reform in taxation in the Province of Ontario, one would see that we have fallen back yet another step.

Mr. J. Renwick (Riverdale): That is right. More regressive than it has ever been.

Mr. Lewis: And we continue to go backward in a way which suggests Houdini-like qualities.

In 1969, bringing it evermore up to date, I would point out to the provincial Treasurer that there was no increase in the corporation or personal incomes taxes or succession duties; he made a slight change in the capital tax, netting him no more than $17 million. He extended his retail sales tax to production machinery—which did not do much for growth in Ontario, it may be said—netting him only $38 million. And his increase in the mining profits tax brought in another $8 million.

In 1970, the pattern remained approximately the same. He provided some tax concessions to corporations installing air and water pollution control equipment although he did not take into account the profits they might have made in the process of polluting the environment, and whether or not they could have paid for the equipment out of those profits. And in the municipal tax field he did almost nothing to reduce the regressivity of the property tax. He broadened the base only slightly; he let exemptions to private bodies and hospitals and universities and the residential tax rebate at that point run out.

And what is the pattern now? The shabby political tinkering was asserted again. They were the policies of desperation which were announced in this House no more than two or three weeks ago, and they do not see beyond the election of 1971. That is what is so reprehensible about the Treasurer's behaviour, and that of his government. He is in the process of mutilating coherent tax reform. Surrounded by signals of disarray, he reverted again to the handout basis as the only known remedy.

How is it possible that the handout can be the only known remedy to a tax system which is in such considerable difficulty? He has given relief to pensioners—those who will receive the guaranteed income supplement. He will not deny that this excludes some 300,000 pensioners or more in the Province of Ontario who are on other kinds of fixed pensions without receiving the guaranteed income supplement. But he categorizes this group of people who, God knows, need it desperately enough and gives them a rebate. He gives them a credit. He does not reform the basic system. He gives them a credit or a rebate. He did the same for the farmers without getting through to the Minister of Muniicpal Affairs on the basic question of whether or not the assessment of farm land is appropriate to take account of problems present and future. The government ends up giving a rebate which again cannot cope with the impositioin of educational costs, refuses to deal with the underlying problem, and in itself constitutes yet another handout.

Mr. J. C. Renwick: Read the editorial in *The Grower.*

Hon. Mr. McKeough: In the what?

Mr. J. Renwick: *The Grower.*

Mr. Lewis: In *The Grower,* although it has other editorials which are—do the ministers read *Farm and Country?* We read it too.

Interjections by hon. members.

Mr. Lewis: We read it too. The other area about which the Minister of Education, (Mr. Davis), the Provincial Treasurer and the Minister of Municipal Affairs have said a good deal is the move to pick up 51 per cent of the education costs in 1970-1971,

which is fascinating in itself in terms of the pattern of inaction which it reflects. But in doing a little statistical analysis, something rather interesting emerges. It is that the 49 per cent which this government expects the public to pick up in 1970-1971 is almost exactly equivalent to the 54 per cent which the public picked up in 1969-1970, equal to the simple growth of educational costs.

In 1969—assuming a 10 per cent increase over the education costs, local and provincial, in 1968—54 per cent netted $783 million. In 1970 a similar 10 per cent increase will net $782 million. In one case 49 per cent; in the other case 54 per cent. In terms of the people paying the educational taxes, no change whatsoever.

Now that is the quality of tax reform in Ontario. No change whatsoever. This is an intractable and intransigent government and all of these tax credits and rebates of which it speaks serve only to dismember the system without any basis of fundamental reform at all and in the final analysis help very little those that they are designed to serve.

The Treasurer has talked about economic growth, and has raised in this House the problems of combining equity and growth. Let us look at this government's growth history. The gross provincial product in 1969, in current dollars, dropped from 9.6 per cent to an estimated seven per cent in 1970.

So what has this government's tax system achieved? This government has no equity and has declined in growth. In constant dollars the growth rate has declined from 5.2 per cent in 1969 to three per cent in 1970. How is it that one government is capable of introducing inequity on the one hand and losing economic growth on the other? There are worlds this government has yet to conquer because it has destroyed the tax system and in the process constrained the development of the Province of Ontario.

It is worth pointing out, Mr. Speaker, what is meant when this government talks further of social justice in the Province of Ontario, it talks further of social justice in the Province of Ontario, which these credits and rebates are expected to achieve —I would be pleased to remind the Treasurer that 54 per cent of the families in the Province of Ontario have incomes of less than $8,000 a year and 53 per cent of the unattached individuals in Ontario have incomes under $3,500 a year. Not all the tax credits and rebates in the world are going to correct that inequity.

When you put all the returns together, taxable and non-taxable, the basic pattern emerges again and is confirmed. The government has consolidated at the lower end of the income scale a cycle of perpetual poverty for which it offers no alternatives whatsoever.

Well, it thought it did. The Treasurer brought in the 1969 budget paper B—to continue the chronology of Tory tax inertia —and it is worth recalling again, Mr. Speaker, that the minister introduced it with such enthusiasm and such feeling that all of us in this House thought that genuine tax reform was imminent. He talked about a complete restructuring of provincial and municipal finance in Ontario. He said "in measured and co-ordinated steps, all the while retaining maximum flexibility to consider alternative methods and means."

Now we know what "maximum flexibility" meant. Maximum flexibility meant nothing at all. It meant total inaction. It meant nothing of consequence coming from this provincial Treasurer that would be subject for this debate. He promised a capital gains tax within two years and now he has discussed it in terms of a 25 per cent tax in Canada. Right?

Let me tell the Treasurer what Harvey Perry said, director of the Canadian Tax Foundation, author of the definitive book on taxation in Canada, which the Treasurer will know, a member of the Carter commission and a director of the Canadian Bankers' Association—a more eminent authority I could not introduce in this House.

Hon. Mr. MacNaughton: I know him very well.

Mr. Lewis: The Treasurer knows him well! Well that is good.

He says about that proposal, the following:

> If we are so lacking in tax ingenuity that we can only conceive of adopting this monument to compromise and chicanery, then we are truly in a bad way and there is not a responsible US tax expert who would not agree with me.

Mr. J. B. Trotter (Parkdale): Well, the Tories are in a bad way.

Mr. Lewis: And there is not a responsible member in this House who would not agree with him.

Mr. Lawlor: Camouflage.

Mr. Lewis: Because the Treasurer's 25 per cent capital gains is a camouflage, as my colleague says, for tax reform which is impossible. The Treasurer went further; he talked about estate taxes to be phased out when the capital gains tax came in.

Mr. Lawlor: He changed his mind on that.

Mr. Lewis: Not all accumulated wealth is due to capital gain and so the argument that capital gains tax makes inheritance taxes unnecessary is obviously fallacious, and gradually the provincial Treasurer came along to that point of view.

He talked about a retail sales tax. He rejected the further extension to services, but he hinted at future rate increases "to the extent that Ontario finds it necessary and desirable to derive additional revenue from sales taxation."

Mr. J. Renwick: That is regressive, the Prime Minister said so today.

Mr. Lewis: If the Premier said it, why is he introducing a document called "Ontario Proposals for Tax Reform in Canada," which consists purely of ad hoc patchwork measures to which the government has now become committed? In the Treasurer's own budget papers which will affect the people of this province, he implies strongly, Mr. Speaker, that he may be prepared to go further in the most regressive tax of them all, the sales tax, and in the way in which it is applied.

Mining taxes—the Treasurer piously asserted that the increase of $8 million in mining tax revenue, "will secure for all the people of Ontario the revenues which should logically accrue to them from this province's natural resources." Eight million dollars, Mr. Speaker. The Treasurer might ask the member for Sudbury East (Mr. Martel) what he thinks about $8 million when Inco's profits last year were $116.5 million after taxes, and that was despite the strike, and it had a profit for the first six months of this year of $102.4 million. The government will settle for a picayune $8 million. I will come back to resource taxation shortly.

The government talked of aid to mining municipalities. The mining revenue payments to these municipalities, as the Minister of Mines and Northern Affairs knows, have never been based on a genuine calculation of fiscal need. The municipalities are still impoverished. They will remain impoverished under this government. The wholesale capitulation to the natural resource industry is one of the most ignoble which this government has visited on the people of Ontario in the process of so-called tax reform.

The government said there would be a provincial income tax promised within two years. I think that is a direct quote. "A provincial income tax promised within two years," if I may remind the Treasurer, "to preserve the province's fiscal integrity". It would be a new tax; it would not be a surcharge on the existing taxes. He was not talking about asking for an additional number of income tax points, he was talking about a new provincial income tax for Ontario. Does he hold to it?

Mr. Lawlor: The Treasurer was huffing and puffing.

Hon. Mr. MacNaughton: We were talking about it at that time.

Mr. Lewis: The government was talking about it as a categorical imperative "to preserve the province's fiscal integrity". Has the Treasurer retreated from that?

Hon. Mr. MacNaughton: We will see what happens to the white paper.

Mr. Lewis: We shall see what happens to the white paper.

Mr. MacDonald: There is a good bit of duck waddling there.

Hon. Mr. MacNaughton: Does the member not think we have some sense of national responsibility?

Mr. Lewis: We are coming to that. The government has a certain irrational sense of responsibility.

Hon. Mr. MacNaughton: Wait till we see where the opposition will waddle, or waffle, maybe.

Mr. Lewis: If the Treasurer thinks that Edgar Benson is a danger to all Canadians, then he has no sense of national responsibility.

Hon. Mr. MacNaughton: I did not say that.

Mr. Lewis: I want to come back to the provincial income tax because it is not unlike the sales tax on food, is it? Not unlike the extension of sales tax on food, which resulted in the greatest retreat that we have seen since, the member for Sudbury might say, since Moscow. It is not unlike other retreats which this government has engaged in, in one public area after the other, but the government will not dare to bring in an additional provincial income tax. It will use every other device known but the threat was only part of its overall inflated language.

Hon. A. F. Lawrence: I thought the member said we were intractable.

Mr. MacDonald: The only way the government is not intractable is in its retreats. Going forward, never; retreat, always!

Mr. Lewis: Right. A good point. As a matter of fact, the government shows great finesse in retreat. It has developed an art of retreat which no other government has developed.

Hon. A. F. Lawrence: No finesse in our intractability, though?

Mr. Lewis: No; although one might have intractable finesse, one assumes.

Mr. MacDonald: From one trench to the next one.

Mr. Lewis: Mr. Speaker, the main proposal—

Hon. Mr. MacNaughton: Something has made Ontario a pretty good place.

Mr. Lewis: As a matter of fact—

Mr. E. W. Martel (Sudbury East): Despite the government.

Hon. Mr. MacNaughton: Where would the member rather be?

Mr. Martel: To have a place to stand, you have to have room to stand.

Mr. Lewis: Is there any other place the Treasurer would rather be?

Hon. Mr. MacNaughton: No!

Mr. Lewis: Right! It is nice to have those ads running full page, though, right at the point of the Quebec crisis; a very sensitive moment in Canadian advertising history.

Hon. Mr. MacNaughton: I might change my mind about where I want to be if the opposition ever got into office.

Interjections by hon. members.

Mr. Lewis: I want to say that we would be prepared to pass a special Act—

Mr. MacDonald: The Treasurer and E. P. Taylor would both hole up in Nassau.

Mr. Lewis: We will pass a special Act of this Legislature to give the Treasurer a tax-free holiday wherever he wants to go.

His main proposal for tax reform in Ontario is a system of tax credits and rebates to offset the regressivity of property tax, health premiums and retail sales tax. I want to go into this now in some detail.

Hon. Mr. MacNaughton: Those were examples.

Mr. Lewis: They were appropriate provincial examples for which the minister is responsible, and if they are regressive then his policies are regressive, and he is not prepared to deal with the fundamentals as he indicated earlier.

The minister even hinted that it might be developed into a full-fledged income maintenance programme, a guaranteed annual income. He hinted at that, and the Minister of Revenue hinted at that. Let me remind him, first of all, of what Carter said.

> Neither exemptions from tax, nor credits against tax, can ensure that every Canadian has a minimum income. This can be achieved only through increased government transfer payments including, for example, refundable tax credits against taxes. The income tax system as such cannot be used to help people without income, those who need the help most.

Hon. A. F. Lawrence: Does the member subscribe to that?

Mr. Lewis: Just a second, I am going to go on. While Carter favoured refundable tax credits for certain purposes—like child care costs, I think that was one of them—he stressed the genuine redistribution of income could only come through the twin approach of an equitable tax system and a forthright programme of adequate transfer payments to those unable to compete in the market place for a variety of reasons.

The provincial Treasurer and the provincial Minister of Revenue are not talking about this kind of income redistribution at all. There is not a thing in the government's proposals which will result in major income redistribution. They could not cope with that.

Hon. Mr. MacNaughton: Now come on, the member's leader carries the can now.

Mr. MacDonald: He is; he is doing magnificently. He is demolishing your case.

Mr. Lewis: It would smack of socialism, would it not, to redistribute income in Ontario?

Mr. MacDonald: Exactly, it would change the social face of the nation.

Mr. Lewis: We will invoke the Premier's quote a little later on, so that it is firmly in context. But I am reminding the Treasurer that his provincial tax credit and rebate scheme is a dribble of little cheques going

out to non-taxpayers and marginal taxpayers to offset the unfair property taxes, to offset the health premium, to offset all the things which the government has imposed arbitrarily, unfairly and inequitably upon them, and it does it by way of tax credits.

Mr. MacDonald: The confession of past sins.

Hon. Mr. McKeough: What nonsense!

Mr. Lewis: No, no, that is exactly what the government has done. If the Minister of Revenue had his way there would be no exemptions at all under the retail sales tax, and the pensioners would pay an extra five per cent on loaves of bread and on pounds of tea, and at the end of the year or every six months, every pensioner would get a little cheque from the Minister of Revenue or the provincial Treasurer to compensate him for his increased food bill.

Mr. J. Renwick: And loss of weight.

Mr. Lewis: And loss of weight, and perhaps life itself.

Hon. Mr. McKeough: Not necessarily. Nobody ever decided it should be a yearly cheque; it could be a monthly cheque.

Mr. Lewis: Oh, it could be a monthly cheque, right. Well, that is just perfect. In other words, the minister does not deny the basic rationale which his government has adopted? In place of tax reform this government adopted tax rebates and it is prepared to apply those rebates indiscriminately across the board to any ad hoc programme which comes along if it bails it out of political problems.

Hon. Mr. McKeough: Not necessarily.

Mr. Lewis: It may not be not necessarily—

Mr. MacDonald: Sure, overtax them and then bribe them with their own money.

Mr. Lewis: Now surely we need more fundamental reform than that, so that people who live below the poverty line will be assured an adequate minimum income as a right, rather than in an inadequate income, plus an administrative nightmare, which is what has happened to the basic shelter extemption and the grants.

In most cases the Treasurer's grants will be too small to have any meaning in terms of raising the 15 to 20 per cent of the population below the poverty level to any acceptable level of decency and dignity. I am trying very hard to make the case—and I think fairly and appropriate—that there is nothing resembling reform in any proposal the Treasurer has put. For taxpayers, sir, the rebates will come more than a year after the undue taxation which the offset has occurred. This is another dimension of the inequality. For the non-taxpayers, they plan will, in effect, require people on inadequate incomes to lend money to the government, which it will repay perhaps a year later. Surely, a better answer to excess taxation of such people is to restructure the taxes themselves, reduce their reliance on regressive taxes and tie the tax system and the income maintenance system together so that every Ontarian has the minimum needed for his requirements after he has paid his taxes. Now that is the way it should be done.

Mr. Speaker, the leader of the Liberal Party talked about pursuing studies which would lead to a minimum income maintenance programme. We do not need any more studies in that field. We are now committed and have been for some considerable time to a minimum income maintenance programme. It does not particularly matter whether it is achieved through the negative income tax, or through the demi-grant, or through one of the other mechanisms which are available. But it is time for the studies to end, because with this government, frankly, it would be an arduous battle to even bring the study back to the House.

The leader of the Liberal Party also referred to the elimination of medical costs by incorporating it all in the tax system. We did not hear him refer to the elimination of hospital costs, which is obviously the Achilles' heel in that argument. The only way in which one can deal with the total health service cost in this society is to reduce the premiums for both health and hospitals immediately to a level of no more than $5 per month per individual, or $10 per month per family, and then to phase it out altogether. That would be the cost of total health services, not just one component.

Mr. MacDonald: The Liberals have a Tory piecemeal approach to this issue.

Mr. Lewis: Yes, the Liberals are prepared to approach this in a fairly halting way, not unlike those across the floor who are with them.

That seems to us, Mr. Speaker, to lie at the heart of the Tory myopia in this whole area, this tax credit system. The whole system was conceived in the backrooms of political ma-

nipulation and any assault on taxation is permissible in the interests of re-election. For the Conservative government, federal delay is a godsend. Without it, they would be forced to act; with it, they can tinker, dismember, contrive, patch, even seduce to their heart's delight. Progressive slogans cloak the most reactionary policies and, what is more, the precedent they set has probably the most destructive effect on federal-provincial relations, an area which my colleague from Lakeshore will examine in some detail, because the example of this tax credit system is disastrous. These groups in our society need help, but they need help that is far more profound and fundamental than that which has been offered by the provincial Treasurer.

The provincial Treasurer leaves a heritage of shambles in his legacy to Ontario. It is said, Mr. Speaker, that either the provincial Treasurer or the Minister of Revenue is going to send out a small wallet-size autographed photograph with every rebate that goes to the citizens of the Province of Ontario to be used as substitute currency when all else fails. It is the final reduction of the system and it is something which is simply around the corner.

It opens endless speculative possibilities about cabinet shifts, it may be said, but instead of all the appropriate reforms, they have chosen tax rebates. At this point, Mr. Speaker, just putting the case on the record because I think it is so important, I want to indicate to you what another person wrote in this issue of the *Canadian Tax Journal,* an issue which the Treasurer should take much to heart. Mr. David Perry said about the tax credit programme:

> The refundable tax credit should not be regarded as either replacing or augmenting a proper system of income maintenance which should take into account the taxes incurred by those requiring assistance. Politically and psychologically, it is a particularly appealing tax measure for the relief is shown as a tax reduction or a refund by the government extending the credit. This often has more immediate significance to the taxpayer than the mere absence of tax, as with an exemption. The tax credit system can be usefully employed within the income tax system but to carry the theory to its logical conclusion, by extending it beyond the existing system and providing refundable credits seems impractical.

Mr. Speaker, we would simply say that one need plead with the Conservative government not to drive this device too far, because it will be impossible to refashion a coherent tax system in the Province of Ontario when this government has done with it. They are destroying it. Their tax credits and rebates run against everything that is known about an essential tax philosophy. In order to appease certain groups, in order to win votes and in order to save the political future, the government should not be willing to allow a tax system to be treated in such a fashion.

I want to go back to budget paper B, Mr. Speaker, as I continue the process. The government's whole approach to corporation tax increases is equally cautious. The minister trots out the usual excuses that he has to treat jurisdictions equally and that things cannot get out of line. But we would expect, Mr. Speaker, that industry will not run away from the rich Ontario market and abandon its capital investment if corporation taxes are increased to some degree. Not at all, not at all!

And again in this area of tax, another abdication—

An hon. member: We are trying to develop new industries.

Mr. Lewis: The government is not developing new industries by paying homage to foreign control. That is its pattern of developing new industries. It did it by the Equalization of Industrial Opportunity programme which uses a great quantum of tax money in Ontario to subsidize the branch plant, not to mention relocation and runaway plants.

There is no equity in what it is doing. It channels none of those earnings into the public sector, which even you as Tories, particularly in the natural resource area, the Minister of Mines and Northern Affairs will know is important. The government has the mental attitude of vassalage in terms of its whole corporate tax structure and its corporations; it always says in its defence it may pass the tax on to the consumer.

Hon. A. F. Lawrence: Vassalage?

Mr. Lewis: Vassalage is the only name that it can be described as. It is the only name. It is the only word. When the Minister of Trade and Development says, "When I see a resource, I sell it," that is vassalage. That is the mercantile system working in Ontario just as when the provincial Treasurer refuses to cope with corporation taxes or capitulates to the pressure from the mining lobby in the person of the Minister of Mines. The corporate denizens of the mining industry never had a more vigorous advocate than the Minister of Mines and Northern Affairs.

Hon. Mr. McKeough: The member has said that about every Minister of Mines.

Mr. Lewis: The minister cowed Edgar Benson and then he cowed Charles Steele MacNaughton. The only man who is not cowering and timorous is the minister himself and he has pulled it off so he is to be congratulated for it. He will not lose the industries by an increase in the corporation tax, which in terms of revenue, Mr. Speaker I remind you, sir, brings in, if memory serves me, $30 million to $35 million on each additional point, and a point or two is not untoward in the Province of Ontario.

And as for it being passed on to consumers, that it is an equally fallacious argument. As long as the government was unwilling to take a look at the inappropriate price increases which have been exercised by the private corporate sector over the last several years without any constraints on the part of government whatsoever, it remains fallacious.

Now, Mr. Speaker, all of those areas were abdicated by the Province of Ontario in the process of the continuity between Smith and budget paper B. But the government was taken off the hook; it was rescued, as it were, by the white paper which was released on November 7, 1969. I want to remind the House that, when that paper was released, what did the Treasurer say in the Legislature? He said, and I quote:

> Our initial assessment of the federal programme indicates that Ontario can support with some enthusiasm many of the proposals advanced by Ottawa. The principles underlying the recommended changes conform largely to those advocated by Ontario in its reform paper.

Then what happened? The Treasurer lost his grip. The Premier, in a quite uncharacteristic spectacle, began to rain calumny on all those around him and to shout—at times with marginal hysteria—about the effects on the business community and the iniquitous nature of the Benson proposals. He capitulated to the hysteria which was generated by the business proposals and then he began the famous retreat. In his budget wind-up in December, 1969, the Prime Minister said:

> While many of the proposals in the white paper appear to be imaginative and fair, they constitute sweeping changes in our very complex field. While we want to see positive change in our tax structure, co-ordinated at all levels, we must be certain they will not have a detrimental effect.

A detrimental effect to whom? It certainly will not have any detrimental effect on the low income groups, they at least got a little from it. The only people upon whom it had a purported detrimental effect were those in the corporate sector and the Premier joined the crocodile tears for small businesses, which big business was using as its spearbearers for its attack on the white paper. The Premier went on:

> Moreover the tax increases proposed in the white paper will be largely secured from the savers of our country, not the spenders among our taxpayers.

There he revealed it, did he not, because the tax increases proposed in the white paper which in any sense caused discomfort to individual Canadians, caused discomfort at only the highest income level and everyone recalls that. As a matter of fact even the Province of Ontario suggested that the tax rate should increase at the highest income level and Carter pointed out, if I can put it on the record, Mr. Speaker, just how wrong the Premier was that his solicitous regard for "tax savers", those with whom the Tory party are most closely and congenially associated, were major private interests. Carter said of them: "Personal saving accounts for only a small share of total saving, being overwhelmed by gross business saving. In addition, a large portion of personal saving finances increases in residential housing rather than increases in business fixed capital". And the entire argument which the provincial government was advancing was seen as fallacious.

Early in the New Year, there came the echo from the Minister of Mines and Northern Affair as he began to fight back against the provisions of the white paper around the mining industry.

Hon. A. F. Lawrence. That was no echo.

Mr. Lewis: On January 17—

Mr. Lawlor: Anointed on the forehead, off he went.

Mr. Lewis: —he declared that the white paper would stifle northern development.

Hon. A. F. Lawrence: Correct!

Mr. Lewis: On January 29, he saw it as "forever destroying any hope of economic independance for Canada." Does the minister know what destroys economic independence for Canada? His smelting and processing exemptions which allow 25 to 30 companies in the Province of Ontario to process and smelt outside this country. That is what destroys economic independence.

Hon. A. F. Lawrence: The member is going to have to do better than that.

Mr. Lewis: Do you know what destroys economic independence for Canada? The fact that Mr. Benson and the Minister of Mines

and the Treasurer all capitulated collectively to the mining lobby and have granted them exemptions and taxing rights which will allow forever the multi-national corporation to predominate in the natural resource field. That is what increases economic dependence, and that is what happened.

Mr. MacDonald: And repudiated Carter.

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): I prefer it to multi-national socialism.

Mr. MacDonald: What kind of fatuous comment is that?

Mr. Lewis: I do not mind. It is good having on the record that the minister prefers that kind of multi-national corporation to almost anything, I suppose, because it is very much part of your party policy.

Mr. J. W. Snow (Halton East): That is not what he said.

Mr. Lewis: That is what he meant, because nothing—

Mr. J. Renwick: He is doing nothing about the multi-national corporations.

Mr. Lewis: —nothing that I have here suggests that there is anything sinster in the alternatives. There is nothing sinister in suggesting to the mining industry that they pay their way. The moment that Benson retreated, the president of Stelco announced that the provisions which were now being granted were equivalent to the three-year tax holiday which they had enjoyed. The mining industry came out of the white paper clean. It was as though they had suffered no alternation at all, and the Minister of Mines and Northern Affairs has much to account for in terms of the development of northern Ontario.

Hon. A. F. Lawrence: I hope so.

Mr. Lewis: The minister has alienated the North before this to private interests, and he has now reinforced all of that. By February of 1970, Mr. Speaker, I remind you, the Prime Minister's opposition to the white paper had reached the stage of the irrational. He asserted in a press conference that it had "great socialist overtones" and that it "may change the face of Canada".

Great socialist overtones to change the face of Canada! I remind the members of an exchange that occurred in the House when the member for York South made it quite clear that if the implementation of the Benson white paper proposals was a socialist measure because it meant changing the face of Canada, then the face of Canada needs changing and needs it profoundly. The government also played—

Hon. A. F. Lawrence: That is nonsense. How about taking a look at what the member is changing it to?

Mr. Lewis: What is the minister changing it to? Does the minister think that his government's white paper proposals are qualitatively any different in important terms from the Benson paper?

Hon. A. F. Lawrence: Yes.

Mr. Lewis: Not really. It is still an essentially regressive document; a retreat from Benson in many critical areas and does very little for tax reform across the board. Is this, then, socialism? That is not worthy of the name. It means a great deal more—socialism means a great deal more and social democracy means a great deal more than this kind of effort to dismember the tax system through a series of credits and rebates. I think the members over there know that as a government.

Hon. A. F. Lawrence: Not a great deal more, a great deal differently!

Mr. Lewis: A great deal more! A great deal more for the people on the receiving end and especially those in the low income areas. I am not going to deal in the numbers game proposition which was dealt with earlier on, because I do not really see the point in that. We assume that now some kind of agreement has been reached between the federal and the provincial governments, although the provincial government certainly did have to revise its statistics on a couple of occasions in order to accommodate itself to the federal position.

In 1970, Mr. Speaker, with the Benson white paper continuing as an excuse for inaction on tax reform, the budget stated:

> Developments on the federal-provincial front have inevitably retarded our fiscal reform timetable.

It takes very little to retard the government's timetable. It's timetable was retarded for 27 years without the white paper, and that excuse is hardly impressionable.

Mr. Lawlor: A case of advanced retardation.

Mr. Lewis: To continue.

> Our inability to secure a reasonable share of the jointly occupied growth tax field has limited our ability to finance essential municipal tax reforms.

There is no real reason Ontario could not have followed Manitoba and moved into an area of surcharge rather than imposing on the people of the Province of Ontario the highest medical care premiums in this country; no reason in the world the government could not have used some other alternatives and we will put them forth in the course of this debate. The government had all kinds of options open to it; it decided to choose none of them. A little later in the year, in June, the government tabled the "Ontario Proposals for Tax Reform in Canada," the white paper on the Benson white paper, and when the Premier began his statement he talked about, "Tax reform should be for people." I think those were the words he used, "Tax reform should be for people." Everything he subsequently said negated that.

If I can find the figures, as I scrabble through my documents, I will show the House what it means to have tax reform for people. That was the quote in the white paper on page 43.

The low income allowance which this provincial Treasurer is bringing into the Legislature, Mr. Speaker, to replace Benson's increased exemptions, will apply to only 10 to 15 per cent of all Ontario families and perhaps 20 per cent of the single taxpayers. In answer to a question, the provincial Treasurer indicated that the low income allowance would remove 200,000 taxpayers from the rolls and give some further tax reduction to 400,000 taxpayers. But that plus other credits would involve only 20 per cent of the taxpayers in the Province of Ontario in total and the vast majority who live at a middle income level, or just above the poverty line, would not be affected one jot by the proposals of this government; not one jot. That is the nature of the income allowance which is provided.

The reality, therefore, is that the basic tenet of tax reform being for people has been prostituted by what has been put forth. The government had certain laudable objectives. The government talked about the redistribution of tax burdens for individual Canadians and the provision of incentives to Canadians to contribute to national objectives. Let us see how the proposals fall short—how abysmally short they fall of the objectives and, Mr. Speaker, I shall not go into them in detail. More will be said. Let me enumerate them.

The tax relief for low-income groups is too little, and in most areas, negligible.

The Treasurer's capital gains tax is far too light. As was pointed out, it is modelled on the American system and that is a piece of political chicanery.

The Treasurer's rate of progression, to the extent it is spelled out, is too moderate.

The Treasurer's dividend tax credits are too generous.

The Treasurer leaves the much-abused dual corporate rate of tax as an option for this government, instead of rejecting it categorically.

The Treasurer provides no solution to the problem of small and new business.

The Treasurer favours the drastic reduction of death taxes.

The Treasurer favours retaining some of the loopholes in the present tax which Benson would eliminate, notably the one which will enable wealthy landlords to escape the tax, and he does so on the pretext that this is necessary to get housing investment—it is some way of providing for housing investments in the province of Ontario.

Notably absent is any reference to new revenues derived from provincial income tax sources. What the Treasurer has done in this document is to maintain a privileged and discriminatory position for a few. He has culled out a section of economic elitism in Ontario. He has allowed a very small number of people to continue to benefit abnormally from the way in which the tax system operates.

He has not provided equity. He has rejected the principle of a buck for a buck. He has done everything other than reforming the tax system, and he has, of course, surrendered completely to the resource industry lobby.

Now the Ontario paper was then followed —it is really a very sad business in Canada; we are going to have to come to power in order to alter it—the tax proposal from this government was then followed by the committees of the federal government and that resulted in a further sellout of the Carter commission.

The House of Commons committee and the Senate committee continue to water down Carter, and continue to water down Benson, and it is worth noting, Mr. Speaker, that 84 per cent of the briefs which were submitted to the parliamentary committees in Ottawa represented 10 per cent of the population—84 per cent of the briefs representing 10 per cent of the population. Mr. Speaker, the private taxpayer in this country does not have

tax specialists to make representation for him. The taxpayers in the Province of Ontario rely on the government of Ontario to make their representations and the government of Ontario has opted out entirely.

Now where are we left? What are we left, Mr. Speaker? The justification now being advanced for the sellout of Carter by the Parliamentary committees, is that we have to make a trade-off between equity and economic growth, and that Carter went too far toward equity. I would argue that the two are not incompatible, despite what the provincial Treasurer thinks. If equity means more purchasing power in the hands of the middle and lower income groups he has the first requirement for starting the economic engine.

If equity means less distortion in the allocation of resources, there will be a more efficient operation of the engine. If equity means less money left in the hands of upper income individuals, there will be less danger of Canadian funds being sent abroad, or invested in conspicuous consumption and areas of low priority.

As I noted earlier, Carter has effectively reputed the argument that the savings of individuals are the sparkplug of economic growth. They account for a very small percentage of investment capital, most of which comes from undistributed profits, depreciation allowances and government investments in public goods. Those that claim that ending the tax privileges of the well-to-do and the corporations not paying their fair share, will mean less economic growth and fewer jobs are building a bogey to ensure that their burden of taxation is not increased and they continue to enjoy their privileged position.

Now, Mr. Speaker, the finale to all of this and to my own remarks was provided in the comic relief that come from the provincial Treasurer a number of days ago in this House. He said that "Ontario's views and actions in the realm of federal-provincial taxing and financing have been positive, responsible, cooperative and demonstrably unselfish".

We want to say, Mr. Speaker, that there is no more checkered history in Ontario than that of the government's relations in federal-provincial fiscal arrangements. From the days of the tariff discussions in the 1970s, right through the Rowell-Sirois report to the government's pathological reaction to the Benson white paper, Ontario's attitude has been argumentative, competitive, self serving, demonstrably intractable—

Mr. Lawlor: Intractable?

Mr. Lewis: —Intractable—and my colleague will spell out for the government in ways wondrous to behold—how this province has managed to perversely undermine the federal-provincial relationship. The government has not genuinely responded in any sense.

I have one final note. Apart from the government's intransigence on internal tax reform, none of which is evident in this, and its problems of federal-provincial tax relationship, there remains its refusal to cope with the public and private sector, and the insistence on the part of the provincial Treasurer to give a much greater appreciation and justification to the private sector—which was mirrored again today by the Prime Minister—than to the public. Mr. Speaker, that is irresponsible. It is profoundly irresponsible and it shows no sense of what is occurring by and large in the western world generally.

It is the time for governments to stand and while proclaiming the efficiency of the public sector reinforce the legitimacy of the public sector. Because without the public sector your glorious private sector cannot operate. And it is worth noting the government's continual abuse of all that is important to the lives of people, whether it is education, health, welfare, roads or what have you—well no, they do not abuse highways, but all the human things.

The government's continual abuse of that part of the public sector does an immense disservice to the way in which tax reform is viewed in this province, just as its abuse of the federal relationship has done an immense disservice to the problems of a national fiscal policy across the country.

Mr. Sopha: And the unity of Canada.

Mr. Lewis: And the unity of Canada! Certainly; the unity of Canada!

Hon. A. F. Lawrence: That is not slanted, that is warped.

Mr. Martel: That is warped for a right-wing extremist, I guess so.

Mr. Lewis: The government has talked cavalierly about equalization payments.

Mr. Sopha: That is what I am going to talk about, what you have done to the unity of Canada.

Hon. A. F. Lawrence: We can hardly wait.

Mr. Sopha: All right. Stick around. I am not here often, but stick around.

Mr. Lewis: We will do that.

Hon. Mr. McKeough: The hon. member is not here often but when he is it is all worthwhile.

Mr. Lewis: The government talked in peripheral ways about what it would do for the unity of Canada when the Treasurer replied to a question put to him a week ago, but no government has treated fiscal relationships with the federal government so shabbily as has the Province of Ontario and no province—

Hon. Mr. McKeough: Oh, nonsense!

Mr. Lewis: —has had less sense of responsibility about the nation as a whole because the government used the muscle it has to advance in the most strident terms—its reactions to national fiscal policy. There is no more sordid episode in federal-provincial fiscal relationships than the—

Hon. A. F. Lawrence: Is that not what the member's friend said about the Commons committee?

Mr. Lewis: —reaction of the provincial Treasurer to the Benson white paper while the rest of the country wondered what the upshot would be.

Hon. A. F. Lawrence: Oh, the member's father says that about the Commons committee too.

Mr. Lawlor: Traitors to their own party.

Mr. Lewis: Well, Mr. Speaker, for us, quaintly enough and elegantly enough, distribution of wealth and income to provide equality of opportunity for people to develop a certain degree of potential is what the tax system is very simply all about. And we are not prepared to settle for less and we are certainly not prepared to settle for a mechanism of rebate and credit that will ultimately undermine the system.

Short of that basic proposition of redistributing wealth and income for equality of opportunity, nothing is acceptable and the reforms are marginal and illusory if we cannot deal with that fundamental proposition. Redistribution and equity and equality are simply not compatible with entrenched privilege and the maintenance of poverty as a public policy. And it is entrenched privilege and the maintenance of poverty which are contained in your proposals for tax reform in Canada. That is the nature of those proposals and if I may put it in words that are explicit and direct, that is why we hope to replace the Conservatives in 1971.

Hon. Mr. McKeough: Mr. Speaker, might this be a point to call it 6 o'clock?

Hon. Mr. Welch: Mr. Speaker, just before you do call it 6 o'clock, and with the permission of the House, I wonder if I might be allowed to revert to statements to cover an error that has been made in our department in releasing a statement to the press which was not to be released until Tuesday. I want to share this particular matter with members of the House at this time.

Mr. J. Renwick: He should share it with us. There is another thing I want to shore up too.

Mr. Speaker: Do the hon. members concur that we revert to the ministerial statements. Agreed?

Mr. MacDonald: Yes, we are intrigued.

Mr. Speaker: The hon. Provincial Secretary.

Hon. Mr. Welch: Mr. Speaker, I appreciate the charity of the members of the House. We were getting prepared to announce some projects with respect to experimental housing in northern Ontario for our Indian people, and through a clerical error this was released too soon. I thought it a matter of courtesy that I should now share the statement with members of the House.

As you know, the quality and availability of housing, especially in the more isolated areas of this province, has been a concern to the government, particularly as it affects Indian communities. This afternoon I would like to inform the members of the House about a series of experimental housing projects to be undertaken jointly by my department and the Ontario Housing Corporation, aimed at finding new and more effective means of meeting this need.

It has been amply demonstrated that the provision of adequate housing is essential to the sound economic and social development of any community, but so far no entirely successful means of providing housing has been developed. Ontario's housing programme is basically a partnership among municipalities, the Ontario Housing Corporation and CHMC. Until now, however, communities in those parts of the province where no municipal structure exists have been unable to take advantage of available public housing programmes, and it is in these areas that large numbers of our Indian people live.

Unlike registered Indians living on reserves or those living in organized municipalities, Indians in unorganized territories have had

no access to any form of public housing. To correct this, and in an experimental way, my department has provided $200,000 from the Indian Community Development Fund to the Ontario Housing Corporation to permit construction of houses in four northern centres on an experimental basis. The centres are Armstrong, Macdiarmid, Minaki and Dinorwic.

As part of this joint effort, the Ontario Housing Corporation will contribute its building expertise. They plan to try various types and methods of construction to meet the difficult climatic conditions. Ontario Housing will also work closely with the departments of Lands and Forests, Municipal Affairs and Health on such matters as land acquisition and site approval.

In these four centres we hope to combine improved housing with social and community development. Our Indian community development services branch will encourage the establishment of local community corporations to provide for local participation right from the outset. Once construction of the houses is completed in each centre, we propose to transfer the ownership of the houses to these community development corporations which will then assume responsibility for allocating the homes as well as for maintenance and management of the project—in other words, to develop some real local leadership in this regard.

It will also be the responsibility of these local corporations to determine the size and method of payments for the houses. In this way, we hope not only to improve housing conditions in these communities but also to strengthen local leadership and to promote greater participation by the people of these communities in tackling their own problems.

This programme, which I see, was to be announced Tuesday because it was the meeting day of the Indian advisory committee, is a first step in meeting the housing needs of Indians in unorganized northern areas. It will be flexible and experimental in its approach, as well as adaptable to varying local conditions and priorities. We recognize that to succeed, we shall need more than mere tacit agreement on the part of the communities affected and for this reason we plan to rely heavily on active local participation and evaluation. Mr. Speaker, by using this community development approach, we continue to demonstrate our respect for the established way of life in these communities, and at the same time we hope that by taking this initiative in partnership with those agencies which have the continuing responsibility for public housing in Ontario, we shall be making some tangible progress toward better housing for the people of the north.

Mr. Lewis: Mr. Speaker, I know that the minister, having reverted to ministerial statements, would want to join in the unanimous consent to revert to the question period. I would ask him how many houses is this programme planned to provide?

Hon. Mr. Welch: From information I have, a minimum number of 20.

Mr. Lewis: Twenty houses?

Hon. Mr. Welch: Yes.

Mr. MacDonald: In all places?

Mr. Lewis: In all of the places the minister enumerated?

Hon. Mr. Welch: No, I am sorry. The member means the total in the four communities?

Mr. Lewis: Yes.

Hon. Mr. Welch: A lot depends on the cost of the transportation of some of these prefabricated materials. The approach in each one of these communities will, in fact, be different.

Mr. Lewis: Will there be 20 in each?

Hon. Mr. Welch: No, there will not be 20 in each. I do not think there could be any more than maybe five or six in each.

Mr. Lewis: Five or six houses in each. Now that is called an experimental programme?

Hon. Mr. Welch: Right.

Mr. Lewis: Believe me, it is certainly not a programme.

Mr. MacDonald: May I ask another question, Mr. Speaker? Does this programme involve the takeover of some housing that the Ontario Economic Council was building in Moosonee of a similar nature which seem to have ground to a halt?

Hon. Mr. Welch: No. That was an entirely different approach. That project in Moosonee, and I am familiar with it, was the supplying of some materials by interested parties and the transportation of those

materials to sites in Moosonee, and some local labour. I think this project will result, in four places, in something between 20 and 25 homes.

I emphasize—in all fairness, before the members minimize the importance of this step—they should realize that we, from these community development funds, are providing this as a start to see whether this project, in fact, accommodates the community development process in the creation of the local corporation and the new methods of getting some type of housing up. If successful, the ramifications of this could be very far-reaching. We have these four areas in order to start and all I say is, in fairness—

Interjections by hon. members.

Hon. Mr. Welch: We are, at least, making a positive start and I hope that you would join with us in encouraging success.

Interjections by hon. members.

Mr. Speaker: Order! I presume we will now revert to the fourth order.

It being 6 o'clock, p.m., the House took recess.

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ONTARIO

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Thursday, October 29, 1970

Evening Session

Speaker: Honourable Fred McIntosh Cass, Q.C.
Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, OCTOBER 29, 1970

The House resumed at 8 o'clock, p.m.

Hon. J. R. Simonett (Minister of Public Works): Mr. Speaker, I rise on a point of privilege. It was reported tonight on channel 9, CFTO, that I would withdraw Bill 199. I would like to correct that statement.

Mr. D. C. MacDonald (York South): It was in the morning *Globe* too.

Hon. Mr. Simonett: The member had better read the morning *Globe* because I have never said that I would withdraw it. I plan to go ahead with Bill 199. We will be discussing it on a third reading and perhaps we will—

Mr. H. Peacock (Windsor West): How about second reading?

Hon. Mr. Simonett: I will wind up the second reading, gentlemen.

Interjections by hon. members.

Hon. Mr. Simonett: Perhaps we will change some of the intent of this bill at that time.

Interjections by hon. members.

Mr. Speaker: The hon. Minister of Municipal Affairs.

Clerk of the House: The 4th order; consideration of Ontario proposals for tax reform in Canada.

TAX REFORM
(continued)

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, I rise to take part in this particular debate for one purpose and, perhaps, from a slightly different point of view than we have heard from the three party leaders who have preceded me and of the others who will follow.

I rise to emphasize the stake that municipalities in this province have in the dialogue which has been going on for some months now in terms of the federal white paper; in terms of the dialogue which resulted from the Ontario response to the federal white paper, and in terms of the dialogue which was taking place in the House this afternoon and which I would guess will go on for some more hours. I simply participate in this debate to emphasize the position of the municipalities of Ontario, some 946 of them, and their great interest in the ultimate results of whatever tax reform takes place at the federal level and, indeed, at the provincial level in our country.

It is essential that our local government partners—that word was used, I think, by the Leader of the Opposition (Mr. Nixon) somewhat derogatively this afternoon; we choose to call them our partners, they are our partners—it is essential that a means be found to place at the disposal of local government sufficient funds to enable them to carry out their responsibilities in the next decade.

I hardly need to remind members of this House that the major challenges in the future will be faced by our local municipalities, our local communities.

When we look at the magnitude of the financing problem which is involved—I would like to illustrate some of that magnitude by combining some of the projections made by the Ontario committee on taxation—the Smith committee—which brought down its report in 1967 with what has actually taken place in recent years and, then, to advise the House of the projections of municipal expenditures which are being developed at the present moment.

In 1969—last year—capital and operating expenses for municipalities and school boards are estimated at $3.1 billion. By 1973, these will rise to $4.4 billion. In 1966, the operating expenditures of our municipalities and school boards amounted to $2.4 billion. These increased in 1969, as I have said, to $3.1 billion. Municipal taxation during the same period increased from $980 million in 1966 to $1.3 billion in 1969—from $980 million to $1.3 billion from 1966 to 1969. During this time the province protected the increase that would otherwise have taken place in property taxes by what could only be described as a massive increase in transfer payments from $685 million to $1.3 billion. In other words, the transfer payments from the province to

the municipalities nearly doubled from $685 million to $1.3 billion during the period 1966 to 1969.

Looking now to the future and for the purpose of projections, we have combined both capital and operating costs because the options available to municipalities are either to borrow or pay out of current revenues for capital expenditures.

We find that in 1969 the municipalities and the school boards had a deficiency of some $335 million. That represented the increased borrowings of the municipalities or, in other words, expenditures, both capital and operating, in the municipalities which have not been met by way of taxation or provincial grants. This deficiency is projected to increase substantially during the next three years, so that by the year 1973 the fiscal deficit in the municipal and school sector is projected to become some $730 million. From 1969 to 1973 there will be an increase, really in their deficit from some $335 million to $730 million.

Even after allowing for the substantial increase to 60 per cent in the education subsidies and continuing the present levels of other transfer payments the deficit is one that cannot be tolerated.

The gap can only be closed by the use of one or more of the following measures:

A. An increase in property taxation.

B. An increase in borrowing, thus deferring the payment of the expenditures to some time in the future.

C. Increased transfer payments from the provincial government.

The inflexibility of the present system is such that the use of any of these three measures is, in our opinion, severely limited.

Mr. E. R. Good (Waterloo North): Did the minister ever hear about cutting down on waste?

Hon. Mr. McKeough: I would hope that we would put that on the record. We are talking about the increase in expenditures by our municipalities and the member for Waterloo North, who is the critic for the Liberal Party in municipal affairs, says, "Let us cut down on the waste."

I will make sure, I will make sure—I say to my colleagues on this side of the House, Mr. Speaker—that that little comment, that very wise comment of my friend from Waterloo North is well broadcast among the municipalities: "Cut down on the waste".

Mr. Good: And the minister is talking about schools and school construction.

Hon. Mr. McKeough: I say to my friend, as I have said to my colleagues on these benches, that in the municipalities of this province—

Mr. G. Ben (Humber): Colleagues on which benches? They are empty.

Hon. Mr. McKeough: —there is less waste and less money ill-spent than in any other level of government.

Mr. D. C. MacDonald (York South): Certainly less than at the provincial level. There is no argument on that score.

Hon. Mr. McKeough: To hear the critic of a—well, my friend from York South agrees with me, perhaps for the first—

Mr. MacDonald: I am not necessarily agreeing with the minister.

Hon. Mr. McKeough: —and last time and I can count on his efforts then to put forward the view held obviously by the Liberal Party that the municipalities of this province are wasting money.

Mr. J. Renwick (Riverdale): The minister should do it himself!

Hon. Mr. McKeough: I will do it and I will count on the member's help and I know we will broadcast that word.

Interjections by hon. members.

Mr. J. Renwick: Could we get back onto the debate now?

Hon. Mr. McKeough: No, I thought that—

Mr. J. Renwick: We know the minister has got a weak wicket tonight, so get on with it. We want to hear it.

Hon. Mr. McKeough: And we are all earnestly waiting for the member's contribution because that will be a strong wicket.

Mr. J. Renwick: A strong wicket!

Hon. Mr. McKeough: A strong wicket—yes, capital. Capital wicket; yes, I think so!

Mr. J. Renwick: Get on with it .

Hon. Mr. McKeough: Yes; but we wanted to get that on the record.

Mr. J. Renwick: How is the government going to solve the problem?

Mr. E. W. Sopha (Sudbury): It is no wonder I stay in the courts. They are much more civilized.

Hon. Mr. McKeough: Mr. Speaker, I would simply say that in our view, in the view of this side of the House, any one or a combination of the three alternatives, our options are limited. It is obvious that if in the municipalities' and school boards' requirements—

Mr. P. D. Lawlor (Lakeshore): It is a fiscal nightmare. It really is a fiscal nightmare. Does the minister not think so?

Hon. Mr. McKeough: Well, money means nothing over there. Money means nothing to my friends in the New Democratic Party.

Mr. MacDonald: Three million dollars. You go off on tangents—

Hon. Mr. McKeough: Mr. Speaker, I listened patiently this afternoon—I listened patiently and I am in no great hurry tonight. If I am upsetting my friends in the New Democratic Party then—

Mr. MacDonald: The minister is not upsetting us.

Hon. Mr. McKeough: I seem to to be arousing the member from his lethargy, which is—

Mr. MacDonald: To quote somebody this afternoon—was the minister going to say something to us?

Hon. Mr. McKeough: The member for York South has something to say, Mr. Speaker.

Mr. MacDonald: Yes, I do. To quote the Minister of Municipal Affairs this afternoon, when is he going to say something?

Hon. J. R. Simonett (Minister of Public Works): When does the member ever say anything?

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. McKeough: Mr. Speaker, I have tried in a page and a half to detail the financial problems of our municipalities. I think it is obvious that if the municipalities' and school boards' requirements are not to be severely curtailed due to a lack of financial resources, then other solutions must be found. In other words, our municipalities must obtain substantially increased revenues.

This government has reiterated on numerous occasions that the reliance on the property tax by municipalities must be reduced. This was, I suppose—my friend from Lakeshore would agree with this, I am sure—the major recommendation of the Ontario committee on taxation, the Smith committee and, indeed, the select committee—that the reliance on real estate taxation had to be reduced.

The studies by the Smith committee stated, and others have said this, that the property tax was regressive in its impact upon families, even if one allowed for the services which were received in return. In addition, it has been pointed out that the weight of the property tax, measured in current dollars, has increased greatly since the war years.

The Smith committee found that the substantial and increasing weight of property taxes had led to many requests for assistance to particular categories of taxpayers, notably widows or widowers, pensioners, others on fixed incomes, farmers, cottagers—and the list goes on.

Smith, of course, made many recommendations affecting municipal taxation. Some, such as the residential property tax reduction programme, have been adopted. In other cases, even stronger measures have been taken, as in the case of the provincial assumption of real property assessment and other recommendations are still under consideration. In making recommendations for the reform of property taxation, Smith recognized its limitations. It was his committee's view that the weight of residential taxation represents a social judgement but what constitutes a tolerable weight of residential taxation is also affected by the purposes for which the revenues are spent.

Smith believes that, as a policy, the province should furnish a substantial share of funds required for such services as education and the social services. Similarly, it should be a partner in meeting the costs of road construction and maintenance. Other requirements of a more strictly local concern can and should continue to be paid in large part from the property tax and the level of taxation for these services is a matter for local determination on the basis of the quality and extent of the local services provided.

This means, however, that it is the responsibility of the province to assure that having regard to the extent of other available revenue sources and local service requirements, the municipalities and school boards can keep the property tax burden within tolerable limits.

The government's reaction to the report of the Smith committee is contained in a white paper, budget paper B, presented to the House by my colleague, the Treasurer (Mr. MacNaughton), when he brought down the 1969 provincial budget on March 4 of that year.

Mr. E. W. Martel (Sudbury East): That was the balanced one, was it not?

Hon. Mr. McKeough: The three broad objectives of the government were stated in that document as follows:

1. A fairer and more revenue-productive system of provincial taxation;

2. The linking of the provincial and the municipal tax systems to allow control over the level and distribution of tax burdens; and

3. The maximum possible harmonization and rationalization of provincial and federal taxation in Ontario.

In the achievement of these objectives, the Treasurer indicated that the main thrust of municipal finance reform would be in the reform of provincial transfer payments and municipal taxation.

In March of this year, the Treasurer reported on the progress that up until then had been made in the field of reform of provincial taxation and finance.

The residential property tax reduction programme introduced in 1968 had already contributed toward a reduction in the regressiveness of residential property taxes. This, combined with the transfer of the administration of justice to the province in the same year, had shifted a substantial part of the property tax burden to the broader tax fields available to the province. In 1969 the level of provincial assistance to school boards was increased, as were transfers to the general funds of the municipalities.

Despite the lack of progress—the members have commented on this, and I suppose that is what we are really discussing in this debate—despite the lack of progress at the federal-provincial level, the provincial-municipal fiscal reform programme has continued to receive a high degree of priority. The effectiveness of the residential property tax reduction programme has been improved. The costs of property assessment have been completely assumed by the province. Regional municipal grants have been introduced which take account of the additional cost burdens that exist for some services in sparsely populated areas. Urban areas have been assisted by an increase in the rate of grants toward road costs. The level of provincial support of school boards has been further increased. All these measures, detailed in the budget and detailed in the Prime Minister's (Mr. Robarts') statement of October 6, totalling some $400 million in the last two years alone, have reduced the pressure on property taxpayers.

The residential property tax reduction programme, of course, assists the residential taxpayer. The other programmes I have mentioned relieve all property taxpayers. New programmes, such as the reduction of taxes payable by old people and farmers, represent recognition of this particular requirement of certain classes in the community.

The reform of municipal taxation itself is progressing. Mineral processing plants are now liable for local taxation.

Mr. Martel: Yes. When are you going to work the formula out for distribution of it, though?

Hon. Mr. McKeough: My friend might be interested to know that his own municipality has supplied figures to the extent—

Mr. Martel: There are three sets of figures running around right now.

Hon. Mr. McKeough: He might be interested to know that his own municipality has supplied figures to indicate that the processing plants in northern Ontario—the mining companies—paid something in excess of $5 million this year over what they had paid previously because of the assessment of those facilities—five million bucks.

Mr. Ben: Does the minister mean the government has been losing five million bucks for 22 years?

Mr. Sopha: It is not enough.

Hon. Mr. McKeough: My friend from Sudbury says it is not enough. I suppose there never is enough.

Mr. Sopha: Will *Hansard* get down how much it should be? $15 million.

Mr. Ben: The Tories are 10 percenters.

Hon. Mr. McKeough: Processing plants are now liable for local taxation. Universities, for the first time, are subject to taxation by the municipalities and a start, as we discussed during my estimates, has been made towards a rationalization of the business tax. In addition, studies are presently underway in the region of York and the county of Peel, in association with the local councils, in order to achieve a completely revised and more equitable municipal tax structure in those areas.

The results will form the basis for the new property tax structure to be made applicable to other areas of the province on the completion of the reassessment programme in those other areas and we believe—and I am proud to put this on the record

tonight and in this House and on the hustings, if that is where it is to be—that we have made substantial progress towards the reform of provincial-municipal transfer payments and, indeed, in the field of municipal taxation.

Nevertheless, under the present tax-sharing arrangements with Ottawa, the ability of the province to continue to substantially increase the funds to our municipalities and school boards is severely limited and will constrain future progress towards our objectives.

I suppose more than anything else, from the point of view of the municipalities and the point of view of the Minister of Municipal Affairs, that is what this debate is all about and that is the question facing us. Do we allow Ottawa to raise increasingly large amounts of money and not see some part of it go as we would like some part of it to go, to our municipalities?

Look at the record of the federal government. They cancelled our winter works. They gave my friend, the Minister of Agriculture and Food (Mr. Stewart), a hard time on ARDA. They cancelled our urban renewal. We are not asking—I suppose we are asking for more—but we would just like a continuation really, Mr. Speaker, of what we have had.

Mr. J. B. Trotter (Parkdale): Oh, they gave $200 million seed money.

Hon. Mr. McKeough: Say that again.

Mr. Trotter: They have given us over $200 million that was originally going to be used as seed money—

Hon. Mr. McKeough: $200 million as seed money for low-cost housing and where did they take that from? They took that out of Central Mortgage's funds which should be used for housing in any case.

Mr. Trotter: Yes, because no one was using it. They were not using it.

Hon. Mr. McKeough: My friend from Parkdale is the greatest apologist for his friends in Ottawa there ever was.

Mr. Trotter: Oh, nonsense

Mr. MacDonald: The zeal with which the minister gets into political barracking is revealing.

Interjections by hon. members.

Mr. Speaker: Order, order.

Hon. Mr. McKeough: For once, I say to my friend from Parkdale: Stand up for Ontario and do not always take the federal point of view.

Interjections by hon. members.

Hon. Mr. McKeough: My friend from Parkdale went up to Sault Ste. Marie and made a great speech on urban renewal and he has been proven so wrong, because he is trying to defend something which is indefensible, namely, the action of his friends in Ottawa. Stand up for Ontario for once.

Interjections by hon. members.

Mr. Speaker: Order, order!

Hon. Mr. McKeough: Mr. Speaker, I would just like to say—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. McKeough: I would just say, Mr. Speaker, that if we are to help the people of Ontario—

Mr. R. F. Ruston (Essex-Kent): If the minister's party is so great, why does it not elect a Conservative government in Ottawa? Get a new leader; that is all they need to do.

Hon. Mr. McKeough: That will happen.

Mr. Trotter: Going to dump Stanfield. Now the truth comes out.

Interjections by hon. members.

Hon. Mr. McKeough: I will say this, Mr. Speaker, as long as we do not have a Conservative government at Ottawa, then it is beholden on us in this House to act for the people of Ontario because the Liberal Party does not know how to act for Ontario.

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. McKeough: Mr. Speaker, I have got to them so I will go on.

The local expenditure projections that I mentioned earlier indicate quite clearly that substantially increased funds must be made available for the financing of local services.

In the period which I reviewed, 1966 to 1969, expenditures increased on social services such as health, social and family services, recreation, community services and planning. Looking beyond 1973 and into the next decade, it is obvious that the main areas where expenditure of funds will be required

are in the environmental services, such as sewage purification, water, urban redevelopment and urban transit. Those are extremely capital intensive, and are the types of services that already take up a large proportion of the municipal tax dollars.

We not only require, then, substantially increased tax room, but this government also believes that the federal-provincial-municipal tax structure should be so integrated that the total burden of all taxes on our people should be reasonable. In this connection I would quote one of the three principal conclusions of the 18th report of the standing committee of the House of Commons on finance, trade and economic affairs, respecting the white paper on tax reform:

> That the tax load now borne by lower income Canadians be reduced. The committee is especially concerned with the plight of low income Canadians who have been less able than other taxpayers to protect themselves against the inflationary and unemployment pressures in our economy.

We on this side, Mr. Speaker, support that conclusion. People whose income is very low, however, can receive only a very limited benefit from the reform of income tax and my friend from Riverdale would agree with that. When we look at the example, the federal government's proposals for tax reform would give only $15 benefit to the married taxpayer with two children, whose income before deductions is $2,800—a $15 benefit. It is obvious to us that the amount of benefit that is given to him is limited by the amount of income tax that he pays.

It follows, therefore, that to diminish the impact of the whole taxation package on a person whose income is low, it is necessary to diminish the impact of all those taxes, such as property taxes, and provide the necessary money by broadening the tax base to include forms of income that are presently exempt, such as capital gains, and by eliminating tax loopholes and tax abuses.

Two devices for such relief have been suggested in our Ontario proposals. One is the low income allowance to remove the burden from people in the lowest income allowance.

The other is a refundable tax credit to offset the provincial-municipal tax burden on those people who do not earn enough to pay income tax.

Mr. Lawlor: How much does it amount to?

Hon. Mr. McKeough: Such measures—and my friend from Lakeshore has some knowledge of this—can only be introduced as part of a comprehensive reform of federal, provincial and municipal tax, to form a recognizable—

Mr. Lawlor: The minister is crowing on a dung hill.

Hon. Mr. McKeough: —to form a recognizable tax package. Well, my friend—I want to just put this on the record again—the Prime Minister mentioned this the other day in his statement of October 6—how very important it is that what we do is co-ordinated; and we know we cannot act in isolation. To use the example—

Interjections by hon. members.

Hon. Mr. McKeough: Well, let us talk about what we are talking about now—taxation. The Prime Minister used the specific example of those people who would advocate —and none of us advocate here; put that on the record so we can talk about this somewhat dispassionately—he used the example of those people who would advocate that the province assume 100 per cent of the cost of education, as do our friends in the National Farmers Union in Ontario. This is their proposal and that of the Federation of Agriculture, supported now by the New Democratic Party.

Mr. MacDonald: No, never!

Mr. Lawlor: Sounds like a pretty good idea, we have been thinking of it.

Hon. Mr. McKeough: Well, we are talking about something which none of us at this point in time agrees with. The transfer of some $800 million from property taxes to other tax fields.

Let us assume for a moment that that is possible.

Mr. MacDonald: The member for Durham (Mr. Carruthers) put that in his weekly newspapers; it came out of the downtown office and this has been the thing the government has been threatening the public with for the last three months. It is too late for the minister—

Hon. Mr. McKeough: Let us put it on the record again, because it is basic to whatever we talk about in terms of integrated tax reforms.

Mr. MacDonald: The minister is setting up a straw man and beating it down.

Hon. Mr. McKeough: No, it is not, because the member can assume, one can relate the same principle—

Interjection by an hon. member.

Hon. Mr. McKeough: My friend from York South, I am not going to put the whole thing on the record.

What it boils down to: If we assume, provincially, the $800 million presently on property taxes, we in effect put $100 million in the federal corporation tax pocket—$100 million. We pay out $800 million as a province, we get back $40 million of that in increased corporation taxes and the federal government gets $100 million.

Would the member agree with those figures?

The member said we have been saying it for three months, so he should not look so surprised that it was in the Prime Minister's statement. Those are the figures, and that is basic, whether the member wants to talk Medicare premiums—which, after all, in many cases are paid by the employer—whether he wants to talk any kind of tax changes.

Mr. MacDonald: That is not what I was talking about.

Hon. Mr. McKeough: Would my friend from York South agree? My friend from York South is a great Canadian, and I mean that with great respect, and I pay tribute to his Canadian approach to things, but I think—

Mr. MacDonald: The minister is making me suspicious.

Hon. Mr. McKeough: But I think he is a little concerned about Ontario too, and I think he would agree that if we went to 100 per cent we would put into Ottawa's pocket $100 million, which is not the name of the game. Would the member agree with that? My friend from York South nods his head.

The only point I am trying to make is that, whether one talks about medical premiums, whether one talks about tax credits, whether one talks about removing the burden of education taxes, we are talking about something which, if it is to be for the benefit of the taxpayers of this country, must be an integrated process — federal - provincial - municipal, municipal - provincial - federal, I do not care what the priorities are.

But we cannot, as my friends in both the Federation of Agriculture and Farmers Union blithely talk about, remove the burden of education taxes. I point out to the hon. member that if it costs us $100 million to go to 100 per cent, I assume it costs something approaching $50 million in lost revenue to Ottawa from Ontario taxpayers to go to 80 per cent. I assume that it is costing money to go from 51 per cent to 60 per cent; and I regret that, because I do not admit for one minute that the greatest needs in terms of tax spending in this country today are at the federal level—I do not admit that.

Frankly—and I say this to my colleagues—under the present division of responsibility the greatest need is at the municipal level. The things we talk about—sewers, water, roads, urban transit—those are municipal responsibilities. I am proud that this government has consistently said, "we want more money from Ottawa, but we want it mainly for the things which are important, which is the money being spent at the municipal level."

I listen to my friends in cabinet and in Treasury Board and elsewhere who talk about provincial priorities. We have them and we hear about them in this House—like buying back some lakefront, like buying more provincial parks. But the priority of this government, more than anything else, is for the things being done at the municipal level.

Our fight with Ottawa is not just on our own behalf, it is on behalf of the municipal and local level of government. That is why we get concerned, because we are getting no response from the proposals which we have put forward in terms of an integrated tax system.

Mr. H. MacKenzie (Ottawa Centre): Canada first!

Hon. Mr. McKeough: Well, I like to think about Canada, and I do not think giving Ottawa another $100 million of Ontario money to reduce real estate taxes is necessarily good for the Dominion of Canada.

Interjections by hon. members.

Hon. Mr. McKeough: Think about Canada! Sure, take education off real estate taxes and give Ottawa another $100 million. Well that—

Mr. O. F. Villeneuve (Glengarry): No constructive criticism!

Hon. Mr. McKeough: —is not quite my idea of what is good for Canada at this point in time.

Mr. Good: Shift to residential taxes!

Interjections by hon. members.

Mr. Speaker: Order, order!

Hon. Mr. McKeough: If my friend from Niagara Falls (Mr. Bukator) says we are getting ready to go on the hustings, it was

the opposition who wanted this debate, we did not ask for it. They asked for it over there and now they do not like what they are hearing and want to call it off.

Mr. G. Bukator (Niagara Falls): The minister will make that speech on the hustings?

Mr. Speaker: Order!

Hon. Mr. McKeough: Mr. Speaker, what I am trying to point out to the House, and I think with some success, is that what we have been talking about—the measures which are talked about in our white papers—our proposals, can only be introduced as part of a total, co-ordinated, comprehensive reform of all three levels of taxation. We have taken the view, however, in this government, that pending that kind of comprehensive tax reform, that relief should not be withheld from specific groups of taxpayers whose taxes would, in the meantime, be unduly burdensome. And we have introduced, as a result, selective measures to give property tax relief where it was most needed, to the residential taxpayer through The Residential Property Tax Reduction Act, reinforced by the relief which will be given to the needy pensioners and to the farmers in 1970 and subsequent years.

We do not claim for one minute that those measures will permanently provide the kind of tax reform that is most needed. We are confident that, given comprehensive and meaningful reform of the federal-provincial tax structure, we can devise more effective means of providing tax relief where it is most needed.

In the meantime, the burden on certain groups of taxpayers has reached a level where the government considers that they should not be made to wait upon the results of the consideration of the federal tax reform proposals. Most people are in need of help now, and we are giving them help in the best way that we can manage until a system of taxation and transfer payments can be rationalized.

Mr. Speaker, I have related what the province has already done, what it is now doing and what it intends to do, to bring about improvements in taxation policies. The need for these improvements in the provincial-municipal sector has arisen largely because of the dynamic growth that has been taking place in our province in recent years.

We recognize—and I say this to my friends in the Liberal Party—that Ontario should assist less wealthy provinces. But we also recognize that the dynamic growth has created an urban society in Ontario which presents a scale of demands that is not faced by any other province in Canada.

We have met the immediate requirements for services that a rapidly urbanizing society requires at the local level. But in meeting initial demands we must not overlook the second wave that will inevitably follow the first. We must evolve a system that will be adequate to deal with the other requirements that the creation of large urbanized areas produces. Demands for efficient transportation, increased pollution control measures, cultural and recreational facilities, adequate protection to persons and property, vigilant urban renewal processes, to ensure that the cities of today do not become the slums of tomorrow.

We are fortunate, Mr. Speaker, in Ontario. Our towns and cities are the envy of people from other parts of the world. Experience abroad surely shows that areas of concentrated population can rapidly decline when sufficient local resources are not available to maintain an environment for good living.

Mr. Speaker, no single level of government can achieve this objective. We must have, I say again, co-ordination, we must have co-operation, in order to ensure that we have the resources available to maintain and improve the total environment for our citizens today and in the future. This is the intention of the government of Ontario.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, as the opposition critic for the Treasury, I am pleased to add a few brief comments to this debate.

I am, of course, most interested in Ontario's proposals for tax reform in Canada and Ontario's response to the federal government's white paper on this subject. The calling of the debate was announced by the Prime Minister during the astounding events of October 21. Since it was my question that began that circus, I should like to refer to it and to what it showed me.

As all members know well, a question can be dealt with in three ways. It may be answered; it may be taken as notice; or it may be ignored. I am not sure to this day just what choice the Treasurer made. Indeed it may be that he chose all three possibilities. If so, this must be the first occasion in my three years in the Legislature where all the options were used. Even the Minister of Education (Mr. Davis) in his daily convolutions

could not have topped that act in the centre ring.

Mr. M. Makarchuk (Brantford): The Treasurer gets the Oscar.

Mr. Breithaupt: I noticed the report of these events reported by Bill Bell in the London *Free Press* right after the heat of that day. They appear to me to show accurately the serious problem in the personality of the person who holds the second most important office in this government.

We are told that some "try harder" because they are number two. To these ranks comes the Treasurer, girded with rather creaking armour and swinging his mace in such fury that he decimates his own supporters while failing to reach his foes.

I was embarrassed for him on that day. I believe that many other citizens of Ontario now have some second thoughts as well about the position of our Treasurer as his fuse becomes shorter and shorter. As his cabinet colleagues listened to him, I believe that many must have thought of that current phrase, "Is there any place you would rather be?"

Well, I have alluded to the circus events of the Legislature's "big top." I suppose that some predictable acts will be trotted out this evening while this debate continues. Perhaps our friends on the left will go through their self-righteous balancing act of condemning unemployment on one hand and condemning inflation on the other—

Mr. Lawlor: The member condemns neither, is that the point?

Mr. Breithaupt: —and, ignorant of the principles of economics, they will inevitably come down firmly on both sides of the issue.

And over in the corner I imagine that the Minister of Revenue, the Pagliacci of the province, will no doubt pound his monotonous drum for his special revelations of small business, and the government back-benchers with "elephant grey" views of society will raise their trunks and blink knowingly; but he and they forget that for years Ontario has not helped promote small business. The Ontario corporate rate of tax is levelled irrespective of the level of income. Perhaps sometimes even elephants forget!

It is difficult, Mr. Speaker, for an opposition member to fully weigh all the information of opinions that have been received on the federal proposals on tax reform. In rereading Ontario's proposals and the staff papers that went with them, I concluded that probably not one dozen in this Legislature will have bothered to have sorted out all these items—and that is really not too surprising because the economic terms and the specialized jargon referred to an area that is far removed from the many practical concerns of both the citizens of this province and of their legislators. The Treasurer holds sovereign sway at the Frost building. Like the Assyrians of old his cohorts of economists, armed with computers, are gleaming with both purple and gold—the purple of the mantel of those who walk in high places and advise with gravity and much decorum; the gold of our tax resources which approach $4 billion.

Mr. Speaker, how are we in opposition to strive mightily against these others? We are out-numbered. We are out-gunned and out-published certainly, and I must confess that, indeed, on occasion we are even outfoxed.

Mr. Lawlor: No, never admit that!

Mr. P. J. Yakabuski (Renfrew South): Just for 27 years, that is all.

Mr. Breithaupt: But in a year we have had some 1,500 further submissions on the federal proposals. Every editorial and financial writer has commented. All the academics have delivered themselves of their views. This afternoon my leader set out, in what I think was a brilliant speech, the basic views and the comments which we have had.

But instead of going ahead with the individual points I think that we can look to certain principles of dealing. If we cannot know all the details, we can review the framework of our society; even if we cannot wire the computer or necessarily check out its circuitry.

These comments are made in the framework of what our responsibilities are. In spite of the comments of the Minister of Municipal Affairs we are members of this Legislature and it is our obligation to represent as best we can the legitimate requirements and needs of the citizens of Ontario, and I think every member of this House shares that obligation.

It is certainly not our obligation to defend the proposals put forward by any other government within Canada; neither a provincial government nor the federal government has any reason, in its proposals, to expect any automatic response on our part.

In this circumstance our obligations are to ask ourselves what is best for Ontario? In asking this question the members of the official opposition seem to view the framework in which the question is asked as being some-

what different from the framework in which the government asks this question.

On Tuesday, October 6, the estimates of The Department of Treasury and Economics were before the standing committee on supply. I would refer the hon. member to an exchange that took place that afternoon and which is recorded at pages S-1168 to S-1170 of *Hansard*. In committee we talked about the proposals which the government had placed before the federal government in response to the original white paper on taxation.

At that time certain newspaper articles were brought forward and the whole discussion centred on federal and provincial co-operation. The provincial Treasurer at page S-1169 stated as follows:

> Sure they brought their computer printouts to us, but they have never given us the assumptions on which their figures were based. We felt at that time that if we are going to compare assumptions let us compare assumptions.

The Treasurer then went on, I think quite properly and quite openly, to tell us that our assumptions, the computer instructions manual, and much other information was tabled in great detail in the Legislature.

Apparently since the middle of June there have been no further discussions concerning the assumptions and the development of background upon which the various sets of proposals were based.

The Treasurer states that "computer runs are meaningless" if the assumptions on which they are based are not available as well, and I agree with him as well. He further says that the assumptions of the federal government were never offered, that the federal government wished to, and in fact did examine, the assumptions upon which the provincial government made known its views of the tax changes within the white paper.

I sent a copy of that report of *Hansard* to the federal Minister of Finance because I felt that it was most important to resolve this matter, and after marking the exchange I asked for the co-operation of the office to tell me just what their views were. All I got back was a comment stating that there was a press release of June 18.

Well, if you look at that letter which was sent to the provincial Treasurers and the Ministers of Finance you do not find it to be very helpful. You do not find that it at all resolves this problem of communication that seems to exist. This letter is a public item. The minister refers to the comments that were made there about the programme listings and the computer printouts, but apparently exchanges were not made.

Well of course, Mr. Speaker, I am not privy to the correspondence between the federal minister and the provincial Treasurer. I do not know whether the certain items have been offered or not; I do not know whether items have been denied or not, but as a member of the opposition and as a person who has some interest in the subject of taxation, I do know that this failure to exchange information must have a serious effect on any and all proposals for tax reform within Canada.

I am not stating here or anywhere else which of these two distinguished gentlemen is in error. Perhaps they both are. I do not know. I am stating that it is vital for the Prime Minister of this province as well as for the Prime Minister of Canada to satisfy themselves that the members of their cabinets have both done everything that can be done in order to ensure that all of the information has been fully used.

In Ontario we have as much need for the federal information, I am sure, as they have of ours. The Treasurer states that he has co-operated in every way. The federal Minister of Finance states that he has co-operated in every way. It would appear that one or the other is mistaken; I do not know which. But surely no responsible citizens within this province can have this matter of mistaken identity continued?

My leader said in the recent issue of the *Canadian Tax Journal* there is an article by A. R. A. Scace, which dealt with his view of what Ontario's proposals are and some problems that he saw in the presentation. I believe that this summary is a useful one, and indeed I would commend it to all the members of the Legislature. Through it all may see and benefit from a summation of the proposals when the full reading of all the proposals may not be practicable for all the members.

The Treasurer has interjected and said that the summation is not complete. That could well be; I do not quarrel with that at all.

Mr. Sopha: The Treasurer struck him off his Christmas card list.

Hon. C. S. MacNaughton (Treasurer): The problem is I never had him on it.

Mr. Breithaupt: The Leader of the Opposition has referred to the conclusions that Mr. Scace reached, and of course, he ended his comments with a most interesting sentence

which referred to an expected spring election. That was in 1970; here it is a year later.

The last four provincial governments that have called elections have all been defeated —an interesting point. I hardly expect that that augurs too well for a government whose 27-year accumulation of both the sins of omission and commission far outstrips the cumulative record of those other four administrations.

To my mind, Mr. Speaker, the only responsible view that any member of this Legislature can take in this general debate is to encourage and assure that complete co-operation exists between this government and the federal administration.

Mr. Scace in his article makes two comments which he says are the only ones that can be made with a degree of certainty. I agree with the two comments he makes.

First of all, he noted that the views of Canada's wealthiest and most populous province cannot be disregarded. Indeed, on the contrary they must deserve serious consideration. There is surely no question about that.

The second comment he makes is that the proposals leave much to the imagination of the reader, just as the proposals in the federal arena leave much to the imagination of the reader.

As I have stated in the estimates of the Minister of Revenue (Mr. White), in some comments to which he took grave exception, we of course all must take a national view of this matter. Our obligation in this case is, of course, to Ontario first. I believe it is the proper function of the Treasurer of Ontario to state without any particular rhetoric and without any particular heat in the matter, that they are without fault in this matter. To paraphrase the words used by the members for both Dufferin-Simcoe (Mr. Downer) and Middlesex South (Mr. Bolton), we must know within Ontario that the provincial Treasurer has done those things which he ought to have done, and that he has not done those things which he ought not to have done.

If he can assure us that such is the case, I would be the first to applaud that candour.

In the last several days we have seen strong and encouraging signs that perhaps a recovery within our Canadian economy is underway. Just today announcements were made concerning the proposed cut of one-quarter per cent of the interest rate for prime lending and deposits. The Toronto-Dominion Bank has been the first to move away from the eight per cent prime rate and the six per cent non-chequing savings account rate which was uniformly adopted by the Canadian banking system on July 1.

I hope that the conditions of easier money and the resulting improved position in which the banks may find themselves to make productive loans will, of course, benefit the whole of our economy. In this matter the Bank of Canada has continued to reduce its formal bank rate since it was at the level of eight per cent in July, 1969.

On May 11, this year, the rate fell to 7.5 per cent and on June 1 fell further to seven per cent. Indeed, on September 1 this year, we saw this formal bank rate, which is so important a factor within our economy, fall to the present level of 6.25 per cent. I hope that this is one of a number of continuing signs that the expansion of our economy is going to take place in 1971. Of course, that expansion will benefit not only those of our citizens who are now employed, but the growing number of those who are unemployed and actively seeking jobs.

Mr. Speaker, this debate will not be able, I think, to resolve the difficulties between the federal and provincial governments as they view the whole problem of taxation within Canada. It is certainly ethereal to discuss in many ways certain proposals made in response to certain other proposals. We all know that there will be substantial changes in both before any legislation eventually appears.

I think the purpose of this debate today should be to ensure that the citizens of Ontario fully realize the necessity for continuous and developing co-operation between Ontario and the federal government, especially in the discussion of taxation reform. I believe that my task, as critic of the Treasury in my party, is to point out this need. I may not be able to do much more than that, but in good conscience, I cannot do any less.

Mr. Lawlor: Mr. Speaker, the political and economic history of this country from its very inception has oscillated between two pendulums. For periods of time the federal government has taken paramountcy and has ruled the roost; then, subsequent to that, the provinces have come to the fore and there has been recession of the power and prestige of the federal government.

It started with Macdonald, for whom the federal government was the be-all and end-all. He regarded the provinces as mere

municipalities to handle strictly local matters. He felt, as a matter of fact, that there were too many levels of government in this country and that the provincial governments were completely unnecessary. That was the basic stance, but because of the problems in Quebec he was forced to accede to the existence of some measure of provincial force and power.

Subsequent to that, in about 1890 or 1896, the provincial governments under very strong Premiers, eminent men, after Macdonald retired from the scene, took over and they overshadowed for a few short years the central government. This was during the time of the wheat booms in western Canada and they had adequate resources and revenues and were not so beholden to the central power. That ended soon when Wilfrid Laurier, in 1896, brought in what is called the ministry of all talents. He, as you will remember, took Fielding and Mowat and one other Premier—Blair—the leading strong men in the provincial scene, and inveigled them, if you will, into his cabinet.

So the strongest men provincially became part of the federal cabinet and the great weight of power was with the federal government for many years. Until the war, and subsequent to the war, of course the First World War, it occupied a pre-eminent position and the provinces were dwarfed.

In the next following period, through the 1920s, the provinces came back again and reasserted themselves. This was the regime and the time of Mackenzie King. Nevertheless, King was not the man of the stature that we sometimes recall him to be in the later period of his life. The provinces were the powerful forces in this country at that time. It was then, with the new automobile, with the vast expansion of hydro, with the area of welfare as a necessity, the whole areas we are facing today, that the strength and force of the provinces came to the fore, because there the weight fell; they were the ones that had to get things done. The war was over and the problems we are facing today and of which the Minister of Municipal Affairs spoke earlier this evening, were with us then. There was a fiscal gap, a very considerable gap, between the revenue-producing powers of the provinces and their expenditures, which were vast.

I think the problem, if one looks back on to those days, was just as critical then as it is now; so that it is nothing new under the sun, the problem goes on. As a matter of fact, so great was debt attraction to the municipalities throughout this country that when 1930 hit many of the municipalities across the country were plunged into bankruptcy, and up to a point had to be rescued by the central government.

However, the federal government was nit-picking and thumb-twiddling throughout the depression. Members will recall they absolutely refused to have anything to do with the unemployed or with welfare payments. They said that was a provincial jurisdiction and they were going to keep their hands clean. It was only after many years—in the 1940s—that unemployment insurance was actually brought in and the federal government assumed a measure of responsibility.

In those days, largely under Mackenzie King and partially Bennett, the federal government, while it had the only source of revenue and the only area in which real activity could be taken, refused to move. As the decade went on and the Rowell-Sirois commission recommendations came into effect in 1939, greater weight was, perforce, falling upon the shoulders of the federal government.

The war hit us—the Second World War—and of course again the federal government assumed all those suzerain powers over the whole economy with respect to controls and with respect to tax revenues—it took over completely. The provinces turned over to the federal government all their revenue-producing agencies, except the licences. The corporation tax, the personal income tax, the succession duties, the works were turned over to the federal government for the war period in return for transfer payments back to the provinces. That has been the history down to within the last four or five years, when the pendulum has swung again.

The provincial governments are asserting themselves as never before and taking over wider and wider sways. They have the greater responsibility, as we will acknowledge to the Minister of Municipal Affairs, without having the revenue sources.

This is a curious situation because at Confederation in 1867, when they set up the two BNA Act sections, 91 and 92, and the two levels of government, even in those days it was discovered, shortly after Confederation had been entered into, that the provinces were necessarily at a deficit. They began with a deficit and they never have actually recovered from that day to this.

In those days, of course, the provincial governments were tied to what were called direct taxes, whereas the federal government could tax any way it pleased, directly or indirectly, and the chief revenues in those days

coming into the federal government were excise duties and customs duties. The kind of taxes that we deal with in such plenitude these days were unheard of at that particular time, but it was only shortly thereafter, in 1876, that British Columbia first introduced an income tax. One hears the old wives' tale about the income tax being a product of the First World War. That is true on the federal level, but it was in effect elsewhere prior to that time, and also in Prince Edward Island before the turn of the century. This was made necessary because these were the only tax revenues that the provinces could substantially look forward to.

Throughout the years, then, down through the 100 years of our history, there have been five or six ways by which the federal governments of this country, particularly in the area of fiscal policy, found provision of the wherewithal with which to carry on the processes of government.

They started off at the beginning with what were called per capita transfers, and that lasted for many years, until about the turn of the century—as a matter of fact they exist to this day. There were all kinds of juggling in those days. Because the weight that fell on the provincial governments was so very great, all kinds of schemes were resorted to. To give members an idea, MacGregor Dawson has summarized the history of the transfer changes during the period down to 1907 as follows:

> The history of the subsidies demonstrates not only that final and unalterable agreements can be and are subject to frequent revision, but that population figures can be invented when the actual ones prove unsuitable; that debt allowances can be made for debts that never existed; that natural resources can be returned and enjoyed and at the same time compensated for on the basis of the original alienation; and that when a subsidy is increased in order to equalize the treatment among the provinces, further adjustments become immediately necessary in order to overcome the injustices which have been occasioned by the very act of equalization.

That was the history of those days when they invented fictional figures for population in order to give various provinces the revenue to carry out their activities; and even had to go beyond that in terms of making up imaginary public debts which they returned to the provinces, since the federal government assumed the provincial debts in those days.

In the 1920s came the first outcroppings of tax sharing agreements. They won, basically, conditional grants. They pretty well overlapped. Now these are the things that irk—at least it has acted as a thorn in the side of the Province of Quebec from its inception and it acts on occasion, as is well known to us in this House, as a thorn in the side of the present government.

It is by way of shared cost programmes that the federal government has made encroachments upon the sacred preserves, as they see it, of the provincial governments from time to time. By this route they stimulate or encourage particular programmes for the whole of the country which nevertheless impinge upon property and civil rights or upon welfare, on health, on any number of areas. The federal government, I say, began that process during the 1920s and it continues down to our day.

I personally do not take much umbrage with it. I think it has a role, and a necessary role to play, in the history of our development. After all, the Province of Ontario is represented up in Ottawa by a series of members from Ontario who can well speak for this province and we are not, as we arrogate, or the government seeks to arrogate very often to itself almost, the sole and exclusive voice on behalf of the people of Ontario.

There are others who have been duly elected who can carry out that function and who do so on the Ottawa scene, where one has the wider purview, where one has a responsibility for the country at large, including the equalization formulas and the regional development schemes that we are relatively blind to. Since we are somewhat truncated and enclosed in our own geographical area, we have very little appreciation by and large, I suspect, for the role of the federal government in this particular regard, and in its responsibilities to set floors, to set at least average standards across this country.

Unless we recognize regionally that simply as Canadians we all ought to be able to enjoy some minimal, acceptable standards of life, then the purpose and history of this country is worth nothing one way or the other. That is the role and function which the federal government seeks to perform in this particular task of equalization payments, and on which I find there is too much cavilling, too much carping, too much little-mindedness over there, particularly from the Treasurer of Ontario.

I have to go through his budget papers—budget paper, A, I think it is—of the 1970 budget, where he spends his time gyrating and going through contortions telling the

federal government and people at large, or whoever can be forced to read the document, of the largesse that they pour out; he wants it counted to the cent. He wants it to be well-known and fully estimated precisely what the Ontario government contributes to the federal coffers and what goes out in terms of equalization.

Mr. J. Renwick: Where is the Treasurer by the way?

Mr. Lawlor: I find this to be a narrow and niggardly spirit, and I have indicated to him in the past that this is so.

Mr. D. A. Evans (Simcoe Centre): The member said the NDP had no policy.

Mr. J. Renwick: These are his proposals that we are debating. Maybe we should adjourn the House until he comes back.

Mr. S. Lewis (Scarborough West): He should be here. It is wrong that both the Prime Minister and the Treasurer should be out on his debate.

Hon. A. A. Wishart (Minister of Justice): He is listening.

Mr. Lewis: He may be listening but we would like to see his physical presence.

Mr. Speaker: Order please! The member for Lakeshore has the floor.

Mr. Lawlor: In the 1930s, having to depend upon the largesse of the federal government during those days, the Depression having fallen upon us and with 25 per cent of the population out of work, the governments of this country, both federal and provincial, did precisely the wrong thing. They began to tax. The whole purpose was to point out that by tax such a contingency only aggravates and makes an already bad situation worse. At that particular time, we relax on taxation and build up in the hands of the consumer and in the economy at large as much liquid flow as we possibly can in order to keep the economy going and not withdraw money from circulation in that particular way.

Mr. M. Gaunt (Huron-Bruce): The hon. member has chased them all away.

Mr. Lawlor: After the Second World War and coming into the 1950s, new schemes were brought forward as to the relationship between the two levels of government. These consisted in the tax rental policies that went through many, many years starting in 1947 and running through until about 1962 and, in effect, to some extent, even today.

Without going into the intricacies of those schemes, which are very interesting and which the Ontario government showed a mighty recalcitrance about, when those schemes were initially introduced, Ontario totally refused to participate. As one of the more palatable schemes came along after the first five years, they entered into the scheme grudgingly and thereby indicated the degree to which this government does co-operate harmoniously, coherently and on all occasions to bring about the greatest harmonization in this country.

Benson's proposals are to jettison the tax rental schemes, get rid of them completely. The federal government does not like them. The federal government gets blamed for taxation and the collecting of taxes to which the provincial government is the beneficiary. The provincial government siphons in, under a masquerade, its percentage of abatement points and receives it back through the mail. It also gets it back on a guaranteed basis whether or not the federal government is able to collect those personal income taxes; the province gets its set amount, I say, irrespective.

That is the basic history of the relationship between these two levels of government down through the years — the recalcitrance, the degree of disharmonization. One kind of hates to thrash over these muddy waters but it does give a sense of the attitudes and the perspectives and why we have come to our vaunted place today in the history of this country as to what went on between these two levels of government. And one of the greatest sinners is the Province of Ontario.

As my friend said this afternoon, as early as 1897, in the whole national tariff policy it set up a dislocation within this country, in all the outlying provinces, in all of the other provinces in the light of the world depression that ended in 1890. Ontario entered into tariff policies for the protective tariff, which acted detrimentally as far as other provinces were concerned, and that sore has itched and rubbed and been open down through the many years.

When the Rowell-Sirois report came out in 1939 to try to solve some of the most excruciating problems of human misery that existed in this country, who sought to scuttle the recommendations of Rowell-Sirois but Ontario. It is documented. There is no problem. When the so-called green book proposals were made in 1945 to re-arrogate, reset, re-streamline, give some rationality to the tax structures of this province in the relations between the federal and provincial governments, again the Province of Ontario refused to participate.

And two years later, in 1947, it rejected, along with Quebec, as I mentioned a moment ago, the coming into being of the tax rental agreements.

On the problems of inflation today, in the 1970 budget statement of the Treasurer, to what degree did we find a degree of co-operation existing? As I mentioned during the Treasury debate on the matter of inflation, the Treasurer of this province at least had the good grace not to say that labour was the cause of inflation; neither did he say, of course, that the corporations have a role to play in the inflationary spiral, particularly by way of administered prices, which I happen to believe is a focal point in inflation and perhaps the chief reason why it exists.

But he goes off on to a host of secondary, tertiary matters, trying to put his finger on inflation, and to some substantial extent he talks about how there is a lack of statistical information proceeding between the two levels of government, and since they cannot cohere in this regard on straight informational matters, that helps to encourage the problem of inflation. It is one of the weakest and most paddywaist documents as far as analysis of inflation is concerned that one could possibly see.

Then, as far as the equalization grants are concerned, I mentioned a moment ago that a whole section of this year's budget was dedicated to a niggling and somewhat prolonged exposition of just how large-handed and big-hearted this province was with respect to the largesse that poured out on the rest of the country, with the grudging spirit, it seemed to me, if one reads it through, saying, "Well, somehow or other this ought not to be, and that we ought to . . ."

While they speak out of the one side of their mouths saying that they are wholly in favour of acceding and spreading the good life wider throughout this country and that they were thoroughly in favour of equalization grants, on the other side, if one reads the documents, the provincial government says "We should retain in our own bailiwick a far greater amount of these sums; then we could be the strong province that we would like to be and not have all these municipal-provincial problems."

Under this particular head, when the other Premiers meet and have to listen to this quiet growling which we get from the provincial government of this province when they meet in their conferences, they point out that so far as personal income taxes and sales taxes are concerned it is quite possible to put one's finger on those taxes and say that certain sums are designated as proceeding from the Province of Ontario.

But in the area of corporation taxes—corporation simply because it happens to have its head office here in Toronto—the Province of Ontario ought not to get full credit for the taxes paid by that corporation to the Dominion government. That money is earned by sales elsewhere in this country; other parts of the country contribute, and no one can say how much and to what extent.

Therefore to pretend, as the Treasurer does in his budget, that this is wholly proceeding from the coffers of this government is to do a disservice to the people of this country and to have very little regard for the facts of the situation. The same thing is true about natural resources industries in this country. There was a time in the land problems in western Canada when the federal government retained all public lands and it was only latterly, in the 19th century, that they turned them over to Alberta. Look what they have become worth now. Under those circumstances Nova Scotia and the other provinces claimed that the natural resources of Canada belonged to all the people of Canada, not to any particular province in this country.

As we try to speak in this House about the natural resources of Ontario belonging to the people of Ontario and us having a stake in this depleting asset, that stake is not only shrugged at but nosethumbed at by the Minister of Mines and Northern Affairs (Mr. A. F. Lawrence) and others in terms of revenue. This belongs to the whole people and it should be understood that International Nickel and its bonanzas belong to the whole people of this country, not to this single province.

The same thing applies to the oil of Alberta, and to traduce other jurisdictions as Alberta does in succession duties and in sales tax by having none, because of having found Shangri-La in terms of oil, seems to me a basic form of betrayal to the national character and the ultimate national good. To the extent that we participate in that sort of activity with the same kind of mentality—and we do—to that extent we have added nothing to the dimensions and to the possibilities and to the destiny of our people. This is what I sincerely regret and it is precisely this mentality that is breeding the present malaise and the terrible feelings that creep through this population today.

I would like to bring to your attention a document under the signature of Pierre

Elliott Trudeau. It is called "Federal-Provincial Grants and the Spending Power of Parliament." It is a second task force paper, issued in order to try to achieve some rapprochement between the two levels of government. These are the federal proposals as they presently stand as to getting together basically on tax policy:

1. The constitutional power of the Parliament of Canada to contribute toward the public services and programmes of provincial governments should be provided for explicitly in the constitution.

2. The power of Parliament to make unconditional grants to provincial governments for the purpose of supporting their programmes and public services should be unrestricted.

3. The power of Parliament to make general conditional grants in respect of federal-provincial programmes which are acknowledged to be within exclusive provincial jurisdiction should be based upon two requirements:

(a) A broad national consensus in favour of any proposed programme should be demonstrated to exist before Parliament exercises its power; and

(b) The decision of a provincial Legislature to exercise its constitutional right not to participate in any programme, even given a national consensus, should not result in a fiscal penalty being imposed upon the people of that province.

Both of those last propositions have been certainly injured in the breach over considerable periods of time. There is just one fault with the basic formulation there. They go on to say that, in the case of a province refusing to participate in a shared-cost programme, which is exclusively within the jurisdiction of that province, they will give the money directly back to the people of that province, not to that provincial government. This again is a sinister form of blackmail that forever seems to haunt the corridors of power both here and in Ottawa, the seeking to overreach, outreach and undermine each other, so very little accord could be reached.

How would the Province of Ontario regard it if it did not wish to share in a programme, to have the money sent out by cheque from Ottawa to the individual citizens of the province who have made contributions to the programme? I think it would howl to high heaven, just as we find a little nefarious the government's particular scheme of shooting taxes out by cheque under the guise of credits, under various heads, as a return, for instance, on the rebate on local municipal taxes or, on the rebate, say, on sales tax as it seemingly proposes to do. The same thing operates there—the same sort of underbelly politics, that will lead to nothing but misunderstanding and clash and conflict in this country, is carried out there.

The details of that particular document are extremely interesting. Mr. Trudeau goes into the business of how a consensus is reached by what he calls four senatorial regions in Canada. Any two regions can join in on a scheme. He works it out in some detail and makes these proposals. I have no idea what position the provincial government—the Tory government—has taken with respect to these proposals which were made about a year ago. I would be most interested, if anyone knows—these were issued on June 11, 1969—in being informed as to how these were accepted and what the counter-proposals might be that this government has.

The problem as to the relationship between the two levels of government becomes ever more critical. In the old days, when they drew, in the terms of the pendulum which I outlined earlier, back and forth over the decades, I do not think anything ever reached an impasse. But now with the acceleration of life and with the build-up of confrontations that exist, unless these quarrels can be resolved and resolved quickly, I feel very much that various provinces, or some of the provinces, will spin off into their own orbits and leave the circle of needs.

I want to bring to the attention of the House the latest report of the Economic Council of Canada under this head, having to do with the on-going relationship between the two levels, and particularly in the light of planning needed to meet inflation. The article is on the front page of the October 24 *Financial Post*, and it says:

> The council in effect says: One, take a longer-run approach to the problems of inflation. Do not try to slow prices down with short periods of very tight money. Decide on goals for a decade ahead.
>
> Then, agree on how progress can be made towards them, without setting off new inflation. This implies long-term planning among governments, on a scale that will make official minds boggle—

And if the official mind of this Legislature were here at the moment I feel sure he would be boggling.

Mr. I. Deans (Wentworth): If any mind was here.

Mr. Lawlor: I am thinking of the Treasurer, of course.

In the business of long-term economic planning set down by the Economic Council and accepted by the *Financial Post*, seeing that a decade is the shortest period, this means we have to have forecasts and that the forecasts must be made public and not kept in the secret bosom of the Treasurer.

He will tell us one year ahead. But to try to find out three or four years ahead what the predicted plans are, and what the direction of this economy is supposed to be, he either does not know or he will not disclose.

This does a disservice to the opposition. How can we offer alternative policies, and alternative ways of meeting economic conditions—which is our task—unless we have some long-range projections?

The concept of the long-range projection is coming down hard:

> This implies long-term planning among governments, on a scale that will make official minds boggle. It puts the onus on corporations to look much further ahead than now. More sensible planning will also require the Bank of Canada, as the money manager, to operate with much less secrecy than in the past.
>
> The third, give up the idea that the role of government is a balance wheel, adding to demand or taking away from it when pressures become excessive. Instead of trying to offset short-term business fluctuations think in terms of steering the economy steadily in pursuit of a moving target of expanding output. This, to a great extent, relegates Keynesian economics, the basis of Canadian government policy—

And, in a peripheral, haunting half-blind way, the fiscal policy of the Province of Ontario so far as it can be discernedly detected by a real squint. You would have to have more than 30-30 vision to be able to tell precisely what the fiscal policy was. It is beyond Keynes at this stage.

> This, to a great extent relegates Keynesian economic policy, the basis of Canadian government policy, to the dustbin. In its place, the council puts responsibility on business, labour and government to work together toward agreed-upon objectives. That is the finger of the future pointing to the decree of accord and the necessary co-operative relationships that must exist between the two levels of government if we are to survive at all.

That economic dustbin—I trust it will not cause vertigo—will cause a great deal of alarm when you see what they predict as the necessary job opportunities that have formed up to 1975. They are astounding figures.

It is pointed out over the past decade that the federal and provincial governments have fallen—particularly the federal government—1.3 percentage points short of its full fiscal capacity and that meant $300 billion lost to the economy over the decade. These small percentages amount to mountainous figures in terms of sheer waste and that is what waste is—that gap between what we can do with our economic potential and what we achieve in terms of the business community and putting our minds to it. How we fell short! This goes on—

Mr. Lewis: Now the member has two and half cabinet ministers.

Mr. Lawlor: —in an ever deeper way into the 1970s.

Hon. R. S. Welch (Provincial Secretary): Who is the half?

Mr. Lewis: I will never tell.

Mr. Martel: Why do you not just adjourn? What is the purpose of this exercise? There is no one there listening.

Mr. Lewis: The Premier said he wanted to hear the observations of the members of the House. The Treasurer said—

Mr. Speaker: Order, please! The member for Lakeshore has the floor; would he please continue.

Hon. Mr. Welch: How does the member know they are not listening?

Mr. Lewis: Mr. Speaker, on a point of order. The member for Lakeshore is too fine a man to say it, but he is making a thoughtful, earnest, carefully-documented presentation to this House, and there is nothing but disreputable conduct on the other side. The government shows complete contempt for this debate. The Premier can hear it? The Treasurer can hear it? None of the other cabinet ministers are here except a couple; the numbers have dwindled considerably—

Mr. Speaker: Order, please!

Hon. Mr. Welch: That is not a point of order.

Interjections by hon. members.

Mr. Lewis: If they want to know something of tax reform in Ontario, let them listen to the member for Lakeshore.

Mr. Speaker: Order, please!

Interjections by hon. members.

Mr. Speaker: The member for Lakeshore will please continue.

Interjections by hon. members.

Mr. Lawlor: Mr. Speaker, I take no umbrage with the Conservative Party; they are never here anyway. I have long since learned not to care one damn whether they are here. We are being paid to do a job and we will do it and that bunch of lugheads, who are completely obtuse—

Interjections by hon. members.

Mr. Speaker: Order, please!

Interjections by hon. members.

Mr. Speaker: Order, please! Would the member for Lakeshore please—

Mr. Lawlor: It is about time the public knew what the Conservative attendance records are and what their degree of attention to the affairs of the House happens to be. I could not care less if none of them showed up; they can all stay home because they would not understand what it is all about anyway.

Interjections by hon. members.

Mr. MacDonald: That is what you call righteous indignation!

Mr. Lawlor: The Provincial Secretary would not have to be here very long to learn that it does not matter what one says at any time of the day or night. That is why one goes ahead and says it anyway.

Hon. Mr. Welch: I do not believe that at all.

Mr. Lawlor: Does he not? The Provincial Secretary is one of the few; he is here more often than the others.

Mr. Lewis: The member has three and a half cabinet ministers.

Hon. A. Grossman (Minister of Correctional Services): Can hon. members opposite not behave themselves when I am not here?

Mr. Lewis: I was not referring to the hon. minister. He should not be so sensitive about it.

Hon. Mr. Welch: It is nice to have the member for Scarborough West here.

Mr. Lewis: I have been here a great deal of the time, my friend.

Mr. Speaker: Order, please! We would wish that the member for Lakeshore would continue his address.

Interjections by hon. members.

Mr. Lawlor: I have a number of specific proposals I would want to apply for whatever value they may be for future generations, to be interred in the mothballs of *Hansard*, never to see the light of day again, thank God. However, as I said, I intend to earn my pay come what will, and when the day is over I shall retire to perhaps happier fields.

Everyone knows the peculiar problems of Canada over against the United States are geographical to an extent. The nature of the provincial divisions of Canada have made for division in this country. With their 48 or 50 states in the United States, they are so truncated and divided that no one state can emerge at the level that a single province can rise here over obstacles and difficulties to an overall federal unity. And then, besides, we are not the melting pot that they were, with the French fact in this country and the fact that we do retain our racial identities to a substantial degree in contradistinction to the States. Our problems, of course, are very different.

Number two, the flexible sort of approach which allows the federal government to make different arrangements with the different provinces according to the needs of these provinces is a prerequisite to any type of constitutional understanding that we may have in the future or not. I am not saying it may be special status. Whatever it may be, Lord knows, there is enough special status that has been conferred by Ontario upon itself down through the generations.

Number three, the scales of priorities to be assigned to the various provincial government policies require that both levels be in an equal position to respond to public pressure. This means that all governments should have free access to all major taxes and that provision for raising the yields of low fiscal capacity governments should be automatic. This goes further under this particular head than equal access to all types of taxes. This government should make representations—and it seems to strike me that I read somewhere that it objected to it somehow—but this government should be making representations. I am sure the federal government would not be

opposed to being able to tax indirectly, particularly in the commodity tax field, where you could tax manufacturers or wholesalers, not the circum-ambulate way this government presently go about it by trying to appoint them as its collectors but have a direct tax interest in the field, commodity taxes.

Hon. Mr. Welch: How can we be involved in indirect taxes?

Mr. Lawlor: The government would be far better off. It is presently using the wholesale tobacco manufacturers to collect its taxes. Why should it not do that directly, rather than the way it is doing it at the present time? There is no reason. And that would also have a beneficial effect upon the range of taxes that it can impose. Perhaps without making the collection agencies through the retailers, it is far easier to do it in the background and in the way that the federal government presently does and which this government is excluded from doing under the constitution.

Fourth, given still a measure of scarcity and the necessity for rationing goods and services, high fiscal capacity provinces should, in order to sustain the others, be given sufficient access to revenue sources, direct and indirect, to meet their responsibilities. Because if Ontario burgeons, so also will the rest of the provinces in this country.

Number five, that the provision of tax room should be primary and that statutory subsidies and conditional and established transfers be secondary, provided that certain provinces, such as Ontario, accept their full responsibility in terms of contemporary Keynesian and post-Keynesian budgetary and fiscal policy within their own economy, and seek positively a coherence in these matters with the federal government.

The Ontario government, which is really to a great extent a self-sustained economy, has as yet taken that job upon itself only in a peripheral way. It is rather a new thing in the world that provincial government could be seen as actually exercising its own fiscal policy. Of course, if that fiscal policy runs counter to the federal policy, then the whole thing cancels itself out.

Number six, that because of the constant drive of high fiscal economies such as Ontario towards a sort of autonomy or semi-independent status that has a compensating measure; that it recognizes deliberately a primary role for the federal government in stimulating such programmes as will be of a purely national import and redistributing the wealth of the country as a whole.

I say that advisedly, the tendency of Quebec, Ontario, British Columbia and the other provinces with great fiscal capacity, is to set up a semi-autonomous status, to thumb their nose at the federal government and to seek to go substantially on their own while, of course, on occasion crying that they have an inadequacy of revenue. But let me not be too severe. The need at the moment is for standing rapprochement, for extending our hands to the federal government in order that the largest degree of concordance possible can be achieved and that in the very near future. Otherwise, I think the cause is lost, that this country will disintegrate and it is happening about us.

Number seven, that there be a common tax base for all major taxes agreed upon by the two levels of government, with freedom for each to levy its own rates to achieve a coherent national policy on the basis of fully co-ordinated tax-sharing policies. This involves the total tax mix. This can hardly be achieved with the present attitudes and mentality abroad in Ontario vis-à-vis the federal government. But unless all the major taxes or the common base is agreed upon we shall continue to have a situation which de-vitalizes the country in a fiscal way and hamstrings us with respect to the economic growth that is so necessary at this time.

Number eight, the joint responsibility for fiscal policy lies with both levels of government and that the federal government be seen as giving leadership and direction in overall regional priorities and in supplying the basic national floor for all its citizens.

That is why, in the light of this kind of proposal, it is so necessary that we get on with the job of the constitutional committee of this Legislature, so that a deeper understanding may be reached by the members of this House as to what the various complexities, the various areas of agreement and the engendering of goodwill on the part of the cabinet ministers who are responsible for carrying out these tariffs through us may be.

I find that there is a great deal of personalities in all these things. They come to loggerheads on the most petty issues. There are more props, they are always hanging out, and they do not seem to be able to get along together. What happens then to the economy of this country in the light of these silly personal quarrels that go on? Perhaps the committee of the Legislature might have more range and objectivity in that sort of regard.

At the present time, as pointed out in the two white papers we have before us today to

debate, the positions of the two governments seem to be completely irreconcilable. So that at either level we do not move forward into the area of tax reform; although both bleat and bloat and make an awful lot of noise about it, nothing is being done.

Our hands are tied, partially, because the provincial government, of deliberation or malice aforethought, has directly run across the path of the federal government. I think that somewhere along the line both parties are going to have to reach that fundamental compromise. Benson, if he can see the benefits of certain kinds of credits might be very well induced to adopt them. But the Treasurer – Charles Steele MacNaughton – of this province, who is an unbending man, must probably accede to the fury of integration, because it is on that very basis between integration on one hand and the Treasurer's status quo mentality on the other, that the real rub comes in the present relationships, and one or the other is going.

It would be a poor thing to have to have Benson shove integration down the government's throat, because I think he is too deeply committed to the theory now, through Carter and elsewhere—whatever one may think about integration, he is too deeply committed so that without losing his post he cannot withdraw. I would think that the Treasurer would begin to think of the direction of adapting his tax policies—in as suave and graceful a manner as he can conjure up, which is not much —to that basic proposition, that this is a very likely thing to come into being.

Otherwise, they will probably pass the baby, with the bath and the whole thing, out the window and the tax future of this country and any alleviation in terms of equity will have been thwarted, aborted by these slinging actions of two temperamental men.

Mr. Lewis: Hear, hear! Two intemperate men!

Mr. Lawlor: That is as much as I wish to say for the moment about federal-provincial relationships as they have developed in our history and as they presently exist. I would like to turn for a few minutes to an analysis of the Ontario white paper on taxation.

I have already, for what it is worth, spoken at some length on Benson in this House in the Throne Speech debate of March 10, and again on March 11, in which a rather roving, rambling and terribly incisive critique was made of the Benson paper. Some of the points, I see, the government was sagacious enough to adopt without giving any accolades in the process.

Mr. MacDonald: Not even credit, let alone accolades!

Mr. Lewis: Not even a tax credit.

Mr. Lawlor: The Treasurer and myself, Mr. Speaker, a week or so ago, had an opportunity to exchange swords over some of these items in his tax paper in the Treasurer's estimates and these I will not repeat.

You know, Benson is defective in many ways, which has been outlined—and I say at some length and almost categorically—but in many ways, the Treasurer's policies are infinitely more defective. Benson, at least, leaves some approach to the Carter equity principle. The Treasurer's position is to give lip-service to that principle while basically maintaining the status quo on all points.

I think what the Treasurer does in the capital gains taxation field, you know, he does not even accede the truth to his own proposition, in this way. He says he wants an American system. The American system at the present time, at least in many categories of capital gains taxation, is 35 per cent, not 25. In other words the—

Hon. Mr. MacNaughton: I did not say that.

Mr. Lawlor: —the Americans as they presently stand, are somewhere halfway between the Treasurer and what Benson proposes—a 50 per cent capital gains taxation for an increase in the value of widely held shares in Canadian corporations, and 100 per cent of course, in the other. And when he goes for 100 per cent capital gains taxation, that is pretty equitable. Where, and why, what kind of perspective, what kind of a mind is it that prates about equity and at the same time disposes privilege?

Mr. Lewis: Hear, hear!

Mr. Lawlor: Carves out the preserves for privilege? The Treasurer talks about the people who are making up to $5,000—that he will give them his low-income allowance and cut it off at that particular point. But he is careful to preserve—he is adamantine, in seeing that there will be no shift, or no fundamental shift, in the reservoirs of money or power.

This is not tax reform. This is not reaching down to where the loot is and redistributing wealth and raising the status of numerous fellow citizens. This is condoning a system under the pretext of making some amends.

The first thing I want to say about the Treasurer's tax proposals is that he was very cute, if not clever, in excluding from the

searching eye of the public anything to do with the tax schedule.

The government may take all kinds of umbrage with Benson who, at least, had the honesty and decency to set out his tax schedule and his rates and to show them in black and white. It stands around beating its breast over middle-income people having to pay exorbitant and out-of-the-way taxes. But it does not have the courage and it does not have the guts to do the same thing, because if it is going to give relief further down on the tax scale, and even if it broadens its top rate a little bit—and it is little enough, Lord knows—the taxes are going to have to be paid by somebody and it is certainly going to be people from $5,000 on to $25,000, because that is where the bulk of the population lies.

I think, of deliberation, the government has gone to the extent of presenting these tax proposals, while in a tricky way hiding the very facts which are most needed and most wanted. Everybody cannot benefit from these tax proposals and that is what the government is pretending, that the rich are going to benefit, the middle-income people and the poor—the whole works are all going to be better off. It is not going to cost anybody anything.

Mr. MacDonald: They are all going to get it from the Treasurer.

Mr. Lawlor: That is precisely what these tax proposals would seem to indicate. The government knows it goes to some extent in its rate schedules to castigate and to call into question the federal government as to the scant information they give and the fact that the federal rate is set unnecessarily high. Go down a couple of pages, at page 19 and Ontario is pointing out how faulty and lax Ottawa is in this regard. Let me tell the government that if there are faults in the Benson proposals they are as white heat to its dull dross. Talk about imagination. One has to have the imagination of a Dante to be able to fill in the loose spots and loopholes and the government failures to detail what it means and all the ambiguities that it has written into this tax paper. Benson has been criticized because he has not given enough detail to the tax accountants and others. The Treasurer's paper is no better. As a matter of fact, ask any accountant and you will find it is a darn sight worse. Here the Treasurer is posturing over his wretched white paper. It is a kind of bedraggled garment and he should not take on any airs against Benson as far as this document is concerned. He has no grounds to.

He talks about his refundable tax credits for those who do not earn enough to pay income tax, and this is for property tax, which is another point. Of course, when one gets down to reading it, one finds that the amount for the taxpayer is going to be, on the average, $100. That is the extent of the largesse; this is the beginning, supposedly, of the pretence of a guaranteed annual wage. I do not think we are going to last too long under contemporary conditions with $100 a year that is being proposed. There are all kinds of faults in that particular scheme apart from those mentioned—the Social Credit handout concept. Many people claim that it is administratively impossible, particularly if you are trying to make a determination on the basis of sales tax.

It was pointed out by the Leader of the Opposition this afternoon that the federal proposals with respect to working mothers and single parents were far more generous and far more sweeping and beneficial to such people than this government's counter-proposals. I will not go into it any deeper as I thought he handled it quite adequately on that occasion.

On the business of expenses—business expenses and other types of expense and non-cash benefits—the Treasurer makes some kind of song and dance in his proposals but I think, reading them over, he does absolutely nothing to assist Benson on a most troublesome issue of trying to tie expense account living down, and to segregate those which are legitimate and those which are not. He does absolutely nothing in this regard to aid in a definition of the situation. He goes on with his vacuous phrases and empty talk and these are his proposals, having given long and hard consideration to the Benson proposals. Surely the Treasurer could have come up with something much better than that?

Then the business of new dimensions: The Treasurer sounds as if he were taking off in a rocket machine of some kind. What do we get? We get some kind, flatulent utterances that land us in the middle of the Sahara. There are no benefits particularly given here. As was pointed out again, this second job business, giving tax credits for second jobs—I think under that particular head I will read to the members what Scace had to say. This article has been referred to during the afternoon on a number of occasions. It is an article by A. R. A. Scace, of McCarthy and McCarthy, barristers and solicitors in Toronto, in the July/August,

1970, *Canadian Tax Journal*. It is quite a good article.

Mr. MacDonald: A good Tory firm.

Mr. Lawlor: Yes, a good Tory firm assessing objectively, I think on the whole, the Ontario proposals and coming down pretty hard on most of them, saying they are pretty threadbare as far as Mr. Scace can see. One could not help but agree. He says:

> First, rather than rewarding the efficient and the industrious, it may favour the inefficient and the incapable. If one worker is able to finish a job during the normal shift why should his less skilful or less hardworking partner pay a lower rate of tax on his overtime income?
>
> Second, why should it not apply to self-employed and salaried persons who work more than 40 hours per week?
>
> Third, could a man earning $20,000 a year arrange to be paid part of that amount for a basic work week and the remainder on account of his overtime?
>
> Fourth, could a lawyer or an accountant take a second job as, says, a plumber, and designate the latter as his primary job?

Of course, one might make more as a plumber. That is the extent of the virtue in that particular proposal. The Leader of the Opposition said he was well taken with this next following proposal, about savings up to $300 being given a $75 tax deduction.

Of course, I suppose it does not need to be pointed out that most of the people in the low income bracket who could well utilize this thing are hardly in a position to save the $300 in order to get the credit. A very large number of individuals in this province, hundreds of thousands, will not be able to avail themselves of that particular credit. Then, as has been pointed out, why does the Treasurer restrict it to a particular kind of savings and lock it in to the particular kinds of plans, retirement plans, that he ties it to? It should be more widely dispersed over many other different kinds of plans. It is too restrictive, even if it would work.

I am not going to take too much issue with his anti-integration proposals, except to ask him why? What are the reasons behind his objections? He has a series of objections to it amounting to eight major objections. He says in the first objection that in the event of integration the new system would be inherently unstable. Two types of companies have been brought up, but there is no explanation. He makes these blatant and vague statements right out of the blue. He does not back them up with any kind of argument whatsoever to make a rational appeal and this happens throughout his document. We are supposed to accept on faith that his economic penetration is such that when he says it is going to make for unstable conditions, we must bow our heads. I am afraid we just do not feel that way. As far as I can see, I do not know why it would make for any unstable conditions and neither, I think, does the Treasurer.

The same kind of thing applies to the fifth—that a different integration and capital gains provision will undermine the efficiency of capital markets. I have read dozens of articles that say just the opposite. Where did he get that stuff? It is most irritating to have an arrogant government come out, and through its nose say that this is the case, without one iota of evidence, one iota of sound economic argument or anything else. This is the nature of the beast.

Oh, the government does it over and over again. It says that it will have depressing effects on Canadian-based internal corporations. Here is what Scace says about that:

> The unanswered questions concerning integration are even more serious. Although integration will undoubtedly have a depressing effect on the shares of Canadian-based international companies, it is difficult to see why Canadian shareholders should receive credit for corporation taxes paid to foreign governments.

That is the answer to that particular objection that the government raised. I think it is pretty well the end of the matter. Then the government talks about the various kinds of companies and how integration would hurt growth companies.

Scace says:

> With respect to growth companies or those that are technologically oriented, it is difficult to see why or how they would be adversely affected by integration. If they incur losses during their formative stage there will be no dividends anyway. If they prove successful, corporation tax will be paid and integration would provide a greater incentive than the present 20 per cent dividend tax credit. In fact, since integration favours investment in Canadian equities generally, shareholders of these companies might well be better off.

This runs directly counter to anything that the government of Ontario says in its tax paper on this particular problem.

Then, as is its wont, in terms of sheer atavism, having habitually carved a path for itself or a rut that it cannot get out of, the government comes back down hard on that old scheme which has been around for a long time, the dividend tax credit.

However, it is a little ashamed of it. The government does not think, I suspect, that it ever has helped to save a Canadian company from being gobbled up my some foreign concern. The 20 per cent dividend tax credit is a straight payout again to a highly select and terribly privileged few in the economy on the pretext that it will keep the economy Canadian. I say that no one would pretend that it has any such effect.

But the government, having as I say, become a little ashamed of it, now suggests a 30 per cent tax credit on dividend income up to $100, a 25 per cent credit on dividends between $100 and $500 and a 20 per cent credit—it is back down now to the 20 per cent—on dividends over $500. This is the kind of picayune and quibbling document that we have to contend with all the way through, which the government apparently, is so incredibly proud of.

Mr. Lewis: The Treasurer should resign. He should stop talking and resign.

Mr. Lawlor: In the area of capital gains taxation, the government has got an infinity of reasons lined up against the federal tax proposals, which are infinitely fairer by and large than its own.

Then the government comes down with its panacea of 25 per cent across the board and we get into all that malarkey about the gift tax; that the capital gains tax and the succession duties both ought not to be paid on death, that this is double taxation.

In the course of its document the government never does explain how on earth it proposes to garner in this tax on emigration. It says emigration but it cannot mean it. There are too many widely based Canadian companies located with branch offices elsewhere in the world for the government to be able to move in on emigration. If it has some solution to the emigration problem of people getting out and going to tax havens, and so on, then please disclose it to the opposition as we are avid for knowledge. We would most like to know.

Throughout the Treasurer's proposals and everything he has done, in his budget statements and in all his speeches and so on, he has done a great disservice to one thing in Benson which I think should be straightened out once and for all. He seems to say that Benson will tax on death in a double way, and I think I will put on the record what Benson actually does say.

Benson permits a postponement, or an overlay, of capital gains taxation on death, and meets the very contingency. It is a paragraph that seems to get very little quoted, particularly by those with axes to grind. At page 42 of the statement Benson says:

> If the same rules applied when property was transferred on the death of the owner, it is possible that two taxes could apply at the same time—an income tax on the capital gains accrued on assets owned by the deceased, and an estate tax on the property which he leaves.
>
> Further, these taxes could apply at a most inconvenient time. To avoid this situation, the government proposes that capital gains not be accrued at the time of death, but that the person who inherits the assets be treated as if he had purchased them at their cost to the deceased. This cost would be increased by part of the death taxes paid on the assets in question, the part that relates to the capital gains. In this way there would not be a capital gains tax unless or until the executor or beneficiary disposes of the asset.

Please do not in the future indicate that Benson will bring the full weight of taxation upon the head of anyone at death, and use that as an excuse for winnowing out succession duties.

As I said earlier, the Treasurer's 25 per cent rate is not an honest rate if he talks about the American situation. It is 10 per cent higher than his in most cases; the 35 per cent American rate would be a far more acceptable proposal than his present ingrained and self-serving form of capital gains taxation.

There are many other matters. There is the business of personal effects. In the Treasurer's capital gains setup, he is going to get all the problems that lawyers and accountants have always had as to the distinction between capital and income. If capital gains are taxed at 25 per cent, people are going to be trying to turn what is otherwise income back into capital gain. That has been a game that has been played for decades now in this country precisely in order to avoid taxation.

As far as small business is concerned, the Ontario position is most ambivalent. In one breath it seems to be saying that the differ-

ential rate at $35,000 ought to be kept in effect; then, again, it blows hot and cold. In its cold breath it says no, that it does create all kinds of loopholes and discrepancies—and, by the way, those discrepancies that the Treasurer pretends in his tax paper are solved by 138(a) of The Income Tax Act with the discretionary power of the minister; it is simply not true. There are all kinds of devices to get around that which every tax lawyer knows about.

The whole problem of surplus stripping and the whole problem of getting money out of the lower income rate is not in any way avoided by section 138(a).

My interpretation is, on the whole, that if there were deferrals of taxation, of if there were accelerated depreciation for loan schedules proposed by Benson, the Treasurer would be pleased to see the differential tax rate disappear. I think that is a fair interpretation, at least of what he says in certain portions of his paper.

I have only two other items I want to cover here at the moment: the one would have to do with the resource industries and the Treasurer's present handling of them; and the peculiar last paragraph, or last chapter, of his proposals having to do with housing.

As far as the resource industries taxation is concerned, as I have said on previous occasions in this House, the Benson proposals are far more beneficial than the Treasurer's. Everybody pleads off this subject because they say it is a highly technical one. Nevertheless, I think that to the best of our ability we must come on with it and face it forthwith.

The Treasurer wants to place an overriding limitation on the three-year exemption for new mines which will restrict the amount of benefits in the case of highly profitable mines without reducing the incentives to explore and develop low-grade mines and mines in remote areas. That is fine. Benson, of course, wants to get rid of the three-year tax exemption altogether and any benefits there he would replace with a capital cost depreciation, which they could depreciate at whatever speed they so desired.

I think that we should move into the area of taking off that three-year exemption. It is an overriding and undermining provision so far as the basic money coming in from mines is concerned. And there are all kinds of tricks used in order to keep that three-year exemption going year after year by turning it over to subsidiary companies and newly formed operations.

Instead of one dollar out of every three going off by way of depletion allowances to the mining interests, the Treasurer has now restricted it. He has seen the errors of his ways in the past and he makes it a 15 per cent unconditional depletion allowance that is going to 10 per cent when they process the minerals in Canada.

But again, I put it to the Treasurer that Benson had more on the ball than him under this head because he had a theory of earned depletion allowance. They would get no depletion allowances whatsoever unless they reinvested the money in new exploration and in new mines to keep the operation going into the indefinite future. And it was not simply a handout or a giveaway programme which is so notorious in the United States with respect to the oil interests and their depletion allowances, or here in Ontario with our mining interest. The depletion allowances being given to them are unconscionable as things presently stand.

Again there is a kind of mincing, careful, cautious, fearful stance with respect to the resource industries. A scarcely detectable or imperceptible movement is taking place in the Tory party, but it will do very little to bring into the Treasury of this province any sums commensurate with the amounts that are being drained off largely to foreign corporations and out of this country from our natural resources, which are irreplaceable assets.

As far as housing is concerned, the Treasurer makes some statements that he will not do as the Americans do—they permit the taxes, the municipal taxes, or mortgage interest payments to be deducted from one's income tax returns. That is out. The reason he uses it is that there will be too great a loss of revenue and he cannot afford it. And that very well may be. But what does he propose to do? He proposes to make a study. It is almost unbelievable that at this particular stage he says, "We suggest therefore that a special study be undertaken to investigate and recommend ways in which The Income Tax Act could be modified, and to recognize—"

Mr. Sopha: It is the most studious government in the history of mankind.

Mr. Lawlor: "—the burden of housing costs."

A study on housing at this stage of the game—

Mr. Sopha: Shocking

Mr. Lawlor: Can one imagine anything more ludicrous for this government to start,

when action would be the only thing that conceivcably would fill any gaps?

Well, one can see that the Ontario vaunted white paper on tax reform is a tissue of mincing, second-rate ideas, strung together in a most ambiguous way to be of self-serving interest, to pretend that we want one thing and then do another, to pretend that we are really interested in alleviating the lot of hundreds of thousands of our fellow citizens, while preserving the heights and the benefits and the prerogatives of a few, or a handful more.

The Treasurer does not give away a thing; his proposals with respect to the allowances are on a par with the exemption concepts in Benson. He gives no ground on that particular score. He prates about tax credits and ends up giving them $100 a year. This is the way we are going to redeem the people who cannot even pay taxes in this province.

And capital gains taxation is probably the most iniquitous feature in this whole document. I trust that Benson will not accede to the Treasurer on that, and if necesary will bullywhack him into place. It is the only thing he seems sometimes to understand. If he cannot see sense and come up on those figures somewhat, at least get the scheme going. One is always willing to see the thing launched, but that low level of taxation which has become a permanent feature of our life does not do justice to the Treasurer's pretences of equity in this field.

In the last analysis, the business of preserving capital savings and capital accumulations for investment purposes is to a great extent a mythology. It is something that he prates upon, which rewards a very select few in the population. You know, after a man accumulates his first $20,000 free—which the overwhelming bulk of the population never manages to do because they have to spend every dime they have raising their families and keeping alive—but once he hits a free zone, it does not take too much intelligence, it does not take too much shrewdness to begin to escalate and to become fairly well off, to become wealthy.

But it is the basic breakthrough that nine-tenths of our fellow citizens never see. This other one-tenth are the people he is protecting, the cream of the land, the salt of the earth and, because of capital accumulation, must be preserved in some kind of sacred oil or unction. And this whole tax scheme is arrogated on this kind of a protection.

Benson at least has the decency not to be hypocritical about it. He says we cannot protect them in terms of capital gains taxation, and if we do in the terms of the widely distributed companies, the reason for that is to win back our heritage to ourselves. And I would trust he would mean it only to be for a limited period of time until that has been achieved. I say to that extent he is defective too. How can the Treasurer possibly justify this differential treatment given to a privileged few, written into the heart of his equitable tax proposals—

Mr. Lewis: Social justice they call it.

Mr. Lawlor: —the whole tissue of the thing, particularly on the basis of the tax made upon you this afternoon, and to the white paper, touching the credits and the way he obviously proposes to handle them, and in area after area of picayune, quibbling stuff that he tried to flesh out his pages with?

It is a document *a certa* and condonative of the status quo; it really does not change very much, does it, this tax system which the Treasurer is going to reform and modify and make more equitable? The movements of the snail are very difficult to see at midnight, but that is what he has brought upon this House.

Mr. Speaker: The hon. member for Sudbury.

Mr. Sopha: Mr. Speaker, it is singularly fitting that one idealist should follow another in this debate and attempt to give the House the benefit of some of our lucubrations about this very complex and anxious problem that confronts the people of this country. I must acknowledge that my friend from Lakeshore of course is my superior in erudition about these matters and has indicated considerable and skilful analysis of the meaning of the fatuous document that is placed before us as demonstrating Ontario's position on tax reform in Canada.

The debate really started on Wednesday, October 20, when the Treasurer marched in here like Daniel into the lions' den, white-lipped and trembling, feeling irritation over notice of a question by my colleague from Kitchener (Mr. Breithaupt). As the leader of the New Democratic Party said, it came with virtually no notice at all. Heaven help us if he had never known, as he indicated, that he was going to be asked a question for any lengthy period of time. His remarks at that time, I say without hesitation, were vacuous to the point of being irresponsible. At the end of the hilarity—and it was a hilarious performance, I never saw the House more agitated by the remarks of a minister

of the Crown—at the end of the remarks I could, of course, no longer control myself and I was wont, on that occasion, to bang my shoe on the desk, copying a man of another age perhaps. The Sudbury *Star*, in the edition of the following day, very properly criticized me for that excess of zeal and asked the member for Sudbury to exercise more suitable restraint in the future.

I am duly contrite about my performance. I may be forgiven, perhaps, by saying that the Treasurer really provoked me into it. The only thing that incident proved, really, I suppose, Mr. Speaker, was that the member for Sudbury now has shoes. The people of Cobalt, many of them, will testify that such was not always the case.

However, the view I am going to take and extend tomorrow in my remarks is simply based on this proposition: that it is entirely meaningless to consider proposals for tax reform in this country unless first and pre-eminently some resolution and some compromise is arrived at between the two levels of government about the distribution of legislative power in this country.

Really, the tinkering with the tax system, its analysis, all the input of a technocratic nature that the Minister of Revenue gives it, the improvement of its collection procedures and so on and in the graphs and curves and statistics of the Treasurer of the province, as in the schedule appended to his proposals, are entirely without meaning unless at an early time the three levels of government determine what is going to be their proper legislative role in the governance of our people.

We must take into account the pre-eminent fact that since the document of 1867 was agreed upon and enacted into solemn statute as the foundation and the touchstone of the constitution of this country, we have become almost totally an urban society. That is the significant fact of 1970. We are entirely different—an entirely different people—in our modes of living, our habits and patterns of life than we were when the farmers sat down in 1864, twice in that year, and engaged in the debates of 1865 which led to the resolution of an enactment of that document.

Really, if one keeps a historical perspective about it—I say to my friend from Victoria-Haliburton (Mr. R. G. Hodgson), and I would be the last to complain about the lack of an audience, my conscience would bother me if I did—one must feel that in dealing with the solemn and serious matter that this House is asked to deal with, what a contrast it must be with the deliberations of 1865. To read those debates one got the impression that the House was full, the benches were full, the participants were agitated, that the meaning permeated the very being of all those who participated, that they had a view of the future perspective of this country and indeed, many of them said so.

Well, here in 1970, 105 years later, when we are dealing with the warp and woof, the financial fabric of the country, we cannot even get the press interested. They have long since departed, and really we are our own worst enemies in that when we reformed the rules and brought the oral question period to the fore, now the daily digest of news, the raw material, has been accumulated by our friends in the fourth estate by 3 of the clock, and after that it is only a matter of reducing it to the printed page and sending it to the news editors downtown.

Everything else is irrelevant and this Legislature, in the methodology it employs in dealing with these and handling the fundamental questions that are the substance of this debate, this House stands in danger of becoming irrelevant, irrelevant to what is going on on the streets, and corners and general stores in all parts of this province, and maybe the people will rise up some day and demonstrate to us in real terms just how irrelevant we have become in handling the public interest.

Well, as I see the clock, I treat those remarks as being parenthetical and tomorrow I am going to give my views. They will at least be reduced to the printed page and somebody may read them some time, some future historian may make some reference to them. But I want to take the opportunity tomorrow to say that to make sense out of this experiment in Confederation, if we are to give it any worth in the stream of history, then we have to determine at an early stage just what the rational distribution of legislative power in this country is going to be.

I think the place I will begin is to make reference to those circuses that have taken place on and off the television, which have been misnamed federal-provincial constitutional conferences. And I think I will begin by making reference to the departure of some of the *dramatis personae* in at least four provinces. When they resume, whether in front of the cathrode ray tube or not, we are going to have three or four new faces, and one cannot be accused of being overly sanguine if one says that at an early one next

year, if they sit down again in solemn conclave, those men opposite are not going to be representatives of this province. It is small wonder—and my concluding sentence is: Small wonder, as the rats desert the sinking ship—

Mr. Villeneuve: The member has been saying that for years.

Mr. Sopha: —Robarts is quitting, Wishart is going to the bench, and there are all signs of—

Mr. G. Demers (Nickel Belt): Where is the member for Sudbury going?

Mr. Sopha: —frenzied behaviour over there.

Well, I shall begin on the theme and remind the House—my first words shall be about those conclaves, those taffy-pulls that they have had in Ottawa—that they have not yet agreed on a single thing. There is not a single matter of substance that they have yet agreed upon, and I cannot see how the Treasurer of the province—he must be taking opium—could have believed that Mr. Benson could agree to any of this claptrap in this document when they have not agreed on a single thing in the federal-provincial conference, except that they will meet again.

Mr. Sopha moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Grossman: Mr. Speaker, tomorrow we will continue with this debate—

Mr. Sopha: That is what I said.

Hon. Mr. Grossman: —and budget if time will allow us.

Mr. Sopha: How did the minister know I was going to be here tomorrow?

Hon. Mr. Grossman: The hon. member merely adjourned the debate.

Mr. Lewis: No he did not, he moved the adjournment of the debate.

Hon. Mr. Grossman: We give the orders as to how the House runs.

On Monday, Mr. Speaker, we will proceed with the estimates, supplementary estimates, estimates of the Prime Minister, the Lieutenant Governor, the Provincial Auditor and Treasury Board, and hopefully in the evening concurrence in supply of The Department of Social and Family Services.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock p.m.

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No. 142

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Clerk: Roderick Lewis, Q.C.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, OCTOBER 30, 1970

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: We have guests with us today in the East Gallery, students from the George Bailey Sr. Public School of Maple.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I have here a message from the hon. Lieutenant Governor signed by his own hand.

Mr. Speaker: The message reads:

> W. R. Macdonald, the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending the 31st of March, 1971, and recommends them to the legislative assembly. Toronto, the 30th of October, 1970.

Statements by the ministry.

An hon. member: For more advertising!

Hon. A. Grossman (Minister of Correctional Services): Mr. Speaker, yesterday I—

Hon. Mr. Robarts: Drop dead!

Hon. Mr. Grossman: I am afraid it will show in *Hansard* that the Prime Minister said I should drop dead. Let it be known that he was referring to a member of the opposition.

Mr. Speaker, I promised the members that I would make a statement to this House in order to clarify the matter of definite and indefinite sentences—hopefully to clarify the matter.

Mr. Speaker, the matter of indefinite sentences and the combination of definite and indefinite sentences has been of considerable concern to this department for many years. Ontario is the only province in which, by federal statute, indefinite sentences are utilized, except for British Columbia where they are used on a limited basis in the sentencing of young offenders under the age of 22. I quote from chapter 217 of the federal Prisons and Reformatories Act, part 2, which refers specifically to Ontario:

> Every court before which any female is convicted of an offence against the laws of Canada, punishable by imprisonment in the common jail for a term of two months or for any longer term may sentence such female to imprisonment for an indefinite period not exceeding two years in a reformatory for females; hereafter in this section and in sections 58 to 63, referred to as the reformatory instead of the common jail of a county or judicial district where the offence was committed or was tried.

I further quote from The Department of Correctional Services Act, section 9, subsection 2:—

> Subject to section 2, the court before which any female person is convicted under any Act of the Legislature of an offence punishable by imprisonment, may sentence such female person for an indefinite period, not exceeding two years, in the reformatory designated in the regulations as one to be used for the treatment, training and confinement of female offenders only.

Mr. Speaker, it is obvious that the intention behind this legislation is that all females sentenced to a reformatory in the province of Ontario are to be treated as serving indefinite sentences. However, every now and then, there has been confusion created by the imposition of sentences for females. It is inconsistent with the statutes to sentence any woman to a reformatory for a definite term or a combination of a definite and indefinite term. If a judge on a warrant specifies the woman is to go to a reformatory, then, technically, that warrant should not specify a definite term or a combination term of definite and indefinite.

It should be noted that the Ontario Board of Parole, through delegation from the federal Minister of Justice, has authority to deal with parole in those cases where there are indefinite sentences, whereas those cases involving definite sentences must be dealt with by the national Board of Parole.

If this, Mr. Speaker, sounds very confusing, it is because it is indeed very confusing.

Over the years and after consultation with my colleague, the hon. Attorney General (Mr. Wishart), I have made repeated representations to the federal government regarding

such sentences, both through personal discussions with the appropriate ministers and correspondence. During 1967 and 1968, I wrote a number of letters in which I requested that all indefinite sentences should be eliminated and that the matter of parole for all prisoners serving sentences in provincial institutions should fall under the jurisdiction of the Ontario Board of Parole.

In other words, we have pressed the federal government to give us complete jurisdiction in the matter of all prisoners serving sentences in Ontario correctional institutions.

Ontario's positon is strongly supported by the report of the Canadian committee on corrections, commonly known as the Ouimet commission, presented to the federal government in March, 1969, which stated:

> Parole should be seen as an integral part of the correctional process. Treatment demands continuity and flexibility, including flexibility in determining whether a particular individual should spend all or part of his sentence in the community or in an institution. Treatment also demands a coordination of knowledge about the individual offender. It is inefficient for an inmate to be the responsibility of one government until the question of parole arises and for him then to pass under the control of another level of government.

This federally appointed committee went on to recommend "that the system of indeterminate sentences now in effect in Ontario and British Columbia be abolished". And:

> —that the federal government retain responsibility for a parole as it affects all inmates of federal penitentiaries and that the provinces assume responsibility for parole as it affects all inmates of provincial institutions.

You will note, sir, that this report uses the word "indeterminate". I would point out that, as they apply to sentences, "indefinite" and "indeterminate" are interchangeable; "definite" and "determinate" are also interchangeable which, of course, adds further to the confusion.

My colleague, the hon. the Attorney General, and I have also met with the present Solicitor General, the hon. George McIlraith, to discuss problems relating to these sentences and other matters of mutual concern.

Since that time I have carried on continuing dialogue with federal authorities relating to the subject of indefinite sentences. While we feel we have made considerable progress in our dealings with the hon. Mr. McIlraith—and I should say, sir, we are particularly pleased with the co-operation currently being extended by him—we still await action on this particular matter.

I would further point out that hon. members are well aware of my representations, or should be well aware, of my representations to the federal government regarding indefinite sentences and parole jurisdiction. Only last year this subject was discussed in this Legislature.

During the estimates of my department the hon. member for Sudbury (Mr. Sopha) commented on the subject of indefinite sentences and parole, stating—and I quote from *Hansard*, March 18, 1969, page 2401: "So, here is a terribly mixed up criss-cross of jurisdictions."

In commenting on the observations of the hon. member for Sudbury, I replied—quoting from page 2403, *Hansard*:

> I agree with the hon. member there was a tremendous amount of confusion in respect of definite and indefinite sentences and the National Parole Board and the Ontario Parole Board and so on. We have done our best to eliminate this duplication.
>
> We have, in the first place, asked the federal government at least at this stage to give us complete control of those inmates who are within our own institutions so that we can eliminate the indefinite sentence. We would have one sentence so it does not confuse inmates, the public, legislators and sometimes the lawyers as well. And we have asked for this.
>
> This is one of those things the federal Solicitor-General said he would take into consideration.

I would further point out to hon. members that the deputy of my department meets regularly with the judges of this province at the regional sentencing seminars to discuss various problems of mutual concern.

Mr. S. Lewis (Scarborough West): Not regularly enough.

Hon. Mr. Grossman: Parenthetically, I might say, Mr. Speaker, it just so happens that at this moment, he is up in the north country on a seminar.

Interjections by hon. members.

Hon. Mr. Grossman: Mr. Speaker, it is a seminar held on a regular basis; this was planned months ago.

Interjection by an hon. member.

Hon. Mr. Grossman: The hon. member can find that out for himself.

One of the points that he has stressed repeatedly at these meetings is that women sentenced to reformatories in Ontario should not be given definite sentences. However, occasional lapses have occurred in which

judges have imposed definite sentences or a combination of definite and indefinite sentences when sentencing women to reformatory, which is what happened in the case of the two women from Kenora.

The department has on two occasions, 1954 and 1960, formally brought this situation to the attention of the Attorney General's department and in each instance received the same opinion that where, through an oversight, a judge sentenced a female to a definite term in reformatory, any such reformatory sentence should be considered as indefinite.

The opinion provided is summed up in this memorandum from the Deputy Attorney General, dated November 16, 1960 which states that:

> As advised previously, I think that the way to deal with this matter would be to treat determinate sentences, determinate indeterminate sentences, as indeterminate sentences which would thus enable the Ontario Parole Board to deal with these sentences at any time during the term . . . this ruling does not result in any hardship on the prisoner, but is in her favour.

The memorandum was signed by W. B. Common, QC, then Deputy Attorney General.

In other words, if a judge inadvertently sentences a woman to, say, nine months definite and six months indefinite, in accordance with the ruling of The Department of the Attorney General, we treat this sentence as an indefinite sentence not to exceed 15 months. This means she can be released at any time by the Ontario Board of Parole, which is obviously in her favour.

We have dealt with all sentences in this manner on the basis of this ruling, which has assured that each case has been dealt with consistently.

In the cases of the two women from Kenora, when they were admitted to the Vanier Centre for Women, the assessment committee recommended the following for each woman, and I quote:

> To enrol in basic English course and be involved in practical aspects of the programme such as individual hand work, arts and crafts, home economics—cooking and home sewing—and that they be recommended for early parole consideration.

Our staff at the Vanier Centre has continued to follow the recommendation of the assessment committee and has brought these cases and the recommendation for early parole to the attention of the chairman of the Ontario Board of Parole.

I should like to emphasize that the main concern of the staff at all correctional institutions is to follow a course of action that is most appropriate for each individual person in their care. This not only involves treatment and training within institutions but also, where appropriate, gradual release into the community under the temporary absence programme or full release, under supervision, on parole. In fact, we have had occasion under these programmes, particularly under the temporary absence programme, to permit sentenced persons to go out into the community to school or work only a few days after sentence was imposed.

As I stated in this House yesterday, sir, I have complete confidence in the staff working directly with these women and the members of the Ontario Board of Parole. These are intelligent and humane individuals who, I can assure hon members, will act in the best interests of these women, their families, and the community.

Mr. Lewis: When will it happen? When will their humanity be displayed?

Mr. E. W. Sopha (Sudbury): They are the ones who released Viola, are they not?

Mr. Lewis: They did not have much difficulty there either.

Mr. Speaker: Order!

The hon. Attorney General.

Hon. A. A. Wishart (Minister of Justice): Mr. Speaker, I undertook a few days ago when this matter first arose to review the facts of the matter and then to make a statement to the House. That is the matter of the conviction of Agnes Land and Doris Henry.

I have now completed a full review of the material related to the conviction of these two women of wilfully damaging property of a value in excess of $50 contrary to section 372, subsection 4 of the Criminal Code. In making this review, I have obtained and read the transcripts of the court proceedings, the presentence reports which were before the judge, the reports of the police, the report of the Crown attorney and other materials that were submitted with these various reports.

Each of the accused was represented at their trial on August 4, 1970, by duty counsel, Mr. James Hook, who knew the women personally because his parents operate a camp only 20 miles from their residences. I think this is important, to show that he was native to and aware of the situation. Mr. Hook is a graduate of the Manitoba law school, and is

now completing his admission course for the Ontario bar. Mrs. Henry, who indicated she did not understand English, was provided with an interpreter. The judge accepted pleas of guilty to the charges after Mr. Hook had indicated that he had spoken to the women. The judge then adjourned the court until August 10 in order that he might obtain the pre-sentence reports.

The judge received the pre-sentence reports from the probation officer which were produced to the accused and their duty counsel on August 10, when both women, the one with the translation of the interpreter, indicated they had no objections to the facts stated. The duty counsel on this occasion was Mr. Compton, a lawyer of five years' experience at the bar. The judge heard the submission for leniency made on behalf of the accused by duty counsel.

He then gave brief reasons and sentenced Agnes Land to nine months' definite, six months' indefinite, in an Ontario reformatory. Doris Henry, who had been sentenced to 15 days for damaging the same building the previous May, was sentenced to 12 months' definite, six months' indefinite in an Ontario reformatory for damaging the building and a concurrent sentence of 12 months for damaging the telephone booth and equipment.

While I will not disclose the personal contents of the pre-sentence reports, I think it only fair to the court to state that both reports reviewed the problems of the community and the individuals and suggested that these might be served by the imposition of a sentence.

Now I mention, Mr. Speaker, another individual who was dealt with at the same time, the fact of which was not brought before this House previously. Roy Kent, who was charged with the same offence and tried at the same time as Mrs. Doris Henry, was convicted on a plea of guilty and was sentenced to 12 months definite and six months indefinite in an Ontario reformatory.

The sentence imposed on the women was inconsistent with the provisions of section 57 of The Prison and Reformatories Act, a statute of Canada. This section does not contemplate a definite or determinate period of sentence for a female such as the definite term prescribed by the judge in these two cases. But this type of inconsistency is not novel to these cases; any judge from time to time may err in the specifics of a sentence as it relates to any particular institution.

As early as 1954 The Department of Reform Institutions had sought advice of the Deputy Attorney General as to how such inconsistencies in language of sentence should be dealt with, and each Deputy Attorney General since that time has agreed that the interpretation of the sentence should be in favour of the individual and thus treated as an indeterminate sentence so parole could be made available as early as the board might deem proper. This practice has, I believe, been fair and proper as well as consistent with the law and the intention of the judges as set forth in their sentences.

The present cases were not referred to either the Crown attorney or the department until the article was recently published in a Toronto newspaper. When I was first made aware of these cases by the Union of Ontario Indians when they met with me recently, I advised Mr. Karswick, the counsel who was present with them, that the time for taking an appeal could be extended by the court and the whole matter could then be reviewed by a superior court in the proper manner. In the alternative, I did anticipate that the Crown would seek clarification of the sentence. The department has now been served with a notice of application for extension of time for appeal which will be considered by the court within the next few days.

We have advised Roy Kent through the area director of legal aid as to what has been transpiring and he is being provided with counsel through the legal aid plan and will also make application for similar relief at the same hearing.

The Crown, of course, will be represented at these hearings in order that we may seek clarification of the sentences or make such other representations as may be appropriate to the relief sought by the appellants.

Mr. Speaker, in addition to what I have read so far from the statement, I would just like to point out that in dealing with these cases the province, the public, provided to these people legal aid through very capable counsel. A person who did not speak or did not fully understand English was provided with an interpreter. There was an adjournment of the hearing so that pre-sentence reports could be obtained, and that was obtained through our probation service. Those reports were received and examined by the judge, and on the assessment of the individuals and their situations in the community, they did suggest that a sentence was something that should be perhaps considered.

But a point I make is that in the presentation made to me by the Union of Ontario Indians, time and again they repeated, "discrimination," "discrimination," "white man's

law," "white man's justice," "not the same for the Indian." I would say this: From a complete review of this matter, it would seem to me that justice was even here to these individuals as it would have been to any person without regard to race or colour or condition or status in the community or anything of that kind. I must say that having provided legal aid, an interpreter, pre-sentence report, taking time to adjourn the court and have those things considered, there was the fullest and fairest examination of the matter.

There was some inconsistency in the sentence. This has happened on occasion.

Mr. Lewis: What about the length of sentence?

Hon. Mr. Wishart: I do not want to go into the—

Mr. Lewis: How does that compare with the treatment in northwestern Ontario?

Hon. Mr. Wishart: This matter is now being appealed. I do not want to go into the record of these individuals.

Mr. Lewis: The record?

Hon. Mr. Wishart: The record.

Mr. Lewis: There is only one 15-day previous conviction.

Hon. Mr. Wishart: I do not want to go into the damage that has been done to public property. I do not want to go into the continuing situation. I merely say, sir, that in dealing with these people before the courts, everything was done to see that they got a fair and proper hearing, that there should be no discrimination, and that they were treated the same as any other citizen of this province.

Mr. Speaker: Oral questions.

NEW TRIAL FOR AGNES LAND AND DORIS HENRY

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, following from the statements made by the hon. ministers, I would like to ask the Attorney General: Granted there is no intention of not having justice applied with an even hand, and granted that every effort was taken to provide communication and knowledge of the law—would he not agree that the judge's ignorance of the sentencing procedure, and in fact ignorance of the law, would be sufficient to return these two women to their own community and to begin again? Rather than move toward an appeal, begin again so that a review, with knowledge of sentencing procedures, might result in these two women not being displaced from their community and their families for a period that may well exceed a year and that, in fact, there should be a new trial?

Hon. Mr. Wishart: Mr. Speaker, the only proper way to deal with the matter—and I am not going to comment upon the statement by the Leader of the Opposition that the judge was ignorant of the law—once sentence has been given, is to have a superior court deal with it and clarify it. In my statement I have indicated that is being done. The probation officers who examine these cases felt that a sentence was a proper thing to impose here and suggested this to the court. I have material in this file. I might indicate to the member that the complaint about the damage in this case is made by the chief of the band, Roy MacDonald, who called the police. The consumption of liquor was one of the factors that caused all this difficulty.

Mr. Lewis: What do the husbands do for lack—

Hon. Mr. Wishart: I agree with my colleague, the Minister of Correctional Services, when he said to this House that it would be helpful if there were an institution such as the Vanier institute somewhere closer. That seems to be one of the chief complaints that these women are so far away that they cannot be visited, that they cannot see their families and their families cannot see them.

With that I am in sympathy—that I understand—but I think to answer the question, the proper thing to do is let the court now examine it. We will be there; we want clarification of this matter which we think we have dealt with, in our interpretation at least always in favour of the convicted person, so that parole could be immediately applied; and conceivably they could be out on parole within a month or two months or some very short time.

I do think it is fair to say to the House that my understanding is that once appeal is entered, that inhibits the parole board from acting, so that I would hope that we can get the appeal proceedings. They, of course, have been commenced by Mr. Karswick, but I did advise him that was the way I felt it should be proceeded with. I do not believe that the parole board can exercise its powers during appeal, so I point that out. But I think, again coming back to the question—I have strayed from it perhaps—the proper thing is to let

a superior court review this matter and review it thoroughly and make its decision. Perhaps the court may have something to offer that will be helpful in matters related to this sentence.

Mr. Nixon: A further supplementary: I wonder if the Attorney General can tell the House what instruction he will give his representative at the appeal, that is the Crown attorney? Will he instruct him to support the sentence that was originally handed down or will he instruct him to ask the appeal court to greatly reduce it?

Hon. Mr. Wishart: Mr. Speaker, when a matter of sentence is appealed, once that is part of the application on appeal, once a sentence is opened up, once the question is opened up, the court is free to deal with the matter. It may increase the sentence. It has full right to increase the sentence and this has happened on occasion.

Mr. J. Renwick (Riverdale): What position is the Crown going to take?

Mr. Lewis: What is the Attorney-General going to say?

Hon. Mr. Wishart: I am coming to that. I merely point out that in cases—not of this kind perhaps—but in cases where one appeals sentences, there is always the danger that the court may say the sentence is not enough. I do point out the jeopardy in which one appealing a sentence is placed, that the court may say, you are appealing the sentence, but we think it was not even adequate.

Mr. Nixon: What is the Crown going to say?

Hon. Mr. Wishart: I am not raising any—

Mr. Lewis: Certainly the Attorney General is.

Mr. Sopha: What is the minister's representative going to say?

Mr. Speaker: Order!

Mr. Sopha: Representing us as the high court of Parliament, what is he going to say on our behalf? He only works for us. He should be our representative.

Mr. Lewis: He has seen the pre-sentence reports.

Mr. Speaker: Perhaps the hon. members would permit the Attorney General to reply.

Mr. D. C. MacDonald (York South): He has evaded this for the last few days.

Hon. Mr. Wishart: No, I have not evaded it. I just want to give a little information that might be useful to some of the members of the House.

The appeal, the application for consideration and reduction of sentence, is made by Mr. Karswick and we have discussed that. I felt he should do that. We will be present, as I said in my statement; we want the matter of the sentence clarified. We shall certainly not be asking for any increase in sentence. I think we shall leave it to counsel for these applicants to give the reasons why sentence should be reduced.

Mr. J. Renwick: In other words, the Crown is not going to take any position on this matter.

Hon. Mr. Wishart: I would certainly agree, and I am not trying to indicate that there is any danger in this particular case. I merely pointed out that, in general, when one opens up a sentence, the court is free to deal with it in any way it likes. We shall be there, asking that this whole matter, which seems to have caused some confusion, be clarified. We shall certainly not be opposing the application that the sentences be reduced. Now at the moment I cannot say anything further. As we examine further the facts in this matter, we may be able to assist counsel for the convicted persons.

Mr. Speaker: The hon. member for Lakeshore has a supplementary?

Mr. P. D. Lawlor (Lakeshore): Would the Crown attorney be inclined perhaps to agree that the plea of guilty in the first instance might very well be a mistake? I would trust, arising out of that, that the appeal goes not only to sentence but to the conviction itself. I would like to know the position of the Attorney General in this regard and as to what position he would likely take on the problem of the *mens rea* in this particular case.

Hon. Mr. Wishart: Mr. Speaker, the hon. member knows, as I know, that when a plea of guilty is taken, little evidence then is offered; the judge does not assess. The weight of the evidence—there was a great deal of damage done in this matter, but the judge did not have to assess any evidence as to who did it. These parties said we are guilty. It is conceivable—

Mr. Lawlor: Did they read the police report?

Hon. Mr. Wishart: Let me answer. It is conceivable that, say for instance a new trial was ordered, then I think perhaps a plea of guilty would not be given—would not be submitted—and then a matter of assessment of evidence would have to take place. But I do not think it is proper that since this matter being now appealed, I should talk about the evidence or the weight of the evidence. That is something that may yet come before a court.

Mr. Speaker: Supplementary?

Mr. J. E. Bullbrook (Sarnia): Yes, supplementary.

Mr. Speaker: The hon. member for Sarnia with a supplementary.

Mr. Bullbrook: To the Minister of Justice: Would he not agree, sir, that the interpretation by his department, or his colleague's department, of a definite sentence as an indefinite sentence is in itself a legal charade and in those types of circumstances brings the administration of justice into disrepute; and secondly, could he advise why the Minister of Correctional Services, when he sees a definite sentence of a woman, does not immediately advise the Attorney General's department so that an appeal can be lodged against that illegal sentence?

Hon. Mr. Wishart: That is not an illegal sentence, Mr. Speaker.

Mr. Bullbrook: Inappropriate sentence.

Hon. Mr. Wishart: There is nothing illegal about it. That is not an illegal sentence. The Criminal Code for this offence, I believe, provides that on conviction a person may be sentenced up to 14 years—a very large term in any event. The Prisons and Reformatories Act, the statute of Canada that I referred to in my statement, said that a judge may sentence a woman, female person, to an indeterminate or indefinite sentence—

An hon. member: We have got to have equality!

Hon. Mr. Wishart: It was a softening of the hard, rigid sentences provided by the code and the judge said so much time definite and so much time indefinite in an Ontario reformatory.

What the Department of the Attorney General in its interpretation since 1954 has done, is to say that if those two were put together in that way, which may be confusing, we will treat the whole thing in short, this is the way, in simple language—the whole sentence is to be regarded as an indeterminate or indefinite sentence so that parole can be—

Mr. Bullbrook: We understand that.

Hon. Mr. Wishart: —considered from the first day. That was an interpretation entirely in favour of the convicted person.

Mr. Bullbrook: By way of further supplementary: Am I correct in assuming, therefore, that in your opinion, the administrative decision to interpret a judicial sentence that way is in the best interests of the administration of justice? Is it not a usurpation of the judicial function?

Hon. Mr. Wishart: Mr. Speaker, to that I would say that I think we can justify our interpretation. I think we read the intention of the Act providing for the imposition of an indefinite or indeterminate sentence. In any event, Mr. Speaker, as I have stated in the statement I read to the House, we are going to the courts on the appeal now to have this matter clarified so surely that will set it at rest.

Mr. M. Shulman (High Park): May I ask a supplementary?

Mr. Speaker: May I point out to the hon. members that during the oral question period a reasonable number of supplementary questions may be asked, but the whole proceedings should not develop into a debate. The hon. member for High Park.

Mr. Shulman: To the Attorney General: How is the public to understand this matter if the Minister of Correctional Services says this is an illegal sentence and this minister says it is a legal sentence?

Hon. Mr. Wishart: Mr. Speaker, I think that is not a question.

Mr. Lewis: Maybe the minister should make a ministerial statement.

Hon. Mr. Grossman: The hon. member is trying to make a point of the fact that I am really not entitled to my QC. I should have said it was inconsistent and I admit that.

Mr. Lewis: One final supplementary.

Hon. Mr. Grossman: I give up my hope of getting the QC.

Mr. Lewis: Has the Attorney General ever made any analysis of the extent of sentences handed out for similar offences to members of the Indian community in northwestern Ontario and to whites in northwestern Ontario?

Hon. Mr. Wishart: Mr. Speaker, in my six years in this office, or better, I have had occasion to look at this from time to time, yes.

Mr. Lewis: The minister has had that occasion?

Hon. Mr. Wishart: Yes.

Mr. Lewis: And he is prepared to say that justice is dispensed equally, without the basis of that kind of study to present to the House or anyone else?

Hon. Mr. Wishart: I have not been able to find that there is a great disparity in the situation at all.

Mr. Lewis: Was there a small disparity? I would just like to know if the minister made an analysis of judicial interpretations in the north. He never examines any of the—

Mr. Speaker: Order, order!

Interjections by hon. members.

Mr. Speaker: Order, please!

In my opinion there have been quite sufficient supplementary questions on this particular topic. It has developed into a debate. Does the hon. Leader of the Opposition have further questions?

PUBLIC AND SEPARATE SCHOOL ASSESSMENT ENUMERATION

Mr. Nixon: Mr. Speaker, I have a question of the hon. Minister of Municipal Affairs. Can he explain to the House why his department's manual for enumerators decrees that in a case where ownership of a property is vested in several persons, one of whom is a public school supporter, the entire assessment is placed on the public school rolls? Is he not afraid, and is he not aware, that if this rule in the manual is applied without any amendment it is going to work a hardship on the supporters of the separate school system in many communities?

Hon. W. D. McKeough (Minister of Municipal Affairs): I would like to take a look at that particular section of the enumerators manual and relate it to the Act or any instructions which would be given under the Act. I will do so and get back to the hon. member. It, of course, is not fair to say in any way that it would work any hardship on separate school supporters. Under the foundation plan if there is a dollar of assessment lost because of separate school—

Mr. Nixon: Then 88 cents is returned.

Hon. Mr. McKeough: No. One hundred cents on the dollar.

Mr. Nixon: Eighty-eight cents.

Hon. Mr. McKeough: No.

Mr. Nixon: The Minister of Education (Mr. Davis) said so.

Hon. Mr. McKeough: No, 100 cents on the dollar.

Mr. Nixon: Mr. Speaker, I hope the minister will report to the House on this matter since it is a substantial concern.

I have a question of the—as a matter of fact, there are many ministers here today so that it is a good opportunity to clear up some backlog of questions. I guess it is because it is pay day! We have not seen so many ministers since the opening of the House and not even then.

POLLUTION PROBE REPORT ON RECREATION AREAS

A question of the Minister of Energy and Resources Management: Has he seen a report that was prepared by Pollution Probe following their examination of a number of recreational areas in the province during the summer which indicates that The Department of Health, through its local facilities, is incapable of meeting the needs for the advice and supervision of the establishment of anti-pollution measures? Is he aware that one of the recommendations is that the OWRC might very well take over this responsibility from The Department of Health and would he comment on the recommendation?

Hon. G. A. Kerr (Minister of Energy and Resources Management): Mr. Speaker, yes I have had an opportunity to glance at the report. I just received it yesterday afternoon. I did note general reference to the activities of The Department of Health and other agencies in the Muskoka area.

We of course had our own governmental survey in the Kawarthas this summer and we were aware that many of the local medical officers of health in the areas were under-

staffed and did not have sufficient trained or technical people to assist in septic tank inspection and correction. I think the Pollution Probe, of course, in their report have confirmed this and as we complete our survey next year and carry on with it in other areas of the province we will either merge the inspection of septic systems, possibly under one agency, or increase the staff of the local medical officer of health so that he can adequately handle not only inspections but future installation of septic systems.

Mr. Nixon: A supplementary question: Is the minister aware of the objection expressed in the Probe report to the secrecy around the workings of the OWRC examination of the waters in these recreational areas and their call for a complete revealing of the figures of pollution in these areas?

Hon. Mr. Kerr: Mr. Speaker, I was a little surprised at that particular comment in the report—

Mr. W. G. Pitman (Peterborough): Oh, come on now!

Hon. Mr. Kerr: —because after all we financed the Pollution Probe in this work to the tune of $10,000.

Mr. Nixon: But his department will not do any water testing for them.

Mr. Pitman: Just try to get stuff!

Hon. Mr. Kerr: I think what happened as far as providing them with all the information they wanted is concerned was this: During the summer the demand on our personnel, and particularly our lab facilities, got to be so great, not only because of our own survey but because of the normal working of the commission, that unfortunately we were unable to provide Probe with all the information that they wanted. But certainly there was no intention of hiding anything. We wanted this survey to be as effective as possible.

Mr. Lewis: By way of supplementary, Mr. Speaker, why then does the report indicate that when Pollution Probe and the other agencies tried to reach the commission's public relations director and to speak to Mr. Collins directly at no time were they given any information by the Ontario Water Resources Commission?

Hon. Mr. Kerr: Well, Mr. Speaker, I do not know that this is true. I noticed that comment and I would like to find out if in fact that is true.

Mr. Lewis: By way of further supplementary, has the minister any sort of crash response to a wholesale indictment of the Ontario Water Resources Commission, as is contained in that report, citing that agency as largely responsible for the destruction of seven resort areas in the province of Ontario?

Hon. Mr. Kerr: I do not accept that submission either, Mr. Speaker.

Mr. Speaker: The hon. Leader of the Opposition.

PROPOSED CHANGES IN MEDICAL FEES

Mr. Nixon: I have a question for the Premier: Does he plan, and will he undertake to plan, a submission of any changes in medical fees, that are obviously coming forward in the next few weeks to the standing committee on health for the review of these submissions before they become effective in the province, or even in part, payable by our OHSIP legislation?

Hon. Mr. Robarts: I have not really thought about it, but it might be a good idea. I would be happy to consider it, but I do not know whether we will get to that point while the House is still in session and the committee is available. Certainly I would be quite happy to give this some consideration. I think it is a good idea.

Mr. Nixon: A supplementary question: Even though the specific recommendations of the medical association may not be available while the House is in session, obviously we will be returning once the work is completed, sometime early in 1971, and surely they would not go into effect until then? I sincerely hope that we will have an opportunity to review them before they take effect.

Hon. Mr. Robarts: As I say the suggestion has merit.

Mr. Speaker: Has the hon. Leader of the Opposition any further questions?

Mr. Nixon: I am overcome. No further questions.

Hon. Mr. Robarts: I have never considered that we have the corner on all the good ideas.

Hon. Mr. Grossman: Just most of them.

Hon. Mr. Robarts: It is Friday, it is Friday.

Mr. Nixon: It is pay day.

Mr. Speaker: Does the hon. member for Scarborough West have questions?

SALE OF RYERSON PRESS TO McGRAW-HILL

Mr. Lewis: A question of the Minister of Trade and Development:

Is it correct that today the final denouement will be announced for Ryerson Press, and it will be purchased by McGraw-Hill now that the negotiations have come to an end? And is the minister prepared at this point to do anything about staying this attrition of Canadian publishing?

Hon. S. J. Randall (Minister of Trade and Development): Mr. Speaker, I am not aware that today is the day that McGraw-Hill will buy the corporation out. There is no law in this country to stop them from doing that if they wish to do it. We have had discussions with the publishing industry and we are working with them to see if we can settle some of their difficulties.

I can assure the member that many of their difficulties are not entirely the result of the textbook problem in Canada, they are the result of some other economic problems. We will have further meetings with them. In the meantime, if any of these companies are sold out—and there is every possibility this will happen—we have no way of preventing this sell out. If they want to sell out that is entirely up to them.

Mr. J. B. Trotter (Parkdale): Does the minister want to prevent it?

Mr. Lewis: Does the minister say he has no way of preventing it?

Hon. Mr. Randall: That is right!

Mr. Lewis: Would the minister not consider assertively preventing it by providing some government equity—

Hon. Mr. McKeough: Nationalize it.

Mr. Lewis: Just a moment, just a moment—

Interjections by hon. members.

Mr. Lewis: Would the minister consider dispersing some of his largesse through his various EIO and ODC programmes to purchase a government equity along with the Canadian firm that is attempting to acquire Ryerson, rather than losing yet another publishing house to foreign control?

Hon. Mr. Randall: Mr. Speaker, we talked to the other firm that is prepared to make an offer, and they have sufficient money to make the purchase if they want to. I suppose their offer has been turned down, if what the hon. member says is true; and I am not sure it is.

Mr. Lewis: I do not know. I think it is.

Hon. Mr. Randall: Let me say to the hon. member, the company that is being sold has been discussing its financial matters with us, and we have offered, if they will bring in their financial statements, to sit down and see if there is any way the Ontario Development Corporation can help them. But we cannot run down to Ryerson Press and say, "Here is a million bucks of the taxpayers' money—"

Mr. Lewis: No, he just does that with Honeywell!

Hon. Mr. Randall: "—we just want to keep you Canadian."

Mr. Lewis: Would the minister consider giving Ryerson Press an EIO loan under the terms of his agreement; giving it to a Canadian company for the purpose of keeping it alive?

Hon. Mr. Randall: If they submit their statements and it indicates that we can give them a long-term loan and help them out, we will look at the statements.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

Mr. Lewis: No, Mr. Speaker.

Mr. Speaker: The hon. Minister of Trade and Development has answers to previous questions.

LANDSCAPE CONTRACTS FOR WINDSOR HIGH-RISES

Hon. Mr. Randall: Mr. Speaker, I have answers to four questions here.

The first one is from the hon. member for Windsor-Walkerville (Mr. B. Newman), in which he asked questions about the dollar value of landscape contracts for citizens' high-rise apartments in Windsor.

The answer to that is, the construction contract is with a general contractor, Capstick Construction Limited. They provide the cash allowances of $60 per unit for landscaping and site improvements, and for the 400 units that were theirs this was a total allowance of $24,000.

The general contractor's landscape architect designed the landscaping plans on this basis, and these plans were submitted to the corporation for its approval. Upon receipt of approval the general contractor awarded the contract to the subcontractor, Earl Johnson Associates of Toronto and Belleville.

Mr. B. Newman (Windsor-Walkerville): Would the minister provide me with a copy?

Hon. Mr. Randall: Yes, I will.

ONTARIO HOUSING LAND IN KITCHENER AREA

The second question, Mr. Speaker, was from the hon. member for Waterloo North (Mr. Good). The question had reference to a 284-acre site purchased on the edge of Kitchener, and he asked if we were going to get into production on this land.

Mr. Speaker, I am informed by the corporation it has no plans at the present time to develop this property. The land was acquired as a land bank operation to be developed when normal services become available.

WAITING LIST FOR PUBLIC HOUSING IN METRO

The third question was from the hon. member for Parkdale. He asked about home visitor calls to applicants on the housing list, and the length of time for waiting, and how long the average time is, and I would like to give him this information.

At the present time almost 13,000 of the applicants on the waiting list for accommodation in Metropolitan Toronto have received a home visit. In many instances, because of a change in circumstances the applicant has been visited more than once. In addition, applications are up-dated on a regular basis by direct contact with the applicant either in person at the office, or by letter or telephone call. Further pertinent details are brought to the attention of the corporation by social agencies and medical doctors.

The corporation is shortly introducing a series of letters to applicants which will advise them of their relative status on the waiting list in comparison with other applicants. And, should the circumstances be such that a high degree of immediate need is not apparent, the applicant will be advised that some considerable time must elapse before a home visit can be made but should the circumstances surrounding the application change in any respect, the applicant must advise the corporation so the application can be further reviewed.

Immediately an application is received by the corporation it is assessed on the basis of the information supplied by the applicant. If the emergent circumstances are apparent, a home visit is made within the week. Other cases which do not have an immediate need may have to wait for some months before the home visit is carried out. The average waiting period, taking into consideration the varying degrees of urgency, is six to eight weeks.

Mr. Trotter: By way of supplementary question Mr. Speaker: Has Ontario Housing Corporation increased the number of home visitors as a result of the tremendous increase in applicants for subsidized housing?

Hon. Mr. Randall: Mr. Speaker, I cannot give the hon. member that information. I will find out. I think there has been some increase.

But may I point out in the last survey we made, over one-third of them never even bothered to reply. I think there are 20,000 people on there now. We are now making another survey, because we have people on there who are new Canadians who do not understand how you get housing. They feel all you have to do is apply to the government.

We had a man walk in the other day and his bank account indicated he had $100,000 on hand.

Mr. Trotter: Those are exceptions!

Hon. Mr. Randall: I know there are exceptions, but I am just suggesting that the 20,000 people are really not all in need of housing. Some of them can look after themselves if they can get housing from a private landlord at the kind of rents they could pay.

If they cannot get that kind of housing, naturally they turn to the housing corporation. The more housing we build, the more applicants we are going to get, we recognize that. I think the member will see here, if we visited 13,000 people out of 20,000, they must—

Mr. Trotter: Out of 22,000 applicants.

Hon. Mr. Randall: I think the 13,000 we visited are a pretty good cross-section of the number of people, and how we are looking after them.

Mr. Trotter: By way of another supplementary, Mr. Speaker: How long does the average applicant have to wait before they

get any housing? I had a woman with five kids and I could not get her a place in the Ontario Housing Corporation.

Hon. Mr. Randall: Mr. Speaker, I would like to have the specifics on that, because we are housing 500 or 600 families a month.

Mr. Trotter: I took her to Goyette and still could not get her in.

Hon. Mr. Randall: Wait a minute now. We are housing 500 or 600 families a month, and I do not think anybody is doing a bigger or better job than that. I suggest to the hon. member that the waiting time, depending on the circumstances, may be longer for some than it is for others. If there is an emergent situation, if the—

Mr. Trotter: She was in emergency housing, this woman ended up there, evicted.

Hon. Mr. Randall: If the five people you are talking about have a specific situation, bring it to my attention, let me have a look at it.

Mr. Trotter: I took it to Goyette. The minister was travelling. If he would stay home occasionally I would take it to him.

Hon. Mr. Randall: Oh well, that is fine. If I did what the member is doing, the country would come to a standstill.

Mr. Trotter: I bet!

COST ON JINGLES PROMOTING ONTARIO

Hon. Mr. Randall: Mr. Speaker, let me answer the fourth question of the hon. member for Downsview (Mr. Singer). He asked a question about the radio jingles. I answered part of this question the other day, but I did not have the figures on radio costs. They are as follows.

A one minute commercial on the 10 Toronto radio stations averages $47 per occasion. Then he asked a supplementary question. He wanted to know the exact number of dollars spent on the current advertising campaign to date. Up to October 27 we have spent $191,357 as follows:

Radio, $65,725; TV, $53,779; daily newspapers, $59,842; weekly newspapers, $12,011; Total: $191,357.

Mr. Nixon: A supplementary question, Mr. Speaker: Is the minister prepared to say that that money is spent in a programme to expand the trade of Ontario?

Hon. Mr. Randall: Yes, I am, Mr. Speaker, and I would suggest to the hon. member—

Mr. Nixon: That this is based on a ripple effect.

Hon. Mr. Randall: Yes, that is right. I would like to suggest to the hon. member, Mr. Speaker—I would like to suggest that in a province where we have a $35 billion gross provincial product this year and then are spending $800,000—to my mind is not a great deal of money for a province of this size and this affluence—

Mr. Nixon: I would like to state that it is being spent on an unsuccessful attempt.

Hon. Mr. Randall: —to spend in promoting itself. It is not unsuccessful or the Leader of the Opposition would not be worried about it. If it was unsuccessful we would never hear from him, we would never hear from him.

Interjections by hon. members.

Mr. Speaker: Order, order!

Mr. Nixon: Goodbye, Stanley Randall and all his pals!

Hon. Mr. Randall: The Leader of the Oppositon has been saying that since 1963. We keep getting bigger and bigger, and better.

Mr. Nixon: Go back to the washing machine business!

Mr. Speaker: The hon. member for Welland South.

Hon. Mr. Robarts: The hon. member will be back on the farm before he is sitting over here.

Mr. Speaker: Order. The hon. member for Welland South is attempting to ask a question.

DECREASES IN INTEREST RATES

Mr. R. Haggerty (Welland South): A question of the Minister of Financial and Commercial Affairs: What powers are available to the minister to assist the citizens of the province to benefit from the decreases in interest rates announced by some of the various chartered banks in recent months?

Hon. A. B. R. Lawrence (Minister of Financial and Commercial Affairs): Mr. Speaker, I could not really hear the first part of that question.

Mr. Haggerty: What powers are available to the minister to assist the citizens of the province to benefit from the decreases in the prime interest rates announced by some of the various chartered banks in recent months?

Hon. A. B. R. Lawrence: I am not aware of any, Mr. Speaker.

Mr. Speaker: The hon. member for Timiskaming.

ROLL-UP DOORS ON PATROLLED GARAGES

Mr. D. Jackson (Timiskaming): Yes, Mr. Speaker, I have a question of the Minister of Highways; possibly the Minister of Public Works (Mr. Simonett) would also listen to it, he might have something to say too. Why is it that the department is now changing all of the roll-up doors on the patrolled garages throughout Ontario? Is it due to faulty workmanship or material, and what is the cost of this changeover?

Hon. G. E. Gomme (Minister of Highways): Mr. Speaker, I am not aware that we are changing all the roll-up doors, but I will look into this.

Mr. Speaker: The hon. member for York Centre.

UTILITY FOR LIQUID WASTE TREATMENT

Mr. D. M. Deacon (York Centre): A question of the Minister of Energy and Resources Management: What specific assistance is being provided by the government, or what specific role is being played by the government, in the establishment of a utility for the treatment of liquid waste in Mississauga?

Hon. Mr. Kerr: Mr. Speaker, we have purchased land in Mississauga—I believe it is approximately 54 acres—to enable the construction of a facility for treating liquid industrial waste.

Mr. Deacon: Supplementary: Will that then be a provincially operated utility to serve the needs of the region, or is it a private operation in any way?

Hon. Mr. Kerr: It is to be a private operation as of now.

Mr. Deacon: A further supplementary: If the land is being purchased by the province, on what basis is it going to be operated by private interests? On a tender basis? Or what role is the province playing in assigning it to a private operator?

Hon. Mr. Kerr: Mr. Speaker, we have had submissions from approximately 16 companies which are in the business of treating industrial liquid waste. From those submissions, the people in my department have chosen the best possible process based on the information to them as well as viewing like facilities in other parts of this continent. We have decided on one company and we are hoping that facility will be under construction before the end of the year.

Mr. Deacon: A further supplementary to clarify that: Is that private operator who has been selected going to be operating the utility on behalf of and as an agent for the minister's department, or will it be on its own—just leasing the property and the facilities directly from the minister's department and charging whatever they are able to charge and the traffic will bear it?

Hon. Mr. Kerr: It is the latter situation.

Mr. Speaker: A supplementary?

Mr. B. Newman: Yes, Mr. Speaker. Is the minister prepared to purchase properties in other spots throughout the Province of Ontario to provide similar type of facilities?

Hon. Mr. Kerr: We have no plans Mr. Speaker, to do that. The reason we have purchased property in the Toronto area is because of the crisis situation that exists in this area as a result of the closing of an industrial liquid waste site in Whitchurch.

We realize that we are starting what might be some form of a precedent. However, because of the difficulty that private operators had in acquiring property, because of local objections, council objections and citizen objections, the only alternative was for us to purchase this property in an area that we knew was satisfactory, because we do the approving anyway as far as suitable sites are concerned. In this way we will lease this property to an operator who will provide this facility. If a similar crisis situation develops anywhere else in the province we may have to do this, but we hope it is not necessary. We feel that the proper treatment of this waste—and particularly the research that goes into recycling and reprocessing and byproducts—can be done better in the private sector, rather than for us to get into the general operation of collecting and disposing of this type of waste.

Mr. B. Newman: A final supplementary of the minister: His department then is prepared to go into other areas of the province if the need so arises?

Hon. Mr. Kerr: Only if a situation arises such as exists in the Toronto area, yes.

Mr. Speaker: The Attorney General has answers to questions previously asked by the hon. member for High Park.

FIRE EVACUATION CARDS TO SCHOOLS

Hon. Mr. Wishart: Mr. Speaker, the hon. member for High Park on October 28 asked:

> Is the Attorney General aware that his fire marshal, Mr. Hurst, had issued instructions to his staff that until next April, 1971, they are to issue no more fire evacuation cards to schools because of a budget plan? Will the Attorney General agree to do something about this because there might be a fire in a school before April, 1971?

Mr. Speaker, my answer is that the fire marshal has informed me that he has not issued instructions to his staff that they are not to distribute any more school fire evacuation cards until next April. In view of the greatly increased demand for the cards, and in order to avoid waste through overlapping orders from schools, school boards and fire departments, the distribution policy was changed this year.

Cards are now distributed from the office of the fire marshal through fire departments to the schools. This system has the important advantage that fire department personnel will ensure that the cards are completed accurately and posted in the proper location in each school.

Through a misunderstanding when changing the system, the staff did not reorder cards last month when the stock was depleted, and advised that requests could not be filled fully until April of next year. This situation has been corrected. It is expected that the new supply of cards will be received from the printers within a month and that all current requests will be satisfied.

I might point out, Mr. Speaker, that there have been 10,000 cards issued this year up to last month. We expect an additional 3,000 cards will satisfy current requirements.

Mr. Shulman: May I ask a supplementary? If it was just a matter of not being ordered, how does the minister explain the letter dated September 30, 1970, which says:

> We regret we have used our quota of fire evacuation cards until April, 1971.

Hon. Mr. Wishart: As I say, there was a shortage which occurred last month through someone neglecting to reorder. That has been corrected and there will be an ample supply.

But I pointed out that 10,000 cards have been issued and a few more will complete the job.

DIRECTIONS TO POLICE RE STRIKES AND LOCKOUTS

I had a question, Mr. Speaker, from the hon. member on October 8:

> Is it accurate in legal terms governing the operation of the Metropolitan Toronto police force that individual officers in the field of labour strikes and lockouts should be directed to inform union representatives and picket captains in a strike of the following: "No mass picketing. Only a number sufficient to show that the plant is being picketed. Establish a maximum number of pickets"—

Mr. Shulman: Mr. Speaker, on a point of order, I do not believe I asked that question.

Mr. Lewis: I asked that question.

Hon. Mr. Wishart: Oh I am sorry. Thank you. It was the member—

Hon. A. F. Lawrence (Minister of Mines and Northern Affairs): Getting confused with the leaders over there.

Mr. Trotter: So many it is confusing.

Hon. Mr. Wishart: Mr. Speaker, the hon. member is quoting in his question an extract from the procedures manual of the Metropolitan Toronto police as described by the board of police commissioners. The prescribing of such procedures is within the jurisdiction of the board; the item quoted is, in the full context of the section on strikes, an accurate statement of the views of the board as to how a policeman may inform those directing the picketing operation.

I have before me, Mr. Speaker, the extract from the procedures for police of the Metropolitan force in various situations. I might just refer to one or two items of it which precede the quote which the hon. member used:

> A police constable on duty at a strike or lockout shall,
>
> (a) prevent any breach of the peace;

(b) see that no person compels another to abstain from doing anything that he has a lawful right to do, or to do anything he has a lawful right to abstain from doing;

(c) keep an absolutely impartial attitude, be firm, courteous;

(d) not fraternize with either pickets or management, or express opinions;

(e) make sure the pickets stay on the street and agents of the management do not leave the property or interfere with the pickets;

(f) be continually on the alert for malicious damage to property, and remarks made by pickets about trouble they may be planning;

(g) if mass picketing takes place, or trouble is expected, contact the station immediately for assistance and instructions;

Mr. Lewis: What was that? "If mass picketing takes place and trouble—"?

Hon. Mr. Wishart: "Or trouble is expected."

Mr. Lewis: "Or trouble is expected."

Hon. Mr. Wishart: Yes. I think the hon. member is really trying to get an opinion from me as to whether the police should say you cannot have mass picketing. I think the hon. member would agree with me that the purpose of picketing in a labour dispute is to inform the public that a strike is in progress and attempt—by instruction, peaceful means—to persuade persons not to cross the picket line.

Mr. Speaker: The question period has expired, but the hon. Attorney General may complete his answer if it only takes a few moments

Hon. Mr. Wishart: Yes, I will just be a few moments, Mr. Speaker.

Mass picketing is something that has been taken to the courts time and again.

Mr. Lewis: But until an injunction is granted any number of pickets are allowed. What right has the board in Toronto to stipulate differently?

Hon. Mr. Wishart: That is the view of the board and I think it is well expressed in the instruction to the police.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

Introduction of bills.

REGIONAL MUNICIPALITY OF NIAGARA ACT, 1968-1969

Hon. Mr. McKeough moves first reading of bill intituled, An Act to amend The Regional Municipality of Niagara Act, 1968-1969.

Motion agreed to; first reading of the bill.

Hon. Mr. McKeough: This is housekeeping, Mr. Speaker.

ONTARIO WATER RESOURCES COMMISSION ACT

Hon. Mr. Kerr moves first reading of bill intituled, An Act to amend The Ontario Water Resources Commission Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Kerr: Mr. Speaker, these are housekeeping amendments, some changes in enforcement procedures and penalties.

Hon. Mr. Grossman: Mr. Speaker, before the orders of the day, I wonder would you permit me, I have a very pleasant duty to perform, a duty which would have been undertaken by my colleague the Minister of Labour (Mr. Bales), except that he is detained at the committee on labour this morning and therefore he has asked me to perform this duty, which I am very pleased and honoured to do.

And that is to introduce to the House the hon. Minister of Labour for the State of Israel, who is in the Speaker's gallery. The hon. Mr. Yosef Almogi was born in Poland and as a young man went to work as an agricultural labourer in a kibbutz and later as a construction worker. In 1939, he volunteered as one of the three members of the Haganah headquarters staff serving in the British Army where he joined an engineering unit.

While serving in Greece, he was captured by the Germans and sent to a prisoner of war camp. From 1941 to 1945, he commanded and led the Israeli prisoners of war held in German camps. During the 1954 German retreat when thousands of prisoners of war were moved deeper within Germany, he marched at the head of the infamous death march when 4,000 British and Israelis walked 920 kilometres across Germany in 25-degree temperatures without adequate food or warm clothing.

Mr. Almogi was elected to the Knesset, which is the Parliament of Israel, in 1955 and he has served in the Israeli government first as Minister without Portfolio, later as

Minister of Housing and Development and in 1968 was appointed to his present post as Minister of Labour.

Mr. Speaker, I am sure you and the hon. members would like to give the hon. Minister of Labour of Israel a very hearty welcome.

Mr. Speaker: Orders of the day.

Clerk of the House: The second order, resuming the consideration of Ontario proposals for tax reform in Canada and of Ontario studies in tax reform No. 1—analysis of federal tax reform proposals.

Mr. Speaker: The hon. member for Sudbury.

Mr. E. W. Sopha (Sudbury): I had begun my remarks last night, Mr. Speaker, by saying that in my view—and perhaps it is my personal view—it is not the better part of common sense to be engaged in an attempt to tinker with the taxation system of this country or the fiscal relations of the federal government and the provinces before attempting to come to some resolution concerning what the various levels of government should properly have within their jurisdiction in attempting to provide for the best government of our people. One of the few sensible statements that the Treasurer (Mr. MacNaughton) made in that dissertation on October 21 is to be found in these words that he used, and I am quoting him:

> As I have said many times, the major social and spending needs facing government today fall within the jurisdiction of the provinces and municipalities rather than at the federal level, while fiscal resources reside primarily with the federal government.

The significance of that statement, Mr. Speaker, is too often misunderstood in this country. Certainly the CBC does not understand it. It is for sure that Ron Collister does not comprehend the constitutional structure of this country. Being prisoners of the CBC as we are in Sudbury, virtually every night we are faced with a diet of Ron Collister and others commenting from the federal capital, and the suppositon, the basis, of the nightly report seems to be that all the action, all the political action in this country emanates from Ottawa.

Let us admit that perhaps as politicians, we are sensitive to the focus of the cameras and attention being put upon another centre. It is fair to say that under our constitutional structure, almost everything that affects people as people—how they live, how they work, how they are educated, the recreation in which they engage, their human aspirations and dreams—all of those things are within the jurisdiction of the provincial government. Strive as they might in the media of communications, of which the CBC is the most flagrant example in focusing the centre of attention upon what is going on in Ottawa, the fact cannot be refuted that the major governance of the Canadian people as people, finds its course in Legislatures such as this.

It is said, for example, to give the House a specific illustration, that Arnold Peters and Murdo Martin were unrelenting and unremitting in their engagement in workmen's compensation problems. You know, there are not many people who are bringing an aunt from Yugoslavia; not many people have problems with income tax; few are the people, let us hope, who want to make a complaint against the post office; even fewer are those who want to be lighthouse keepers and that sort of thing.

The periphery of direct contact with the people at the federal level is extremely limited and Mr. Peters and Mr. Martin, two stirring examples who wanted to initiate and elaborate that close contact with their constituents and many others, at the federal level frequently engage in battles with the Workmen's Compensation Board. They are nervous about the fact that they do not have that immediacy of approach to the constituents that they represent. The reason is, of course, that those matters are within our jurisdiction.

I say unblushingly, unashamedly—speaking as one person who has some knowledge of the historical development of these things, and a person who has thought about them—without a blush on my cheeks at all, I am unreservedly a centralist. I believe that central government has too few powers. I say, unhesitatingly, that I would be willing to see the provinces surrender some of their powers to the federal government.

My friend, the member for Lakeshore (Mr. Lawlor), made a historical survey of this last night—but sometimes his references were just too oblique to bring the thing properly into focus. It was at the first conference of provincial Premiers called by the hon. Honore Mercier in 1887 that the assault on the federal power really took shape. We had, as the member for Lakeshore said, the series of court decisions after that that created this distortion and imbalance between the two levels of government.

Well, we get down to the great Depression, an event that could occur again; unemployment is at a level that makes us all anxious and concerned about a recurrence of the

economic dislocation in this country. Galbraith says the stock market is about to crash—and who am I to argue with him?—that we could have a return of those days of desperation, the disappearance of the human spirit, the loss of dignity to the human beings that was the hallmark of the 1930s.

In the midst of that one, if we will take any lessons from history, it became apparent to the federal government that it was virtually powerless to act, to deal with the economic ills that beset this country. Who can put it better than J. S. Woodsworth did that night in 1935 when his motion was called in the House of Commons, which read:

> That in the opinion of this House a special committee should be set up to study and report on the best method by which The British North America Act may be amended so that, while safeguarding the existing rights of racial and religious minorities and legitimate provincial claims to autonomy, the Dominion government be given adequate power to deal effectively with urgent economic problems which are essentially national in scope.

Note the words, note the atmosphere of despair that must have affected the House of Commons that evening. The despair was so great that J. S. Woodsworth's motion passed unanimously, supported by Mr. Guthrie, who spoke for the government and said the government would vote for it. It led to the creation of the Rowell-Sirois commission, in which an attempt was made to restore some proper balance in the constitutional division of distribution of powers in the governance of this country.

Look at how much contrast there is between the federal structure in Canada and that of the United States. In the United States, the state governments are virtually glorified county councils. In Canada, on the other hand, with wide powers of legislative action, we have Parliaments of equal stature.

It is my view as one Canadian that the distribution of powers is out of joint. I want the federal government to have a flexibility of response to economic dislocation, so that it may move with wide powers to attempt on a national basis to restore the health of the economy. It has not those powers now. It is not going to get them as long as these Premiers, the present ones, meet in conclave at Ottawa, which they are wont to do with increasing frequency. Because, as I said last night—the Premier was not here; I hope it was reported to him—in all the meetings they have had, Ontario has not agreed upon a single thing except that they will meet again.

May I direct the members' attention to the relative sections, and really when I say I want them to appreciate the theme of my remarks I am saying that we must determine first and foremost what the three levels of government are going to do, how they are going to divide the governance of our people before a rational taxation structure can be evolved in this country.

Let me direct the House's attention to sections 91 and 92; I pass over the opening clause which deals with making laws for the peace, order and good government of Canada, and that is what the federal government is doing now. They are acting under that section when they invoke The War Measures Act. That has been held by the courts to be the emergency section, giving them powers to preserve the status of civil order within the country and to defend it against it enemies.

Look at the heads. The Premier of the province said at one time—I well recall, because I am a Premier watcher—"The British North America Act is all right. Some of the words could be tidied up; maybe we could have a few housekeeping amendments about it." But he takes the position that this division of powers is all right.

What are some of the heads of power of the federal government? The postal service; the census and statistics; beacons; buoys; lighthouses on Sable Island—my, that is a great one—quarantine, and the establishment and maintenance of marine hospitals; ferries between a province and any British or foreign country, or between two provinces; weights and measures; bills of exchange and promissory notes; patents of invention and discovery; copyrights; marriage and divorce; the establishment, maintenance and management of penitentiaries.

And, under section 92, some of the heads of power of the provinces: the establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions. Now that is a word the member for Lakeshore would use—eleemosynary; charitable institutions. I suppose that one gives it jurisdiction over the public welfare and such things.

Here is one that I am going to direct more attention to: municipal institutions in the province; property and civil rights in the province. That has been the real residuary clause of power, as enunciated by Lords Watson and Haldane.

There is one more, of course, under this Act which is not in section 92, but which has had a tremendous significance on the economic development of this country, and that is what I have been wont to call on previous occasions the decision made at Confederation that the natural resources of the province should be vested in the provinces and be under their jurisdiction, and that has had a profound effect on the economic development of this country as a national economy.

To turn to one in particular, the Minister of Municipal Affairs' (Mr. McKeough) contribution last night could be summed up, and not unfairly, by saying that he was beating his breast and delivering wails of anguish, that in the organization of municipal institutions and dealing with municipal problems, the problems of cities, towns and villages—in all there are 946 of them—the major difficulty is, according to him, that the federal government will not give us enough money. That is the major difficulty, and if the federal government presumably gave the Minister of Municipal Affairs the sum of money he wanted, then he in turn could solve all the municipal problems.

It is really to accede to, or attempt to reach, Olympian heights of naïveté to believe that the federal government is going to give anyone large sums of money unless it has some say in its distribution.

That in itself, my friend from Lakeshore will agree, has been one of the plaguing problems of Confederation, or the federal experiment—that the Treasurer of Ontario was not the first person to go to Ottawa to tell them they are stingy. Provincial Premiers have been beating the track to Ottawa ever since 1872, with Edward Blake among the first, in the role of mendicants, beggars, asking for more money. And a wide variety of devices—grants in aids designated grants, unconditional payments—have chequered our history and contributions from the federal government to the end of paying for necessary works and projects within provincial jurisdiction.

The Premier (Mr. Robarts) exceeded anyone, I suppose, at one time—I do not think anyone will quarrel with me—when he asked for $1 billion. He wanted a whole billion. I do not know whether he expected Benson to write the cheque—or maybe it was Sharp at that time—in one piece, if there ever has been a cheque for $1 billion; or whether he would take it in instalments. But the members will recall that at the time he set his sights at their height, he wanted $1 billion.

Mr. V. M. Singer (Downsview): The Treasurer went with his suitcase that week, did he not?

Mr. Sopha: All right, now to bring it into focus.

The Minister of Municipal Affairs tries to give us the impression that all would be solved, and he got quite incensed. I say to my friend from Downsview, he should have been here to see the Minister as he leaned into us across the desk last night, and he said: "Why does the opposition not speak for Ontario sometimes? Why do they not support us?" Some of us are too sensible for that, to look at it in such a bland way.

I think, Mr. Speaker, that since we have become an urban society, the time has come when there ought to be a shared jurisdiction with Ottawa over urban problems. Some day, at an early time, the Premier of this province should go to the federal government and say: "We are willing to recognize that only the federal government, with its immense tax-gathering resources, is capable of supplying the necessary funds to improve the quality of life for those of our people who live in our cities, and they are now approaching about 80 per cent. That is to say, in short, that we would be willing to give up some of the jurisdiction and we would call an end to this aphorism that we employ that the municipalities are the creatures of the provinces." That is the way we talk about them now, they are the "creatures of the provinces." I would be satisfied to see them become creatures of both governments and to see the jurisdiction divided.

If the members want me to postulate, if anybody is interested in how it might be divided, the federal government might very well take responsibility for the environmental quality of our cities—that is to say, the development and building of housing; transportation, the solution of transportation difficulties—and in that light rescue our people who live amid the frustration and irritation of cities from the tyranny of the automobile.

The great world authority, the most outstanding authority in the world, Doxiadis—head of that centre of city studies at theh University of Athens, a man of acknowledged renown—says that the automobile in its tyranny is destroying the human spirit, the human soul, in our cities. He says that at an early time we have to give the surface of the planet back to the people, so that they can move about freely, meet and have social intercourse one with another, which they cannot do now. The mother cannot put the chil-

dren outside with the assurance of their safety from the automobile. She must, perforce, acting out her maternal responsibility, go to the window every once and a while to see that the children have not been struck by a motor car.

Such is one characteristic of life in the modern city. I say without hesitation that the federal government should take responsibility for such things. That is what Givens appears to believe; he has not persuaded anyone of note in Ottawa up to this time. That is what Hyl Chappell appears to believe, and many others, that there must be a direct involvement of the federal government in the problems of our cities.

The provincial sphere, it would seem to me, should remain responsible for the quality of life of the individuals as humans in the cities, as human beings—their education, their recreation, their welfare, those benefits that we as a civilized and human society bestow upon those who have not the ability to look after themselves.

It seems to me—and I say in parenthesis at this point—that there has been no movement. There has been no flexibility; there has been no yielding on the part of the provincial representatives in this province at any of those conferences to recognize, or to indicate they are able to recognize, that a constitution that was framed over 100 years ago to govern 3.5 million people is entirely unsuitable for the governance of seven times that many who live an entirely different life.

In 1867 the document was appropriate for a rural society. We have become transformed into an urban one and many of our ideas and our values have undergone tremendous transformation. That is one area where I advocate, as a student of these things, some concessions.

Another one: When I say that they have not agreed on anything, I do not speak in terms of hyperbole because it seems to me it was at the last one that the federal government suggested to the Premier of this province that the regulation over securities be handed over to the federal government. That is an important head of legislative power.

The Premier of the province said "no" in very cut and emphatic terms. He said, "The province would not consider that." Anybody with glass in one eye and sand in the other—I could put that expression in a different way but I will not—must recognize that the only sensible way to regulate the securities market in this country is at the national level. It is just beyond argument.

Mr. H. L. Rowntree (York West): Or at a single level.

Mr. Sopha: That is at a single level. The senselessness of 11 jurisdictions with 11 sets of laws governing the regulation of security does not even deserve notice. I would have hoped that the Premier of Ontario would have said immediately to Mr. Trudeau, "Certainly, we will make arrangements as far as Ontario is concerned for the transference of that jurisdiction to a single body."

Along with it should go the loan and trust corporations. They are money-creating institutions. The federal government under section 91 has power over banks and banking. The loan and trust corporation are, in effect, banks. What do they call them?

Mr. M. Gaunt (Huron-Bruce): Near-banks.

Mr. Sopha: They are called near-banks. If the federal government is to have both an effective and a sensible regulation of credit creation in this country, it seems to me it must have jurisdiction over all institutions that operate within the framework. I see no good reason that Ontario should tenaciously hold on to power in that field. I am saying today that as the member for Sudbury, as a centralist-minded Canadian, I am willing to yield, because first and foremost I am a citizen of Canada; I am a resident of Ontario.

I agree with my friend from Lakeshore when he says, "The financial resources of this country belong to all Canadians." They do not belong to the residents of Ontario or Alberta or any other single province. I am willing to yield in some of these things. I firmly believe that at the local level the province should have jurisdiction over those things that concern our people as human beings—that is our proper sphere—while giving to the federal government the power to regulate widely the economy of this country as an economic unit.

I would not hesitate to give control over marketing—all forms of marketing—to the federal government. They are responsible to sell our wheat, our barley and our oats, our apples and our cheese—

Mr. P. D. Lawlor (Lakeshore): Interproviincial too?

Mr. Gaunt: The Conservatives in Ottawa oppose that concept.

Mr. Sopha: Do they? I see no sense in two marketing institutions when one would do. I do not need to dwell on that.

I turn in to a more sensitive area where I would be willing to yield—the field of labour relations. Industries are now largely organized on a national scale; they are national in scope. It is my feeling and my belief, and for very valid reasons I will turn to, that the federal government should have jurisdiction over the field of labour relations—one body to promote an even application of labour law across this country in the context of industries national in scope.

I fear for the well-being of some people in some parts of the country where they have more stringent labour laws than in other parts —British Columbia, Newfoundland. I do not think provinces should have the right to have special codes. I do not happen to believe that the man who gives his labour, who provides his labour as an ingredient of production, should be treated as a commodity in the process of production. I would feel safer if labour regulations were with the federal government.

You can readily see, perhaps, Mr. Speaker, that my remarks have been directed toward giving the federal government power to regulate effectively on a national basis. The proper role of the provinces is to look after the individual and local needs of the inhabitants.

We are talking about two different aspects, two completely different aspects, when we consider the proposals of Ontario, and attention has not been drawn in this debate yet to the fact that we are talking about two entirely separate things.

We are talking about the burden of taxation upon the individual; how it falls upon him and how he meets it; how he discharges it. We want to make it as equitable as possible for him to spread it evenly, on the one hand. That is always good. On the other hand, we are talking about tax sharing and the fiscal relationships of governments and how governments raise the necessary revenue to carry out their responsibilities within their fields of jurisdiction.

The Treasurer seems to dwell upon the latter one. Let us not let him lose sight of the fact that when Benson's white paper came out, he hailed it as the latest arrival from Mount Sinai.

Hon. C. S. MacNaughton (Treasurer): Where was that?

Mr. Sopha: That was somewhere up in the north end of Toronto, was it not? He said this was the greatest thing that ever appeared on the fiscal scene in Canada. We have read that remark into the record many times.

An. hon. member: Yes.

Mr. Sopha: Yes.

Mr. Lawlor: He will not deny that now.

Mr. Sopha: He might have been into the opium that night but that was his initial response—

Hon. Mr. MacNaughton: Where in north Toronto?

Mr. Sopha: I will look that up before the Treasurer finishes speaking. We read that one into the record and it was only much later that "Lin-Piao" changed his tune. As I recall, memory tells me it was the Minister of Mines (Mr. A. F. Lawrence) who was the first one of the cabinet hierarchy over there to make complaints in public about the alleged inequities of the white paper in a speech downtown—of course, about three months after it had been released. It had been in the public arena for about three months.

An hon. member: Prior to Bulloch.

Mr. Sopha: Yes, about the same time that John Bulloch emerged.

Mr. Lawlor: The Minister of Mines has given it up as a bad job.

Mr. Sopha: Ever since that time, the attitude of the government of Ontario has been intractable, intransigent and silly, with the Prime Minister of the province—

Hon. Mr. MacNaughton: A lot of people will give the member an argument—

Mr. Sopha: —delivering the old pious cant that is fitting for a meeting of the chamber of commerce, in which he raises the fears, or panders to the fears of people, by saying all sorts of things like, "The white paper is going to destroy initiative." I sometimes believe—

Mr. Lawlor: Destroy the whole country!

Mr. Sopha: —that one of the evils we suffer from in this country—will the members hearken to me—one of the greatest evils we suffer from in this country is that we have too much initiative. There is too much. We will let that sink in, but as I look around the horizon I see all sorts of people—

Mr. Singer: The Minister of Revenue (Mr. White) is here. Nice of the minister to drop in for this debate.

Mr. Sopha: —all sorts of people from morning to night are engaged in the maximization of their own profits and that is held up as a great human good. It is still true in this country. We are like Carthage, I say to my friend from Lakeshore, our business is commerce, commerce is our God and commerce is the main motivation of this country and the maximization of profit put in the philosophical sense can only be at the expense of somebody else. It can only be. He who gets and accumulates must get it by taking it away from his neighbour. There is no other way.

I never feared for the destruction of individual incentive and initiative in the operation of the commercial system of this country, but I have come to the time of years of understanding, I hope, when I am more concerned about the human considerations and the fellowships of man and the assistance that we can give as a human civilized society to those who are less fortunate than ourselves, and not only on the national scene but those who inhabit less fortunate countries in other parts of the world.

What is an example of the Premier's rhetoric? In a statement read here yesterday he said:

> While it is hard for us to predict how the federal government may react to the modifications suggested by the Commons committee, the changes they have recommended would at least move in the direction favoured by the government of Ontario for lower income tax rates, less severe capital gains taxation, reduced death duties and strong and effective incentives.

That is the same type of rhetoric that he has employed everywhere about the alleged inequities of this white paper. I find it difficult to understand how there can be incentives to a dead man; how death duties can give incentive.

Mr. J. B. Trotter (Parkdale): That is the way the Tories are thinking. That is the way the Tories think.

Mr. Sopha: But the fact is, you see, Mr. Speaker, that in all the discussion of the white paper throughout the length and breadth of this land, I have never yet heard of anyone coming forward with a brief for the poor. The poor never got into the plush and elaborate chambers where reside the councils of the great to govern this nation.

Oh, yes, Inco has been there; the National Association of Manufacturers, John Bulloch and his assistants and all those sophisticated well-heeled organizations, are all there with elaborate, well-prepared and very imposing-looking briefs. But the poor—no one ever articulates for them.

Who did the Senate banking committee serve? Who did they serve? The distinguished senators on the Senate banking committee, taking passing notice that it might be a good thing if 1¾ million taxpayers earning taxable income of less than $3,000 a year—that must be starvation level—were left off the tax rolls, then said everything else should remain the same. Nothing should change.

And on the CBC that night—what is that good-looking fellow's name? Lloyd Robertson; overly dressed but a very good-looking fellow—said in the same breath that the 30 senators in the banking committee had a total of 182 directorates in major Canadian companies. Who did they serve?

It is a matter of curiosity to me how long the Canadian people in this age of enlightenment are going to tolerate the Senate as an institution. We are a most patient people. We are most patient that we tolerate its existence; that we tolerate the conflict of interest that goes on in it; that they are permitted to hold directorates in Canadian corporations and at one and the same time have a direct involvement in the formulation of laws in this country.

There should be a royal commission to investigate them—that is what they deserve—to investigate their impartiality, their objectivity, in the discharge of their responsibility in the government of this country.

Mr. Lawlor: That wonderful fellow Allister Grosart, that shining light who undermines his own leaders—

Mr. Sopha: That is the way the rhetoric has gone, you see. Let us sample some of the Treasurer of Ontario's on that day I drew attention to the fatuous comments that he made. And incidentally, regarding the *Hansard* of October 21, we might have an investigation of *Hansard* too at the same time. Future historians will search in vain to find in here those undying words, the remarks of the Treasurer. There is nothing about him saying to the Leader of the New Democratic Party, "Shut your cotton-picking mouth." There is nothing here. I will swear an affidavit that I was here and I heard him say it. I heard him say it—"Shut your cotton-picking mouth"—whatever that means, but—

Hon. Mr. MacNaughton: There are some very silly things in *Hansard*.

Mr. Sopha: But you cannot find that. Then a little later—my friend from Huron-Bruce will support me—he was tasting the salubriousness of that expression and he did not want to use it again, so he invented another one. Do the members recall? He said, "Shut your flapping mouth" to him.

Hon. Mr. MacNaughton: That was good advice.

Interjections by hon. members.

Mr. Lawlor: Spiro Agnew of the assembly!

Mr. Sopha: Yes, indeed. Speaking of Spiro Agnew and his badges, I did not want to let the occasion pass and I am grateful to the hon. member for reminding me of that. I referred to him as "Lin Piao." That is the way the Premier designates him as "my number one man." Well I notice in the press that in China today Mao and Lin Piao both have their picture on the badges worn by the members of the Communist Party, so we might expect some development here along the same way.

Hon. Mr. MacNaughton: Except that this is not the Communist Party.

Mr. Sopha: As the Premier is on the eve of departure—did you see him on TV after we referred to it here last night? That he was going? Did you see him? He did not say he was not quitting. He did not say that.

Mr. Trotter: He said he would let us know.

Mr. Sopha: He said two things. He said, "Do not believe everything you read in the papers," and he said, "When I am quitting, I will let you know." Surely, "Lin Piao" is fairly slavering at the chopsticks.

Hon. Mr. MacNaughton: The hon. member puts some very silly things in *Hansard* too.

Mr. Sopha: All right, I am going to leave that. I am going to leave that and say that because I know the Premier is going, he is going because of his attitude to taxation reform more than anything else. I want him to go in dignity. And when Robarts quits, my nomination for leader—so you go in dignity—is Norris Whitney.

All right, just so I may persuade the members that I do not exaggerate when I typify this contribution to federal-provincial harmony, he said this: "Ontario's views and actions in the realm of federal-provincial taxing and financing have been positive, responsible, co-operative and demonstrably unselfish."

Well, the Treasurer of Ontario knows something of the operation of the treasury of merits that the universal church used to employ at the time that Martin Luther led the revolt against it. You build up a treasury of merits in heaven, that you can call upon in times of need. Self praise to me was never any recommendation. But that was the background on which he wanted to persuade the House that they are really making a positive contribution to fiscal harmony in this country.

Later on:

> The responsible and positive approach by Ontario is clearly evident in our position on tax sharing. We have not advocated narrow and self-serving solutions to the problems of provincial-federal financing. Rather we have advanced concrete suggestions and argued for national solutions—national, I say—and reforms which will better serve all governments and all Canadians.

What are the facts? The advocacy from this government to the federal government has always been summed up in one pithy sentence: "Give us more, give us more." It was two or three years ago that Mr. Sharp slammed the door on them. He almost caught their fingers in the vault door as it closed.

Hon. Mr. MacNaughton: Not on all fours, like the member's own leader.

Mr. Sopha: He said, "You will get no more, you have got the limit of what you are going to get." The Treasurer of Ontario then began to invent a "fiscal nightmare"—never a man at a loss for a phrase. There was "fiscal nightmare" then, and yet in the ensuing provincial budget he was able to bring in a balanced budget and present it to this House. It would certainly call into some question the quality of the rhetoric that he employed.

Well, I bring it back to the context where I wanted to put it, that as politicians, if we are acting responsibly, we have to develop an attitude that is consistent with the most effective and optimum governance of our people. We have to determine at a very early stage what is to be the proper role of each of the levels of government.

What have we now? I forget how many cost-sharing programmes there are. Somebody will correct me no doubt, if I say that the Premier told us, one time not so long ago, that there were some 80 in operation. We would not know the names of some of them. Probably some of them have never been discussed in this Legislature. Probably, in some cases, there would not be one mem-

ber who would be able to recognize them. It is only the more exciting ones that come to our attention.

Well, then, is it crying in the wilderness for a member of the House to call into question the rationality of that? Is it not the better part of good sense in 1970 that we sit down in this country and try to determine the compartments in which the various levels of government can most effectively operate for the well-being of our people?

What do we get? What do we get? That, to me, is the only sensible federal-provincial conference on the constitution. What do we get? We have the television cameras focussed on them, we get long-winded statements in which they appear never to concede anything we get. If the members will permit me—I may be condemned for it—we get the clownish behaviour of the Premier of Newfoundland, who wants to be the village clown across this nation. What does he contribute to the harmony of Canada, the development of Canada, when he starts talking about Ontario as being "the fat sow," in front of three million Canadians? How does that help?

We in Ontario can say with some assurance that we have not been against sharing the bounties that merciful providence has provided us, with people in the other parts of the country. We have believed that it is unhealthy for a country to be strong at the centre and weak at its extremities. We have supported equalization payments.

Then the man from the other end of the country—and intractable man, Bennett, supported by Thatcher of Saskatchewan; they never give in on anything—at the conference they occupied the time given on the national telewaves invariably to point to unique and special problems that affect their own provinces. Thatcher talks about the wheat. Bennet talks about problems of trade with the orient. Our Premier dips into the bag of tricks and talks about Machiavellian schemes.

Yes, I remember that day. I was sitting in my living room. He looked around for the cameras; he looked for the cameras first —he was not sure, he was a bit off balance. He got the eye of the camera, located it; he looked me right in the eye, I remember it well. He had it saved up. Hugh Hanson had carried that phrase with him in the briefcase to Ottawa and he was about to deliver it. "The greatest Machiavellian scheme ever perpetrated on the people of Canada." Are those the words he used? Is that responsible?

Mr. Trotter: Shame, shame!

Mr. Sopha: That is the way they have been. I wish he were here and I would tell him, "You have not agreed on a single thing, not a single thing, in all these years." But, I say, the players are changing. There is a man from Nova Scotia—

Mr. Lawlor: They have been here too long.

Mr. Sopha: —a new man from New Brunswick, a new man from Quebec, a relative newcomer from Manitoba. Maybe it has something to do with the disillusionment of the people. Maybe they expect action. Maybe they want, in the words of my friend from Scarborough East (Mr. T. Reid), "some input." It could be.

This government, I feel, may well go down on the same business, because certainly out there in the cities of this nation there is disenchantment and disillusionment, and anxieties and frustrations and irritations with urban living.

The middle class have lost that feeling of security, where they could expect that tomorrow would provide them with the wherewithal, that they would be able to go to bed at night with the feeling of the utmost security of their home and family. Those things have gone in parts of this country. They are part and parcel of the complexion of modern Canadian life. They wonder if governments are responding, are able to cope with the problem.

Well, it is my view—and I do not want to insult anybody, Mr. Speaker—but in many ways governments and us, the legislators, have become irrelevant to the needs of our people. One way of restoring the relevance is to rework that constitution, to make it fit the demands and needs of the 1970s.

It is not enough to say that taxes are too high. Everybody agrees with that; of course they are. It is not enough to tinker and restructure the method of collection of the taxes. It is not enough to try to harmonize—that is the Treasurer's word—the transfer payments between the federal government and the province. He wants to harmonize them. He is a poetic man; he can borrow that word "rhapsodize" that the leader of the New Democratic Party uses. But it is not enough to do that; it never gets to the guts of the problem which involves the notion of how the Canadian people are to be governed, who is to be responsible for all those incidents of need that must perforce be rectified by government.

Government is treated in a democratic society as a vehicle to advance the common

good. It is the mechanism through which we maximize those aims and desires that we have as human beings. That is what makes it so difficult to understand some of the contemporary events that are happening in our neighbouring province, because we have never been a society which has shown a resistance to change.

Our task in this country is not to consider proposals such as this, but it is to reword the constitution. In that sense our task is similar to that of the men who wrought the first one commencing in 1864. I mentioned three areas where a start could be made. I do not bind the Leader of the Opposition; these are my views as a student of the constitution. I expect he will lead the delegation at an early time, but I put these views before the House: that we cannot separate the matter of tax reform from the constitutional framework of this country and its provinces; we cannot intelligently consider them apart from the distribution of legislative power.

The thrust of relations between governments is correctly summed up in the words of, the member for Lakeshore I think is was, indicating that they really are playing a game of chess or a game of poker. Canadian people get the impression that the warlords of the provinces often want to overreach and undermine the federal government. That puts it accurately and succinctly. They seek to overreach and undermine it, when the spirit should be one of harmony.

The matter of involvement of the federal government in urban problems is to me one of the first priorities in the maximization of the welfare of our people. My concluding words must be that if we are to create the great society, then we must seek and strive for social, political, spiritual and human modes of relations, one with another, those modes of relation between citizens and by and from government and the people it governs.

We must seek and strive for social, political, spiritual and human modes of relations. The fund of humanity and sympathy between government and peoplie must be inexhaustible. We must replenish that fund of humanity from inexhaustible sources. The sharing of our resources must be generous and deep, our fellowship must be genuine and warm.

The decisive battle today is for the soul and the mind. We need spontaneity and freedom, naturalness and creativity, poetry and vision, peace and rest, and richness of personality and the humility of the person working toward transcendent values. Governments acting within their proper role can initiate and stimulate those things. That is the role of government, that is its meaning and its purpose.

Would we this day, at these difficult times in the life of our nation, instead of overreacting, would we but develop the perspicacity to attempt to understand whether maybe there is something wrong in this country and get at the root causes; figure out that these things do not develop out of smoke; that they have a root cause in the sociology of the people.

I am not interested in all this rhetoric and federal-provincial conferences; I am not interested in the Minister of Municipal Affairs telling me to stand up for Ontario. I am interested in a rational system of government in this country as a nation. That is the goal that I want to work for.

I have occupied your time and mortgaged your attention; you have been very patient with me, Mr. Speaker. I have told you about the way that I see some things that concern me. We live in times of great dangers but it is great dangers alone that produce great victories. The possibility of failure offers a theatre for heroism. The burden of present uncertainty oppresses the minds of many sensitive people within our country, but foresight, courage, resolution never had such opportunities to shape our lives and those of subsequent generations. Good and wise men have seldom counted for more; they can hope to bring the facts of life more clearly into accord with the high ideals.

Canada belongs in high company and if we do right by Canada, then those who come after us will count themselves fortunate to live in the midst of a land that commands their exclusive devotion. That is the way I see it, the political and economic problem of this country. There is where I want to point the way toward its solution. It transcends and goes beyond Benson's white paper and the wrangling between the warlords of the provinces and the generalissimos of the federal government. It calls for a greater perceptual insight and a deeper understanding of these problems, directed toward the common end that we want to create one great Canada from sea to sea. The health and strength of the provinces must necessarily follow in ancillary fashion from that high and common purpose that motivates us.

Thank you.

Mr. I. Deans (Wentworth): Mr. Speaker, I think since I was old enough to understand the function of government, I have always believed that a government had to be responsive and concerned about the effects of taxa-

tion, the effects of just trying to ease the day-to-day existence of the people over whom it had jurisdiction. I think in this debate we have probably covered almost every single area of concern in respect to the citizens of Ontario.

I want to deal with one particular area, but I want to say that I think all too often we forget what it is really like to try to make ends meet. I think all too often we forget what the average individual in this province is going through every day as he tries to earn sufficient money to pay not only for the things he has to have, but to pay for his share of the cost of running the province and the country.

I suppose I could have spoken today about the difficulty and the imposition of income tax or sales tax; or the tremendous burden of property tax, as I intend to do; the difficult times people are having in paying things like gasoline taxes or medical or hospital premium costs; or all of the indirect taxes that are levied on individuals by corporations in an attempt by the corporation to recover what is legitimately its share of the cost burden of paying for the future of Canada and of Ontario.

I think, though, that in order to come to grips with one area, I want to confine most or perhaps all of my remarks to municipal finance. I think it is generally agreed by people of this House, and perhaps outside of the House too, that the best-known aspect of the municipal crisis is the desperate financial plight of local governments and taxpayers. I think even the government recognizes this in its Ontario proposals for tax reform in Canada. They did say, on page 40, in talking about housing, that good housing for Canadians is a top social priority, and along with other problems that they outlined as being areas necessary to come to grips with, they said that "The recognition of the regressive burden of the municipal property tax was one area to which this government felt there ought to be special recognition paid."

The increase in the municipal role in government can be measured in cash terms. In Ontario the total municipal expenditures, including the local share of education costs, rose from about $660 million in 1958 to about $1,625 million in 1968. It rose by about $1 billion. I think if we could come to grips with the difficult times and the difficult financial problems that confront municipalities, we could go a long way toward resolving the inequitable situation that has arisen in this province in regard to the burden of taxation on the average individual, the average worker in the Province of Ontario.

The Association of Ontario Mayors and Reeves, in a statement that it made in May of this year, pointed out—and I quote:

> That the problems of municipal finance which have been of serious proportion for years are now moving into the crisis stage. Three factors have combined to create this situation.

And they outline them as follows:

> 1. A shortage of capital and high interest rates;
>
> 2. The trend toward more government services generally, whereby more than one-third of our gross national product now goes into taxation; and
>
> 3. The shift of government expenditures from the federal to the provincial and municipal level.

In 1958 municipal governments and school boards in Canada spent 23 per cent of the total governmental expenditure. Ten years later the figure was 27 per cent.

I think that this is really the major area of concern. If we could today, or in the next few weeks or months, come to grips with this problem, we could have gone a major part of the way toward eliminating the problems confronting most people. Over that 10-year period when those increases were taking place and when the changes in the availability of capital and when the high interest rates were being imposed, municipal revenues just did not keep pace.

To fill the gap, a bewildering array of literally hundreds of different provincial grants has been established. This monument to the ad hoc and the improvised has been characterized by the Smith committee on tax reform as chaotic. In fact, if we take a look at some of the grants that are made available and the numbers of grants that are available, it boggles the mind.

Take a look: We have unconditional grants, road grants, welfare grants, health grants, conservation grants. We then have categories of all those grants. We have suburban road grants, we have county road grants, we have grants for municipal roads, we have Ontario highway grants, we have municipal welfare grants, county welfare grants.

We have got grants upon grants numbering into the hundreds. And there is something drastically wrong with the government that cannot rationalize the grant structure in such a way as to make more simple the administrative details, if nothing else, of coping with

the handing out or the allocating of tax revenue.

It is not really a new matter either. The discussion and the investigation into the grant structure and into the whole area of municipal government has been carried on by this government and its predecessors for years. This government had the Beckett committee six, and they too made recommendations; many of them—in fact, all of them—were totally disregarded.

They then turned to the Smith committee. They got the recommendations. They turned to the white paper and they got its recommendations. Now we talk about whether they changed its recommendations, which will then go to a committee to be debated and which will come forward with more recommendations which will inevitably be cast into the waste-basket like every other single study and every recommendation that ever comes before the government.

Hon. A. Grossman (Minister of Correctional Services): Oh, hardly, hardly.

Mr. Deans: It is very, very difficult. The minister says "hardly." Perhaps it is exaggerated. But in talking of taxation, there have been few things done by this government in an honest attempt to ease the burden of taxation on the people who are feeling the pinch the most. Any recommendations that were ever made in that regard, any recommendations that were ever directed solely to easing the burden of taxation on the people who most needed help, have been so watered down or so delayed that they have been ineffective.

While this has been going on, while their studies and commissions and committees have been studying the problem of municipal taxation, local governments have wrung the last possible income from property tax which has heretofore been their only autonomous revenue source.

In the process they have demonstrated every vicious feature of property tax. They have welcomed fast-buck commercial development, they have forgiven gross industrial pollution, they have banned low-income houses or at least discouraged them—all for the sake of a higher assessment base.

Recent attempts to reform the property assessment, sponsored by the provincial government, have proved to be almost as disastrous. They have created situations almost as untenable as the situations which caused the reassessment to take place in the first place. Homeowners in Mississauga and other Ontario communities have learned that property tax is not merely regressive, it is capricious as well. And many ordinary wage earners in Ontario are fearful of the loss of their homes because of the tax shifts that have occurred and because this government has failed to come to grips with the more basic problems of property tax and reform.

The Association of Ontario Mayors and Reeves—and the government had the opportunity to move into this field—pointed out that taxation at its existing magnitude demands that it be levied on an equitable basis. Property tax, according to the Smith committee report and most other studies, is a regressive, unjust tax that should be used in moderation. Yet municipal taxation raises more than twice the revenue of any other tax in the province. Reform in the municipal finance system is therefore urgent.

They go on to say that their study and examination of various commissions and committees have shown that there are no major fields of taxation other than real estate which can be reasonably used for direct taxation by municipal governments. Well, that is debatable. Direct municipal use of either sales or income tax would only compound the inequities and injustices. I suppose under the system that we operate in, it may well be so.

The solution to the municipal finance problem lies in massive transfer to municipalities of provincial tax dollars, or perhaps indirectly or even directly, as I intend to discuss later, federal tax dollars, raised by a progressive tax method. They suggest as principles to be followed the following:

> That the province should provide sufficient funds to the boards of education through an equalized grant system to assure that not more than 20 per cent of total expenditures would have to be raised by the local property tax in any municipality.

As an aside, I was interested last night in the comments of the Minister of Municipal Affairs, when in some fancy way he was able to determine that, by moving more quickly to a larger share of education tax being taken over by the Province of Ontario, Ontario and Ontario taxpayers would lose money to the federal government.

I fail to follow his argument as he made it, and I want to say to him that even if what he said was accurate under the existing tax structure, it requires only that this government have the initiative and take the initiative to alter the laws of the Province of Ontario in order to make sure that any loss of revenue is indeed recoverable by the province.

The mayors and reeves go on to recommend that:

> Transfer payments from the province should, on the average, equal 40 per cent of total municipal expenditures, apart from education. Part of the transfer payments should be made in the form of equalization grants so as to bring the tax-raising ability of every municipality up to the provincial average.

That is something we have been talking about for ages.

> The main transfer of funds should be made by an unconditional or block grant method.

I could quite easily refer to the speeches of the hon. member for York South (Mr. MacDonald) as he outlined what we felt about that some time ago. They go on to point out that conditional grants should provide for certain municipal expenditures, and they give as examples natural factors, such as land contours, bog rock formations, or extreme cold, and state excessive costs could be reasons for conditional grants. But, in the main, unconditional grants will have to be the method of financing municipal government.

> The province should adopt policies whereby the grants to municipalities are enhanced when desirable municipal reorganization takes place, instead of a reduction, which has so often been the case in the past.

This is so to the point. All one has to do is to speak to the local government officials in the regional areas that have recently been set up, to find out that in order to function properly, it has been necessary for them to levy additional taxes. The cost of municipal government in many instances has caused the region to have to increase far beyond what it would have needed to increase, had it been left in its previous form.

With the problems they will have when they move into the area of regional government the province has an obligation to provide the additional moneys necessary to offset the additional costs. If they are going to move into regional government right across this province, then the Province of Ontario and the government of Ontario have obligations to the people to make sure that it does not cause undue hardship financially.

This has just not been done, but instead ad hoc method, a handout here and there has been substituted. Two nights ago we get additional moneys to be made available for regional government. There was no planning done in the initial stages to determine the cost and there was no determination made in the early stages to determine how the cost would be borne. The government must accept full responsibility for that.

The statement says:

> That capital financing of municipal projects be provided through a provincially operated municipal finance corporation.

I want to refer to that a little later. The recommendations that were made by the Association of Ontario Mayors and Reeves were made by people who deal on a day-to-day basis with the very difficult problems of meeting the needs of communities in the Province of Ontario out of what they know to be a totally inadequate tax base. Surely when people with this background and knowledge and expertise make available to the government suggestions of this type, it is at least a responsibility of government to try to meet the objectives of the recommendations. But this does not happen.

How often we hear the Minister of Municipal Affairs saying that we have to wait; we cannot make the changes yet; we have to wait until after reassessment is completed. While we are waiting, taxes continue to rise, and while we are waiting, people are being forced to pay more and more as a percentage of their income in real property tax.

There are ways of combatting this, and it can be combatted now if the government is prepared to sit down and talk about it. The reassessment programme in Ontario demands emergency first aid. We have to come to grips with it now. We have to have special relief for people who will suffer bitterly, and are suffering right now from its defects. We have to recognize that not all the reassessment was done under the auspices of the Province of Ontario, but also recognize that if it was going to be done anyway, that it was done with the knowledge of the Province of Ontario. It was done with their backing and with their support. The only support that is lacking is financial support, the support that they needed most desperately.

There must be immediate steps taken to prevent the transfer of the tax burden from commercial and industrial assessment to homeowners, as has occurred in Mississauga and other areas. I was interested in reading the Ontario proposals for tax reform, or rather the budget papers. In budget paper B,

presented by the hon. Treasurer, he said, talking about reassessment:

> Reassessment will generate major shifts in tax burdens among individual properties, among classes of property and among municipalities.

If he knew it was going to do this, why were there no provisions made? Why were there no financial provisions made to offset these shifts? If the minister was familiar with the fact that the shifts were going to take place in 1969, why is it that as we approach 1971 nothing has been done to offset the major shifts that have taken place?

The minister went on in that particular budget paper B to say:

> To the extent that exemptions from property tax are narrowed, tax burdens will shift from presently taxed to presently exempt properties.

How do they arrive at that, because that is not what is happening? That was not what happened in Mississauga. That was not what happened at all. To offset it is one thing but then to recognize that it is not right and to make the necessary corrections is an entirely different thing, and this government is derelict in taking the necessary steps. He then went on to say:

> The movement toward a more mutual business tax will be to redistribute tax burdens among businesses on a more equitable basis.

That remains to be seen.

Anyhow, there is no feasible reform that can be undertaken by this government, considering its manner or its approach to tax reform, that can do more than palliate the evils of property tax. It must be phased out as a major source of local government revenues. We can no longer continue to rely on the real property tax as the major source of revenue from municipalities in the Province of Ontario. If we are going to be responsible and recognize that the services that have to be provided by municipalities in this modern age are important to the overall development of the Province of Ontario, then this government has to be prepared to move into the area of providing out of general tax revenue, much greater sums of money for municipal tax.

This requires the co-operation of the provincial government. It also demands what Stefan Dupres has called the complete overhaul of local structure that has become hyper-fractionalized and quasi-subordinated. That is why, for all the urgency of the problem, we believe that the creation of a strong provincial department of regional local government and of effective regional government is a prerequisite to solving the symptomatic problem of mal-apportioned fiscal resources.

We are not going to be able to continue to have the kind of local government we had in the past. We are not going to be able to cope with the problems with the kind of local government we have always had. It is not that the people are unable; it is just simply that they have not the wherewithal. Again, as I say, it is simply a matter that the money that they do have will not stretch over the things that have to be done.

The tax resources available to the provincial government are far more equitable and varied than those traditionally left to the municipalities. Consequently, although we are under no illusions that we are dealing with different taxpayers, we are convinced that it is fairer and more efficient for the province to take over the greater portion of the cost of education. We have said this so often. Everyone is saying it. Even the government says it. Why is it that they are unable to come to grips with the legislative proposals and bring them into the House? What is the conflict in government?

We have to take over far more of health and welfare within the regional governments and we have to take the full cost of such responsibilities as pollution control and conservation. There is no way that municipalities can afford the cost of pollution control. Having taken them over, we then, and I realize it, are talking about spending money, and when you talk about it, at least, if you are doing it at the provincial level, the money you are spending is being raised through a more equitable tax system. It is a more just tax system.

If we are going to try to raise the money to combat pollution, to provide for conservation, to pay for education and health and welfare from the municipal tax base as we are presently doing, it is going to create an even more chaotic situation at the municipal level. Many of the services will be inadequate when they are finally provided.

There will be many municipal responsibilities that will remain after we have decided which we are going to take over or which we are going to finance. We believe that the existing system of grants is impossible to justify. We also believe that municipal services and costs must both be spread out as evenly as possible across the whole province. We believe that every resident of Ontario, within reason, is more than entitled to a

basic level of services no matter where he lives and no matter what the economic circumstances of his municipality to achieve this goal. We, in this party, have taken the example of the education foundation plan and devised a municipal programme.

Once equalized assessment has been achieved across the province, the per capita cost of basic essential services, such as police and fire protection, sewage disposal, snow clearing, libraries, playgrounds and many others would be established for various types of municipalities. A basic grant, perhaps 25 per cent, would be given as a supplement in areas such as the north and in other areas where special circumstances or considerations, such as climate or terrain, have to be considered. In other words, we are going to try, through a carefully laid-out programme, to assure that every citizen receives at least a basic level of service. This, at the moment, is not being done.

Having done that, the calculation would be made of the mill rate necessary in the richest municipalities—those with the highest assessments—to meet the established basic cost of the services. This standard mill rate would be applied to all municipalities and the financial gap left in the poorer municipalities would be made up by provincial grants, thus ensuring inhabitants an agreed basic level of service.

This does not preclude local government from doing more. If the local government is able and wishes, as a result of indications from its residents, to do more, it can levy a higher mill rate; it can raise additional funds. This guarantees a basic level, something that is not guaranteed in the province at the moment.

Although the provincial takeover of some of the major costs of local government, and the municipal foundation plan that we have proposed, will remove the most significant financial problems now facing local government, we believe the municipalities must have access to other progressive forms of revenue so that they will have an alternative to a higher mill rate for increased expenditures.

It is extremely difficult to understand how the government can be so reluctant to move into this particular area. We put this before the government some time ago and it worries me that they do not seem to have been able to come to grips with the significance of what we have said. Even in the Smith committee report, he said, and I quote from page 62, that:

> Real property tax and the addition of business taxes, together with two other main revenue sources, bear the lion's share of responsibility for providing the revenues needed for all local government purposes. The first major non-tax source encompasses the rates, fares, rents and other direct charges for utilities and other revenue-earning enterprises, which produce an amount that, while not precisely known, is probably in excess of half a billion dollars annually. The second major non-tax source comprises the subsidies and similar payments from the province, which will perhaps reach $725 million in the fiscal year ending March 31, 1967.

That was at the time he was writing the book. It does not include the payments in lieu of taxes on provincial Crown properties and aid to public hospitals. He recommended that the province should pay its share of provincially owned properties, but the move has been minimal.

There has been little recognition paid to the work that was done and of the recommendations that were made. It was said that the establishment of a relatively limited number of regional units of municipal government facilitates a long-standing proposal that local government could take over a few points of the province's current 28 per cent of the federal income tax.

A municipality wishing to raise a larger share of revenue through income tax could contract through the provincial government or the federal Department of National Revenue, to add the extra points for all taxpayers living in the region. It may not be the most acceptable method, but at least it is food for thought. It gives the government at least alternative ways of raising the moneys necessary. In this way municipalities will be plugged into what remains of the most progressive form of taxation.

It would give municipalities direct access to such things as income tax and corporate tax, which are raised with the ability to pay at least taken into consideration to some degree. What has been done by the government? What has this government done to try to meet the problems? In this budget paper B that I was talking about, the provincial Treasurer said, and I quote from page 63:

> Property taxation in Ontario stands in need of fundamental reform, perhaps more so than any other area. As the Smith committee and the select committee so clearly showed, the present property tax is grossly unfair and inefficient.

And he promised four lines of attack, and I quote:

> —to overhaul the entire system of property taxation, and make it as equitable and efficient as possible.

He said that they would reassess at the current value. It is being done. There would be a broadening of the tax base by removing exemptions, a more neutral business tax assessment rate, and determining of an appropriate distribution of tax burdens among classes of real property.

It all sounds great. The only problem is, like everything else the government does, it said it in 1967 and it is now 1970. We are likely to have an election in 1971. It is very difficult for me to understand when the government intends to start doing something that will produce results.

What have we achieved; what have they achieved by these fine statements? They made an awful mess of the reassessment. They have created more disruption and more upset. They have created more doubt in the minds of the people of this province due to reassessment than perhaps due to any other single thing. They have failed to communicate, as usual, with the people of this province, in regard to what reassessment will mean. The reason they have failed is because they do not know—

Mr. D. M. Deacon (York Centre): They have not even told their own assessors.

Mr. Deans: —what it will mean. Instead of coming to grips with it immediately, so that things like Mississauga, things like what happened in my own riding in Stoney Creek and things that are happening across this province, did not occur, they let municipalities go ahead. The end result is that there is an additional burden which has been caused by reassessment and which has not been compensated for by this government in any way.

The business tax is still an inequitable mess. I wonder if it will ever be anything else. With a government like this you would wonder if they would ever come to grips with business tax. When will university property be fully accessible and taxable? We do not see it; oh, a very tiny move along the way, a sort of hesitant step, but certainly no major step that would indicate an attempt at tax reform. When will the exemptions from hospitals be removed? When will the government start paying its way in municipalities where hospitals are located or where universities are located?

Why should those people be bearing the cost of something that is of a benefit to the entire area, to the entire province? Why should it be borne almost entirely by the municipal tax of the people who live in the municipality? Why can this government not take some more concrete, positive steps toward reform?

"The reform of property tax," it says. Well, how does it reform it? It hands out the residential property tax reduction, the basic shelter grant. I can think of no less appropriate way to deal with the burdensome problem of tax reform than to hand out money in a handout scheme. There are many tenants in this province who are still not getting the grant. I wonder why.

The grant was intended obviously to be a one-shot affair, and it did hold the rise, at least marginally, in 1968. But it has done nothing in 1969 and it is not effective in 1970. The increases in costs to municipalities have long overshadowed the value of the grant. Surely, to come to grips with the basic expenditure problem is much more important than to send out money in a cheque to the citizens of the province—their own money. To send their own money out makes absolutely no sense, and, as my colleague says, it is bribery.

There has been very little change in provincial grants, as a percentage of the total municipal expenses. In 1968, the total provincial grants for general purposes were 21 per cent of municipal expenditures. In 1964, they were close to 23 per cent. One can hardly believe that that is all we can expect from this government in its tax reform programme.

The new regional governments, as I have said before, just have not been given enough money. How are they supposed to do the job, unless the government is prepared to come up with a programme, an incentive type programme, a programme of guaranteeing so that they can understand what they are going to get, and then spend it to meet the needs of the community? Even the farm assessment problem, which was so vexing over the last few months, the government has not come to grips with.

One would really wonder whether the government intends to continue in this completely false, misleading manner in which it places before the public its intentions. This government is famous now for great statements of intent and equally famous for failing to come through when the chips are down.

An hon. member: Infamous.

Mr. Deans: Infamous, yes.

We would make some recommendations to the government. There are many but I will make only three:

1. That an immediate attempt be made to reduce the dependence of municipalities on real property tax by (a) the province assuming a greater share of the cost of financing education—for heaven's sake, move!—(b) the province establishing a municipal foundation programme as a basis for municipal grants—nothing could be simpler; it is the most equitable way of dealing with the problem; (c) rationalization of the municipal grants structure, in order to reduce in number the grants available by the province to municipalities and to make available sufficient moneys through an unconditional grant for on-going expenditures.

2. We would suggest that the government expand the powers of the municipal improvement corporation, to enable it to act as a municipal loan fund using the credit of the Province of Ontario as collateral, and thereby reducing the interest rates on debenture borrowing.

Let me just say that I am not the only person who thinks that the interest rates are creating a very difficult situation for municipalities. I will read to the House from a paper and it is talking about the availability of money for debenture purposes:

(a) Money has never been as expensive in this century.

(b) Our cities are being required to pay approximately 8¾ per cent for one- to 20-year money while our towns and villages are being required to pay approximately nine per cent for the same kind of money—for the same terms.

(c) Many municipal treasurers, rather than face the difficulties of the market and borrow at these rates, are relying temporarily on the banking system at an interest rate of 7½ to 7¾ per cent.

Something that we cannot encourage. Right?

(d) Some of the more fortunate municipalities are sufficiently large to place issues on the US dollar market—

Which I am not at all sure is a good idea, frankly. I am not at all sure that municipalities should have to worry and hire people to determine the propriety of the foreign money situation and to take the risks that are inherent in borrowing abroad.

I will discuss recommendation No. 3 later.

Mr. Speaker, I wonder if this might be an appropriate place to adjourn the debate.

Mr. Speaker: If the hon. member finds an appropriate point at which he can break his remarks.

Mr. Deans: I will do it here; I can go back.

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Grossman: Mr. Speaker, on Monday we will proceed as announced last night. We will have estimates, and after we get through with the estimates, we will proceed with this debate again.

Mr. J. Renwick (Riverdale): Mr. Speaker, just before the adjournment, would it be your intention to proceed with the supplementary estimates as the first item?

Hon. Mr. Grossman: Yes, supplementary estimates and estimates of the Prime Minister, the Lieutenant Governor, the Provincial Auditor, Treasury Board and, if there is time, concurrence in supply of The Department of Social and Family Services. It appears to me that this might be able to be done Monday afternoon, and this tax debate should, perhaps, be able to come on Monday night.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

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